

CUMBRIA COUNTY COUNCIL

THE COUNTY OF CUMBRIA (BS299, U1132, U1133 AND U1136 DALSTON)  
(PROHIBITION OF HEAVY COMMERCIAL VEHICLES OVER 7.5 TONNES MAXIMUM  
GROSS VEHICLE WEIGHT EXCEPT FOR ACCESS) ORDER 2002

The County Council of Cumbria in exercise of its powers under Sections 1(1) and 2(1) to (4) of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on 28<sup>th</sup> July 2002 and may be cited as The County of Cumbria (BS299, U1132, U1133 and U1136 Dalston) (Prohibition of Heavy Commercial Vehicles Over 7.5 Tonnes Maximum Gross Vehicle Weight Except for Access) Order 2002.
2. Save as provided in Article 3, no person shall cause or permit any heavy commercial vehicle, the maximum gross weight of which exceeds 7.5 tonnes, to proceed in the lengths of road specified in the Schedule attached to this Order.
3. Nothing in Article 2 of this Order shall render it unlawful to cause or permit any heavy commercial vehicle the maximum gross weight of which exceeds 7.5 tonnes, to proceed in the lengths of road referred to in that Article if the vehicle:-
  - (a) is being used in connection with the carrying out on, or on premises situated on or adjacent to that length of road, of any of the following operations, namely:-
    - (i) the removal of obstructions to traffic;
    - (ii) for, or in connection with, mechanical road cleansing or mechanical refuse collection;
    - (iii) the maintenance, improvement or reconstruction of roads;
    - (iv) the laying, erection, alteration or repair in, or in land adjacent to, that length of road of any sewer or of any main pipe or apparatus for the supply of water, gas or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984.
  - (b) is being used for Fire Brigade, Police or Ambulance purposes;
  - (c) is being used in connection with the carrying out on, or on premises situated on, or adjacent to, the lengths of road specified in the Schedule to this Order, the service of a Local Authority or a water or sewerage undertaker which is being used in pursuance of statutory powers or duties;
  - (d) is being used in connection with the delivery or collection of goods at any premises situated on, or adjacent to, the lengths of road specified in the Schedule to this Order;

- (e) is being used for the purpose of gaining access for garaging or mechanical servicing at any premises owned by the vehicle owner situated on, or adjacent to, the lengths of road specified in the Schedule to this Order;
  - (f) is being used to provide access to or from premises on or adjacent to other lengths of road which can only reasonably be reached from the restricted length of road as other accesses are unsuitable;
  - (g) is adapted to carry more than 8 passengers and is:-
    - (i) a stage carriage, a scheduled express carriage, a school bus, a works bus or a private excursion bus;
    - (ii) being used to provide access to or from premises on, or adjacent to the said length of road;
    - (iii) being used to provide access to or from premises on or adjacent to other lengths of road which can only be reached from the restricted length of road;
    - (iv) being used to provide a local bus service.
  - (h) is being used for the purposes of agriculture in connection with land adjacent to the lengths of road or for the conveyance of haulage of timber felled on that land;
  - (i) is being used for the conveyance of persons, goods or burden to or from any premises or land situated on or adjacent to that length of road;
  - (j) is being used to enable a person to board or alight from the vehicle or to enable goods or merchandise to be loaded onto or unloaded from the vehicle.
4. Any reference in this Order to any enactment shall be construed as reference to that enactment by any subsequent enactment.
5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the 19<sup>th</sup> day of July 2002

THE COMMON SEAL OF )

CUMBRIA COUNTY COUNCIL )

was hereunto affixed )

C13309



## **SCHEDULE**

### **7.5 Tonnes Maximum Gross Vehicle Weight Limit (Except for Access) - Lengths of road in the District of Carlisle**

1. That section of the B5299 road from its junction with the U1161 (Peter Lane) to its junction with the C1014/U1293 at Bridge End, Dalston, a distance of approximately 4760 metres;
2. That section of the U1133 from its junction with the U1134 at Hill Crest, Cardewlees, to its junction with the B5299 in Dalston, a distance of approximately 1890 metres;
3. That section of the U1132 from Nooklane Foot to its junction with the B5299 in Dalston, a distance of approximately 1230 metres;
4. That section of the U1136 (Nook Lane) from its junction with the C2048 at The Nook to its junction with the U1132 (Townhead Road) Dalston, a distance of approximately 1810 metres.