

**THE BOROUGH OF BLACKBURN WITH DARWEN
(VARIOUS STREETS)(BLACKBURN) (PROHIBITION AND RESTRICTION OF
WAITING, LOADING & UNLOADING) 2021**

NOTICE is hereby given that the Blackburn with Darwen Borough Council propose to make the following Order under the Road Traffic Regulation Act 1984 (as amended), the effect of which will be to regulate the waiting, loading and unloading of vehicles as described in Schedules 1 -2 and a revocation by Schedule 3 by way of varying an existing order to include these additional provisions.

The usual exemptions will apply. Any queries concerning the proposals should be made by telephoning Traffic on 01254 587668.

Because of the current Covid 19 travel restrictions and the continued closure of some public buildings the draft Order and relevant plans together with a statement of the Council's reasons for proposing to make the Order, may either be viewed online at <https://www.blackburn.gov.uk/roads-and-highways/traffic-regulation-orders>, requested via email on traffic@blackburn.gov.uk or you may call the Council phone number on 01254 585585 Monday to Friday inclusive between the hours of 10.00 a.m. and 4.00 p.m. (excluding Bank Holidays) to see if other means of providing the details can be arranged.

Written objections to the Order, specifying the grounds thereof, should be sent to the undersigned. Any objections may alternatively be emailed to traffic@blackburn.gov.uk but in either case should be received no later than 5th March 2021.

DATED this 11th February 2021

**Asad Laher, Head of Legal and Governance
Town Hall, Blackburn, BB1 7DY**

SCHEDULE 1: NO WAITING MON-SAT 8AM-6PM

Street	Side	Location
HUTTON STREET BLACKBURN,	both	from the centreline of Clerkhill Street for a distance of 116 metres in a north easterly direction

SCHEDULE 2: NO LOADING/UNLOADING MON-SAT 7AM-7PM

Street	Side	Location
PRESTON NEW ROAD BLACKBURN,	both	from the centreline of Montague Street to the centreline of Shear Bank Road

SCHEDULE 3 : REVOCATION

Items to be removed from:

THE BOROUGH OF BLACKBURN WITH DARWEN (VARIOUS STREETS) (NO. 6) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 1998

No waiting Mon-Sat 8am-6pm

1	HUTTON STREET	both	from its junction with Clerkhill Street for a distance of 75 metres in an easterly direction
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**THE BOROUGH OF BLACKBURN WITH DARWEN
(VARIOUS STREETS)(BLACKBURN) (PROHIBITION AND RESTRICTION OF
WAITING, LOADING & UNLOADING) 2021**

The Blackburn with Darwen Borough Council, in exercise of the powers of the said Council under Sections 1, 2, 4 and 124 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 of the Act, hereby makes the following Order:-

1. This Order shall come into operation on the day of 2021 and may be cited as the Borough of Blackburn with Darwen (Various Streets) (Blackburn)(Prohibition and Restriction of Waiting, Loading and Unloading) Order 2021

2.1 In this Order -

“a bus stop area” means any area of carriageway in any of the lengths of road or on the sides of road specified in the Schedules to this Order intended for the waiting of buses, which is comprised within and indicated by a road marking complying with either diagram 1025.1 or diagram 1025.3 in Schedule 6 to The Traffic Signs Regulations and General Directions 1994:

“disabled person's badge” has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000, as amended:

“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.

“Civil Enforcement Officer” means a person authorised by or on behalf of Blackburn with Darwen Borough Council in accordance with Section 76 of the Traffic Management Act 2004

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 Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order.

3. Save as provided in Articles 5.1, 5.2, 5.3, 5.4, 5.5, 5.6 and 6 of this Order no person shall, except on the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer cause or permit any vehicle to stop between the hours of 8.00am and 6.00pm on any day other than a Sunday on the sides or in any length of road specified in Schedule 1.

4. Save as provided in Articles 5.1, 5.2, 5.3, 5.5 and 6 to this Order no person shall, except on the direction of or with the permission of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any vehicle to load or unload between the hours of 7:00am and 7:00pm on any day other than a Sunday on the sides of road or in any lengths of road specified in Schedule 2.

5.1 Nothing in Articles 3 or 4 of this Order 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.

5.2 (a) Nothing in 3 or 4 of this Order 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.

5.3 Nothing in 3 or 4 of this Order 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) 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.
- (ii) the vehicle to be used for fire brigade, ambulance or police purposes.

5.4 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded from the vehicle in the lengths of road specified in Schedule 1

5.5 Nothing in 3 and 4 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, 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).

5.6 Nothing in Article 3 of this Order shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be unloaded or loaded from the vehicle in the lengths of road specified in Schedule 1

6. 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.

7. 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.

8. The order specified in Schedule 3 of this Order are hereby revoked to the extent specified in the description thereof

Given under the Common Seal of the Blackburn with Darwen Borough Council
this day of 2021

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

Authorised Officer

SCHEDULE 1: NO WAITING MON-SAT 8AM-6PM

Street	Side	Location
HUTTON STREET BLACKBURN,	both	from the centreline of Clerkhill Street for a distance of 116 metres in a north easterly direction

SCHEDULE 2: NO LOADING/UNLOADING MON-SAT 7AM-7PM

Street	Side	Location
PRESTON NEW ROAD BLACKBURN,	both	from the centreline of Montague Street to the centreline of Shear Bank Road

SCHEDULE 3 : REVOCATION

Items to be removed from:

THE BOROUGH OF BLACKBURN WITH DARWEN (VARIOUS STREETS) (NO. 6) (PROHIBITION AND RESTRICTION OF WAITING AND REVOCATION) ORDER 1998

No waiting Mon-Sat 8am-6pm

1	HUTTON STREET	both	from its junction with Clerkhill Street for a distance of 75 metres in an easterly direction
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STATEMENT OF REASONS

It is proposed to create a new Order to create new unloading/loading restrictions for the reasons set out below:

Restriction of Waiting Mon-Sat 8am-6pm.....Hutton Street, Blackburn
Restriction of Loading/Unloading Mon-Sat 7am-7pm.....Preston New Road, Blackburn

Hutton Street, Blackburn

A company on Hutton Street is experiencing problems with HGVs accessing their premises due to vehicles being parked on unrestricted areas of road outside their gates. Vehicles cannot manoeuvre into the loading area at the front of the unit. This means the whole road is obstructed causing major traffic and safety issues. It is proposed to introduce a no waiting restriction on the road outside the business between the times Monday to Saturday 8am to 6pm.

Preston New Road, Blackburn

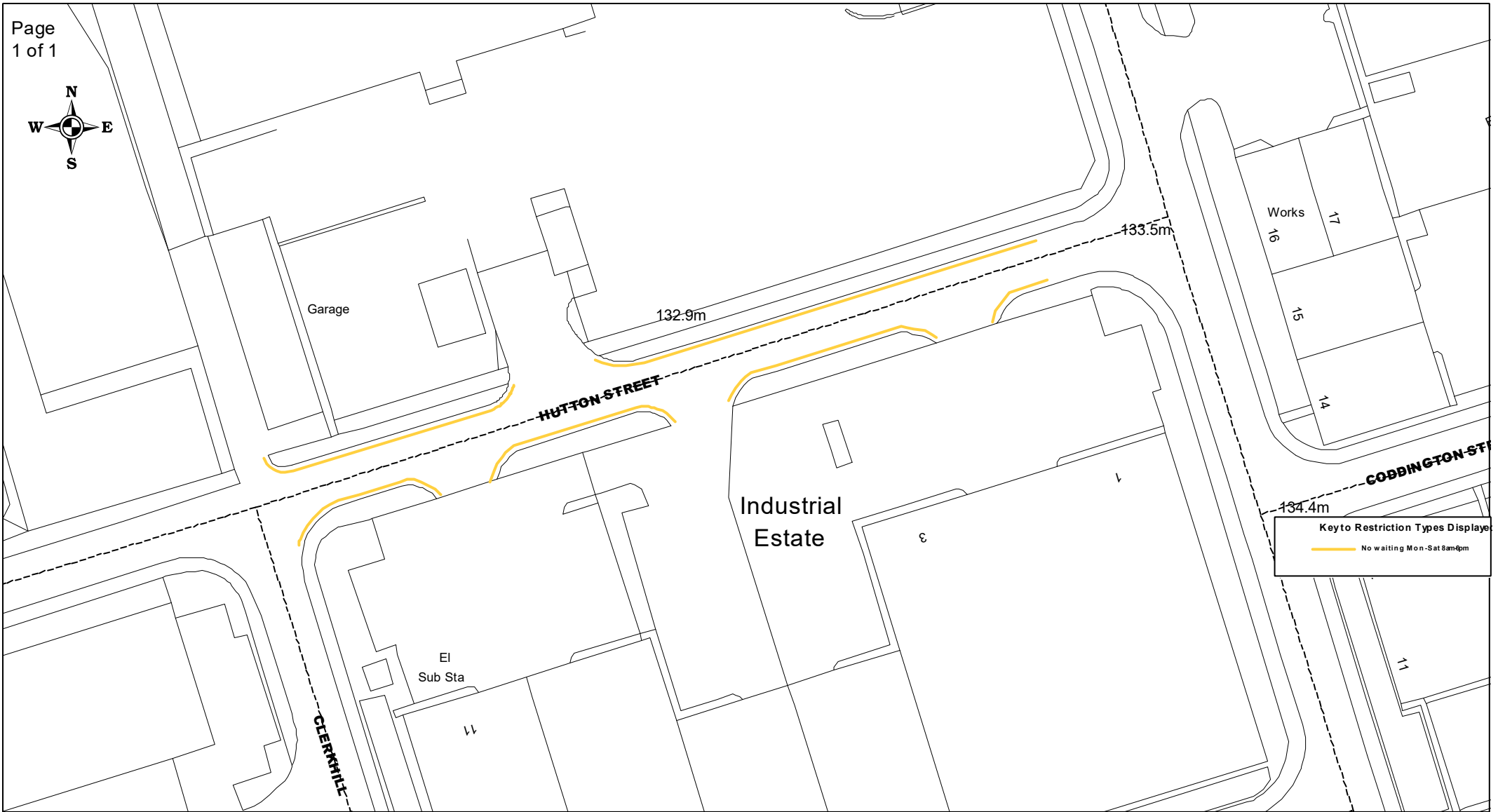
In order to alleviate obstruction, caused by parked vehicles at school drop off and collection times, on Preston New Road at Corporation Park entrance and at both roundabouts either side of the park, it is proposed to introduce a new restriction between Montague Street and Shear Bank Road on both sides of Preston New Road. The new restriction will ban loading and unloading Monday to Saturday between 7am and 7pm and will supplement the existing no waiting restriction.

These proposals are being promoted under the provisions of the Road Traffic Regulation Act 1984 which allows the Council to take measures under Section 1 and Section 23 for the following reasons:

1(1)(a) Avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising;

1(1)(c) Facilitating the passage on the road or any other road of any class of traffic (including pedestrians);

1(1)(f) Preserving or improving the amenities of the area through which the road runs;



Key to Restriction Types Displayed

- No waiting Mon-Sat 8am-5pm

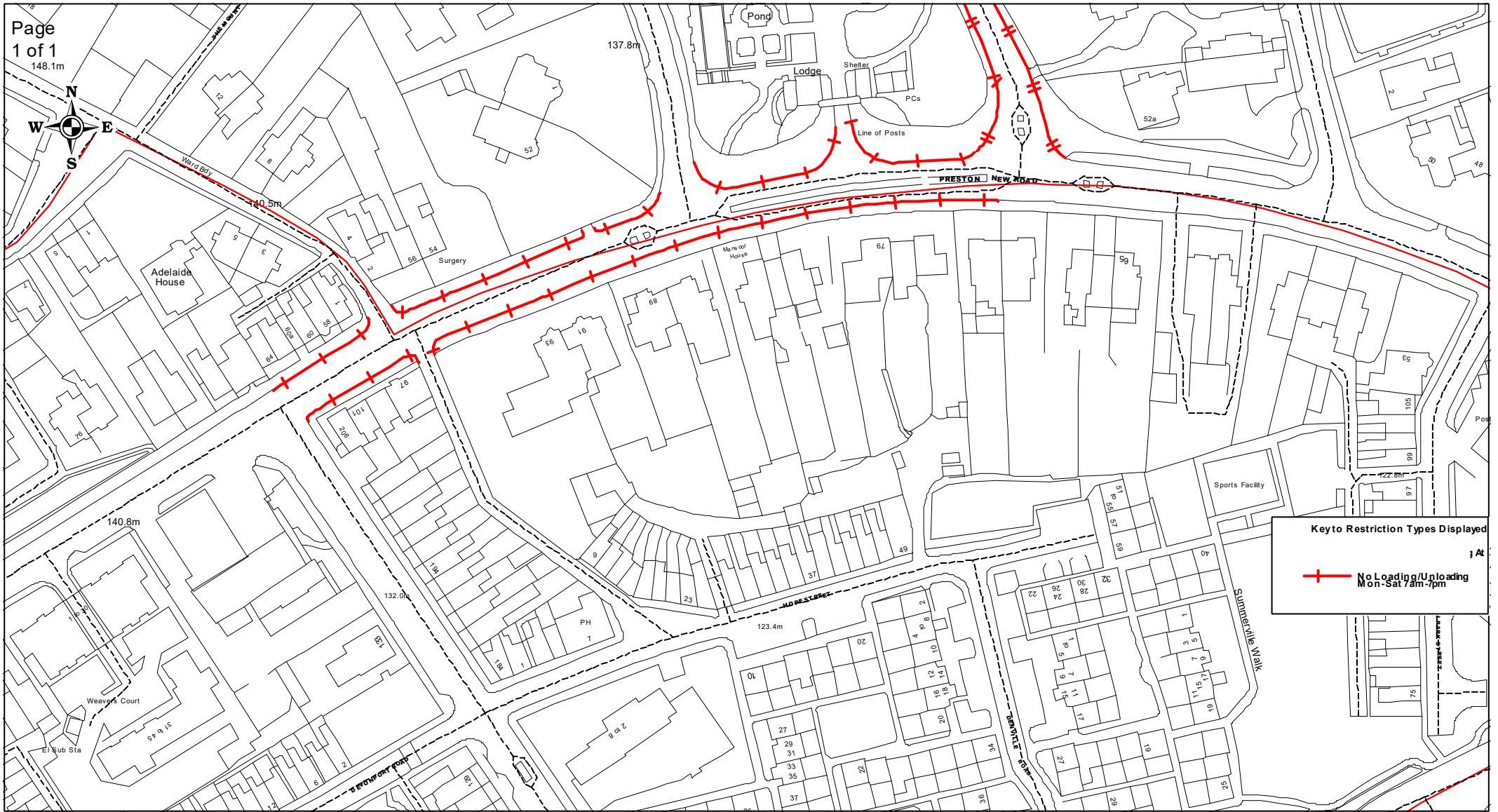


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Hutton Street Blackburn No Waiting Mon - Sat 8am - 5pm

SCALE	1 : 750
DATE	27/10/2020
DRAWING No.	
DRAWN BY	
Checked by	



Key to Restriction Types Displayed

 No Loading/Unloading
Mon-Sat 7am-7pm



No Loading/Unloading Mon - Sat 7am - 7pm Preston New Road Blackburn

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SCALE	1 : 1500
DATE	18/11/2020
DRAWING No.	
DRAWN BY	
Checked by	