

THE BOROUGH OF BLACKBURN WITH DARWEN
(DARWEN TOWN CENTRE)
(TRAFFIC MANAGEMENT AND REVOCATION) (NO.3) ORDER 2007

The Blackburn with Darwen Borough Council in exercise of the powers under Sections 1,2, 4, 45, 46 and 124 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:-

PART 1 - GENERAL

1. This Order shall come into operation on the 9th day of July 2007 and may be cited as "The Borough of Blackburn with Darwen (Darwen Town Centre) (Traffic Management and Revocation) (No.3) Order 2007.

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"goods"	includes postal packets of any description; and "delivering" and "collecting" in relation to any goods include checking the goods for the purpose of their delivery or collection
"goods vehicle"	means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer
"passenger vehicle"	means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;
"owner"	in relation to a vehicle, means the person by whom such vehicle is kept and used
"disabled person's badge"	means a badge which <ol style="list-style-type: none">(i) was issued, or has effect as if issued to a disabled person or an institution under The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or under regulations having effect in Scotland or Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970; and(ii) has not ceased to be in force
"relevant position"	means a vehicle displays a disabled person's badge in the relevant position if <ol style="list-style-type: none">(i) in the case of a vehicle fitted with a front windscreen, the badge exhibited thereon with the

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- obverse side facing forwards on the near side of and immediately behind the windscreen;
- (ii) in the case of a vehicle not fitted with a front windscreen, the badge exhibited in a conspicuous position on the front or near side of the vehicle.

"disabled person's vehicle" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, as amended:

"parking disc" means a disc, issued by a local authority, complying with the requirements of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, as amended.

- 2 (2) A vehicle displays a disabled person's badge in the relevant position if -
- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
- (b) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

A vehicle displays a parking disc in the relevant position if -

- (a) in the case of a vehicle fitted with a dashboard or fascia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle; or
- (b) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.
2. (3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART II

DISABLED PARKING BAY

3. The length of road specified in Schedule 1 to this Order is authorised to be used as a parking place for disabled persons' vehicles which display in the relevant position a disabled person's badge (maximum stay 3 hours per visit)

4. Nothing in Article 3 of this Order shall apply so as to prevent any person from causing any vehicle to wait in the road if used in connection with any of the following operations, namely

- (i) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
- (ii) the laying, erection, alteration or repair in or in land adjacent to the said lengths of

road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

- (iii) the vehicle if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties.
 - (iv) the vehicle to be used for fire brigade, ambulance police or medical purposes.
 - (v) building maintenance, industrial or demolition operations
 - (vi) the removal of any obstruction to traffic
5. Nothing in Article 3 of this Order shall apply to vehicles:
- (a) used by the local authority in connection with street cleansing; or
 - (b) proceeding at the direction or with the permission of a police officer in uniform.

PART III

NO WAITING AT ANY TIME

6. Save as provided by the provisions of this Order, no person shall, except on the direction of or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on the sides of road or in any of the lengths of road specified in Schedule 2.

7(1) Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to:-

- (a) enable a person to board or alight from the vehicle
- (b) if the vehicle is being used for the purpose of collecting or delivering of postal packets as defined by Section 87 of the Post Office Act 1953.

7(2) (a) Nothing in Article 6 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations, namely -

- (i) building maintenance, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
- (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

7(2) (b) the vehicle if cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties.

7(2) (c) the vehicle to be used for fire brigade, ambulance or police purposes.

7(3) Nothing in Article 6 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the lengths of road or on the side of the road referred to in the Article for a period not exceeding three hours (being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length or on the same side of road on the same day).

7(4) Nothing in Article 6 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait on the side of the roads or in the length of roads referred to in that Article.

7(5) Nothing in Article 6 shall render it unlawful to cause or permit a hackney carriage vehicle to wait at any place which has been appointed as a stand for hackney carriages during any period for which that stand has been appointed.

PART IV

WAITING LIMITED TO 1 HOUR NO RETURN WITHIN 2 HOURS MONDAY TO SATURDAY 8.00AM – 6.00PM

8. Save as provided by the provisions of this Order, no person shall, except on the direction of or with the permission of a police officer in uniform, cause or permit any vehicle to wait between the hours of 8.00am and 6.00pm on any day other than a Sunday on the sides of road or in any of the lengths of road specified in Schedule 3 other than a vehicle engaged in the provision of a local service as defined in Section 2 of the Transport Act 1985:-

- (a) for a longer period than 1 hour or
- (b) if a period of less than 2 hours has elapsed since the termination of the last period of waiting (if any) by that vehicle on the same side of road or length of road

9(1) Nothing in Article 8 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred to therein for so long as may be necessary to:-

- (a) enable a person to board or alight from the vehicle
- (b) if the vehicle is being used for the purpose of collecting or delivering of postal packets as defined by Section 87 of the Post Office Act 1953.

9(2) (a) Nothing in Article 8 shall render it unlawful to cause or permit any vehicle to wait in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations, namely -

- (i) building maintenance, industrial or demolition operations;

- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
- (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

9(2) (b) the vehicle if cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority in pursuance of statutory powers or duties.

9(2) (c) the vehicle to be used for fire brigade, ambulance or police purposes.

9(3) Nothing in Article 8 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge, and a parking disc (on which the driver, or other person in charge of the vehicle, has marked the time at which the period of waiting began) to wait in any of the lengths of road or on the side of the road referred to in the Article for a period not exceeding three hours (being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length or on the same side of road on the same day).

9(4) Nothing in Article 8 of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait on the side of the roads or in the length of roads referred to in that Article.

9(5) Nothing in Article 8 shall render it unlawful to cause or permit a hackney carriage vehicle to wait at any place which has been appointed as a stand for hackney carriages during any period for which that stand has been appointed.

PART V

NO LOADING/UNLOADING AT ANY TIME

10. Save as provided by the provisions of this Order no person shall, except on the direction or with the permission of a Police Officer in uniform, cause or permit any vehicle to load or unload goods at any time on the sides of the road or in any lengths of road specified in Schedule 4

11. Nothing in Article 10 of this Order shall render it unlawful to cause or permit any vehicle to load or unload goods in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations, namely -

- (i) building maintenance, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road or side

of road; or

- (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

PART VI

LOADING BAY

12. Save as provided by the provisions of this Order no person shall, except on the direction or with the permission of a Police Officer in uniform or of a Traffic Warden, cause or permit any vehicle to wait at any time on the sides of the road or in any lengths of road specified in Schedule 5 other than a delivery vehicle for the purposes of loading or unloading goods from that vehicle

13. Nothing in Article 12 of this Order shall render it unlawful to cause or permit any vehicle to load or unload goods in the lengths of road referred therein if it cannot be conveniently used for such purpose in any other road, to be used in connection with any of the following operations, namely -

- (i) building maintenance, industrial or demolition operations;
- (ii) the removal of any obstruction to traffic;
- (iii) the maintenance, improvement or reconstruction of the said lengths of road or side of road; or
- (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths of road or side of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in paragraph 1(i) of the Telecommunications Code contained in Schedule 2 to the Telecommunications Act 1984.

PART VII

REVOCATIONS

14. The Orders specified in Schedule 6 to this Order are hereby revoked to the extent specified in Column 2 thereof

PART VIII

GENERAL

15. In so far as any provision of this Order conflicts with a provision which is contained in an Order made or having effect as if made under the Act of 1984, and existing at the time when this Order comes into operation, and which imposes a restriction or prohibition on waiting by vehicles other than those engaged in the provision of a local service, as defined in Section 2 of the Transport Act, 1985 in a bus stop area or grants an exemption from such restriction or prohibition, that provision of that Order shall prevail.

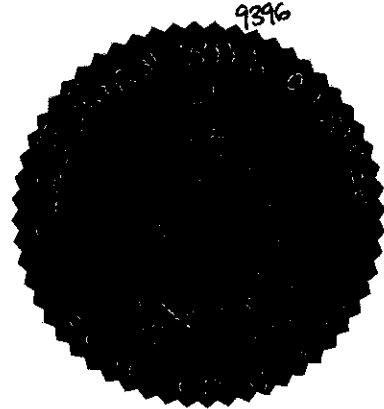
16. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the Act of 1984 or by or under any other enactment.

Given under the Common Seal of the Blackburn with Darwen Borough Council
this 3rd day of July 2007

THE COMMON SEAL of Blackburn)
with Darwen Borough Council was)
hereunto affixed in pursuance of a)
resolution of the Council held on the)
15th November 2001)



Authorised Officer



SCHEDULE 1

Disabled Parking Bay

Street	Side	Description
Police Street	Southeast	From a point 36 metres southwest of its junction with Green Street for a distance of 12 metres in a south westerly direction

SCHEDULE 2

No Waiting At Any Time

Street	Side	Description
Green Street	Both	From its junction with Borough Road for its entire length
Wood Street	Southwest	From its junction with Police Street to its junction with James Street
Bury Street	Both	From its junction with Wood Street to its junction with Duckworth Street
Market Street	Northeast	From its junction with School Street for a distance of 30 metres in a north westerly direction
The Circus	All sides	For its entire length
Borough Road	North	From its junction with Green Street to its junction with The Green From its junction with Green Street to its junction with The Circus
	South	From its junction with Borough Road for a distance of 15 metres in a westerly direction From its junction with The Circus to its junction with Green Street
Wood Street	Northeast	From its junction with Police Street to its junction with Bury Street
The Green	Both	From its junction with Borough Road to its junction with Green Street
	Northwest	From its junction with Borough Road for a distance of 30 metres in a north easterly direction
Police Street	Southeast	From its junction with Duckworth Street for a distance of 58 metres in a south westerly direction From its junction with Green Street for a distance of 36 metres in a south westerly direction From a point 69 metres southwest of its junction with Green Street for a distance of 25 metres in a south westerly direction
	Northwest	From a point 32 metres southwest of its junction with Duckworth Street for a distance of 26 metres in a south westerly direction From its junction with Green Street for a distance of 41 metres in a south westerly direction From a point 64 metres southwest of its junction with Green Street for a distance of 25 metres in a south westerly direction

SCHEDULE 3

Waiting Limited to 1 hour no return within 2 hours
Monday to Saturday 8.00am-6.00pm

Street	Side	Description
Police Street	Northwest	From a point 41 metres southwest of its junction with Green Street for a distance of 23 metres in a south westerly direction
	Southeast	From a point 48 metres southwest of its junction with Green Street for a distance of 21 metres in a south westerly direction

SCHEDULE 4

No Loading/Unloading At Any Time

Street	Side	Description
Market Street	Northeast	From its junction with School Street for a distance of 30 metres in a north westerly direction
Borough Road	North	From its junction with Green Street to its junction with The Green
Police Street	Southeast	From its junction with Duckworth Street for a distance of 58 metres in a south westerly direction From its junction with Green Street for a distance of 36 metres in a south easterly direction
	Northwest	From its junction with Green Street for a distance of 41 metres in a south westerly direction

SCHEDULE 5

Loading Bay

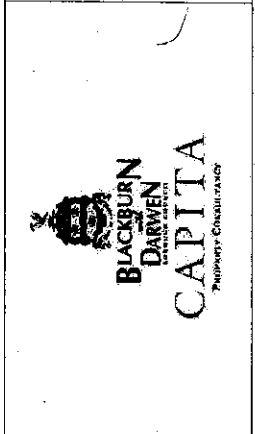
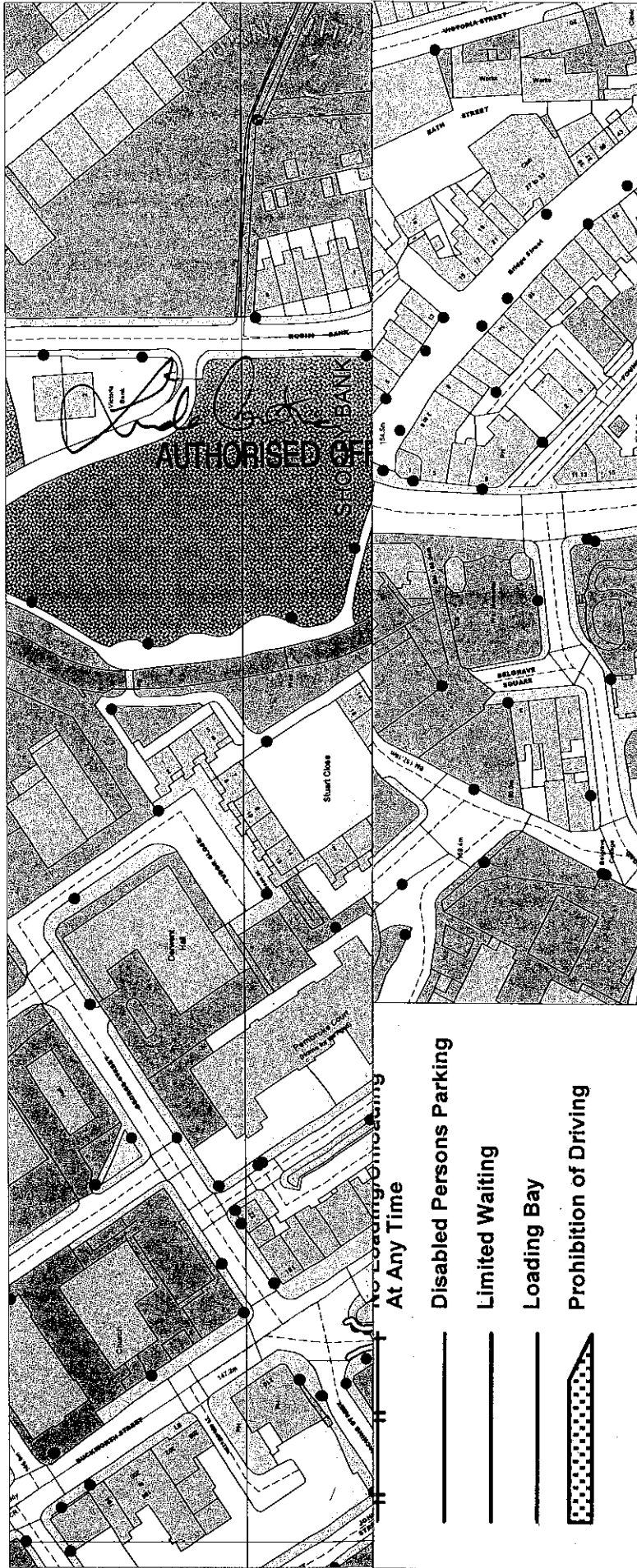
Street	Side	Description
Market Street	West	From its junction with Arch Street for a distance of 22 metres in a south easterly direction

SCHEDULE 6

Revocations

Name of Order	Extent of Revocation
The Borough of Blackburn (Darwen Town Centre) (Prohibition and Restriction of Waiting) Order 1976	First Schedule – reference to Market Street, northeast carriageway, southwest side – from Arch Street to Church Street
	First Schedule – reference to Market Street, southwest carriageway, both sides – From Arch Street to The Circus
	First Schedule – reference to The Circus, southwest side – From Bolton road to Green Street
	First Schedule – reference to The Circus, northeast side – From the southern end of Market Street (northeast carriageway) to Green Street
	First Schedule – reference to Green Street, both sides – From The Circus to Bury Street
	First Schedule – reference to Borough Road, both sides – From Green Street for a distance of 15 metres in a westerly direction
	First Schedule – reference to Bury Street, both sides – From Green Street to Duckworth Street
	First Schedule – reference to Market Street, northeast carriageway, northeast side – From School Street to Church Street
The Borough of Blackburn (Various Streets) (Prohibition and Restriction of Waiting and Revocation) (No.2) Order 1996	In Schedule 1 reference to Borough Road, both sides – From its junction with Green Street for a distance of 15 metres in a westerly direction
	In Schedule 4 reference to Borough Road, north side – From a point 15 metres west of its junction with Green Street to a point 30 metres east of its junction with The Green
	In Schedule 6 reference to Borough Road, northeast side – From its junction with The Green for a distance of 30 metres in a south easterly direction
	In Schedule 6 reference to The Green, northwest side – From its junction with Borough Road to its junction with that part of The Green that leads to High Street
The Borough of Blackburn (Various Streets) (No.6) (Prohibition and Restriction of Waiting) Order 1981	In Schedule 1 reference to Wood Street, southwest side – From its junction with Green Street for a distance of 25 metres in a north westerly direction
	All references to Police Street
The Borough of Blackburn with Darwen (Various Streets) (No.5) (Prohibition and Restriction of Waiting and Revocation) Order 1998	In Schedule 3 reference to Market Street, east side – From a point 45 metres north of its junction with School Street to its junction with School Street

The Borough of Blackburn with Darwen (Various Streets) (No.2) (Prohibition and Restriction of Waiting and Revocation) Order 2000	In Schedule 1 reference to Police Street, southeast side – From its junction with Bury Street to its junction with Duckworth Street
	In Schedule 5 reference to Police Street, southeast side – From its junction with Bury Street to its junction with Duckworth Street



Darwen Town Centre

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