

RED TEXT DENOTES DELETIONS

GREEN TEXT DENOTES ADDITIONS/MINOR AMENDMENTS

CUMBERLAND COUNCIL (VARIOUS ROADS, CLEATOR MOOR, EGREMONT, MILLOM AND SURROUNDING AREA) (CONSOLIDATION AND PROVISION OF TRAFFIC REGULATIONS) ORDER 20><

Cumberland Council (hereinafter referred to as “the Council”) in exercise of its powers under Sections 1(1), 2(1) to (4), 19, 32, 35, 35A, 38, 45, 46, 47, 49, 51, 53 and 64 and Part IV of Schedule 9 to 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:-

ARRANGEMENT OF ARTICLES

**Parts**

Part I – General

Articles 1 – 3                      Citation, Commencement, Interpretation etc.

Part II – Designation and Use of Parking Places

Articles 4 – 17                      Use of a Parking Places  
Articles 18 – 24                      Application for Permits of Exemption  
Article 25                              Surrender, Withdrawal and Validity of Parking Permits  
Articles 26 - 27                      Application for and Issue of Duplicate Parking Permits  
Article 28                              General Exemptions

Part III – Prohibition and Restriction of Waiting

Article 29                              Prohibitions & restrictions  
Articles 30 – 31                      Exemptions  
Articles 32 – 33                      General provisions  
Articles 33A – 33G                      Application for Permits of Exemption  
Article 33H                              Surrender, Withdrawal and Validity of Parking Permits  
Article 33I                              Application for and issue of Duplicate Parking Permits

Part IV – Prohibition of Loading/Unloading

Articles 34 - 35                      General  
Article 36                              Exemptions

Part V – One-Way Traffic Restrictions

Article 37                              General

Part VI – Prohibition of Waiting Except for Hackney Carriages/Taxis

Article 38	General
	<u>Part VII – Restriction of Waiting on School “Keep Clear” Markings</u>
Article 39	General
Article 40	Exemptions
	<u>Part VIII – Residents Only Parking (Ravenglass)</u>
Article 41	General
Articles 42 – 44	Conditions of Use
Articles 45 – 49	Application for Permits of Exemption
Article 50	Surrender, Withdrawal and Validity of Parking Permits
Article 51	Application for and issue of Duplicate Parking Permits
Articles 52 - 53	Exemptions
	<u>Part IX – Prohibition of Right Turn</u>
Article 54	General
	<u>Part IXA – Prohibition of Right Turn, Except for Buses</u>
Article 54A	General
Article 54B	Exemption
	<u>Part IXB – Prohibition of Right Turn, Except for Buses</u>
Article 54C	General
Article 54D	Exemption
	<u>Part X – Prohibition of Left Turn</u>
Article 55	General
	<u>Part XI – Prohibition of Motor Vehicles Except for Access</u>
Article 56	General
Article 57	Exemptions
	<u>Part XII – Prohibition of Through Traffic</u>
Article 58	General
Article 59	Exemptions
	<u>PartXIIA – Prohibition of Entry</u>
Article 59A	General

Part XIIB – Prohibition of All Traffic

Articles 59B - C                      General

Part XIII – Weight Restrictions

Article 60                              General  
Article 60A                            Exemption  
Articles 60B – 60E                General  
Article 61                              Exemptions

Part XIV – Width Restrictions

Article 62                              General  
Article 63                              Exemptions

Part XV – 24 Hour Clearway

Article 64                              General  
Articles 65 – 66                    Exemptions  
Article 67                              Further restrictions

Part XVI – Reserved Bus Lane

Article 68                              General  
Articles 69 - 70                    Exemptions

Part XVII – Supplementary Provisions

Article 71                              Indication of Parking Places and Signage  
   Powers to Suspend Use of Parking Places  
   Traffic Signs and Cones  
   Powers to Remove Vehicles in Parking Places  
Article 72                              Miscellaneous Provisions

Part XVIII – Goods Vehicles Loading Only

Article 73                              General

Part XIX – Revocation of Existing Orders

Article 74                              General

## PART I

### GENERAL

1. This Order shall come into operation on [DATE] and may be cited as Cumberland Council (Various Roads, Cleator Moor, Egremont, Millom and Surrounding Area) (Consolidation and Provision of Traffic Regulations) Order 20><

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

“2000 Regulations” means the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (SI 2000 No. 683);

“ambulance” means a vehicle which—

(a) is constructed or adapted for, and used for no other purpose than, the carriage of sick, injured or disabled people to or from welfare centres or places where medical or dental treatment is given; and

(b) is readily identifiable as a vehicle used for the carriage of such people by being marked ‘Ambulance’ on both sides

"Borough Council" means Copeland Borough Council;

"carer" means a person who provides care to a person the usual place of abode of which is in a street specified in Schedules 3, 3A, 3B and 4 to this Order where: -

(i) that person can produce evidence of receiving Disability Living Allowance or an Attendance Allowance or the person providing the care can produce evidence of receiving an Invalid Care Allowance; or

(ii) where none of the benefits in (i) above are being claimed satisfactory evidence can be provided by a letter from the invalid's General Practitioner;

"certificate of exemption" or “permit of exemption” means a certificate or permit issued under the provisions of this Order;

"certificate holder" or “permit holder” means a person to whom a certificate of exemption or permit of exemption has been issued under the provisions of this Order;

“coach” means a motor vehicle constructed or adapted to carry more than 8 passengers;

“disabled person” means a person who holds a disabled persons' badge in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (SI 2000 No. 682) or any re-enactment thereto;

“disabled person's badge” means a badge issued in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended) (in particular Regulation 11 and the Schedule thereto) or under regulations having effect in Scotland and Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970 as referred to currently by the Local Authorities Traffic Orders (Exemptions for Disabled) (England) Regulations 2000 (No. 683) or any subsequent further re-enactments thereof;

“driver”, in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;

“goods” includes goods or burden of any description;

“hackney carriage” means a vehicle licensed by to ply for hire in the Borough of Copeland and does not include private hire vehicles;

“hackney carriage stand” means an area of carriageway reserved for use by hackney carriages plying for hire;

“heavy goods vehicle (HGV)” means a commercial vehicle with a gross weight (GVW) exceeding

“junction” means, unless otherwise indicated in this Order, the intersection of the general alignment of the highway boundaries of two roads;

"off-street parking facility" means a garage or area of land off the highway at or near the applicant's premises, which is suitable for parking a vehicle;

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used;

“Civil Enforcement Officer” shall mean the person or persons duly authorised in writing in that behalf (from time to time) by the Council;

“parking place” means any part of a road authorised by this Order to be used as a parking place;

“post office” and any reference to “post office vehicle” or “postal packets” shall be construed in the context of the Postal Services Act 2000 and the Consequential Amendments Order 2001 (No. 2001/648);

"premises" means for the purpose of this Order a postal address classed as residential for the purposes of Council Tax but excluding public buildings and those which have off-street parking facilities;

"public building" means a building which provides a Local or District Authority function, service or amenity to the public, including, but not restricted to Libraries, Town Halls, Civic Halls, Local or District Authority Offices for Education, Social Services, Heritage Services, Housing Payments of rents, taxes or fines, Health or Welfare;

“prescribed hours” means those hours and on those days during which there are limitations on parking, waiting, loading and unloading as specified in the Schedules hereto

“relevant position” means exhibited on the dashboard or fascia of the vehicle, or, where the vehicle is not fitted with a dashboard or fascia, exhibited in a conspicuous position on the vehicle, so that the front is clearly legible from the outside of the vehicle

“traffic sign” means a sign or marking of any size colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act;

“trailer” shall have the meaning assigned to it by Section 138(3) of the 1984 Act;

“vehicle” means a mechanically propelled vehicle.

"visitor" means for the purpose of this Order a person who is staying temporarily with a resident as a non-paying guest;

"year" means the period which commences on 1st April in each year and terminates on 31st March in each successive year

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent amendment.
  - (3) The Interpretation Act 1978 shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament and as if for the purpose of Section 38 of that Act this Order were an Act of Parliament and the Orders and Bye Laws revoked/amended by Article 74 of this Order were Acts of Parliament thereby revoked/amended.
3. The restrictions imposed by this Order shall be in addition to and not in derogation of 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.

## **PART II**

### DESIGNATION AND USE OF PARKING PLACES

#### Use of a Parking Place

4. Each of the parts of road specified in Schedule 1 to this Order is designated as parking place and may be used, subject to the following provisions of this Order as a parking place during the prescribed hours for a disabled person’s vehicle which displays a disabled person’s badge in the relevant position.
5. The driver of a vehicle shall not permit it to wait in a parking space specified in Schedule 1 to this Order unless the vehicle is: -
  - (a) a disabled persons vehicle which displays a disabled person’s badge in the relevant position; and
  - (b) is wholly within the limits of the parking place as marked on the carriageway by broken white lines conforming to diagram 1028.1 in Schedule 6 to the 2016 regulations and is parked at right angles to the kerb.
6. Each of the parts of road specified in Schedules 2, 2A, 3, 3A, 3B, 4 and 4A to this Order is designated as parking place and may be used, subject to the following provisions of this Order as a parking place during the prescribed hours for such vehicles as are passenger

vehicles, motor cycles, motor cycles with side cars attached thereto, disabled persons' vehicles and goods vehicles not exceeding 5.00 metres in length and 2.28 metres in height.

7. The driver of a vehicle shall not permit it to wait in a parking place specified in Schedules 2, 2A, 3, 3A, 3B, 4 and 4A to this Order during the prescribed hours unless the vehicle is: -
  - (a) of a class specified in Article 6 of this Order; and
  - (b) is wholly within the limits of the parking place as marked on the carriageway by broken white lines conforming to diagram 1028.4, 1032 or 1033 and identified by Traffic Sign Diagram No. 661.1 complying with the 2016 regulations or otherwise authorised by the Department of Transport and is parked with either the rear of the vehicle or the front of the vehicle adjacent to the footway.
  
8. The driver of a motor vehicle shall not use a parking place
  - (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
  - (b) when closed under the provisions of Article 11 of this Order.
  
9. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
  
10. No person shall use a vehicle, while it is in a parking place, in connection with the sale of any article to persons in or near the parking place or in connection with the selling or offering for hire of his skill or services.
  
11. Nothing in Articles 4 and 6 of this Order shall restrict the power of the Council or of the Borough Council for preventing obstruction of the streets by order on the occasion of any public procession rejoining or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.
  
12. (1) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle to wait between 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 2:-
  - (a) for a longer period than one hour; or
  - (b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
  
- (2) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform cause or permit any vehicle to wait between 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 2A:-
  - (a) for a longer period than two hours; or

- (b) if a period of less than two hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
- (3) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between 7.00 am and 7.00 pm, on a Monday to Thursday inclusive and on a Saturday, in the lengths of road or sides of road specified in Schedule 3:-
  - (a) for a longer period than one hour; or
  - (b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
- (4) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 3A:-
  - (a) for a longer period than one hour; or
  - (b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
- (5) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 3B:-
  - (c) for a longer period than two hours; or
  - (d) if a period of less than two hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
- (6) Save as provided in Article 14 of this Order, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between the prescribed hours, namely between 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 4:-
  - (a) for a longer period than two hours; or
  - (e) if a period of less than one hour have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.
- (7) Save as provided in Article 14 of this Order, no person shall except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between the prescribed hours, namely between 8.00 am and 6.00

pm, on any day other than a Saturday or Sunday, in the lengths of road or sides of road specified in Schedule 4A

- (a) for a longer period than two hours; or
- (b) if a period of less than 2 hours have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.

(8) Save as provided in Article 14 of this Order, no person shall except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait between the prescribed hours, namely between 8.00 am and 6.00 pm, on any day other than a Saturday or Sunday, in the lengths of road or sides of road specified in Schedule 4B

- (a) for a longer period than three hours; or
- (b) if a period of less than 2 hours have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same length of road.

13. (1) The driver of any vehicle shall exhibit a parking disc in the relevant position (as defined) in the vehicle upon its arrival at and in the subsequent period during which it is left in any parking place specified in Schedules 2, 2A, 3, 3A, 3B and 4 to this Order.
- (2) The driver of a vehicle shall on exhibiting the parking disc on the vehicle in accordance with these provisions, set the disc so that it indicates the quarter hour of an hour period during which the vehicle arrived at the parking place.
- (3) When the parking disc exhibited in pursuance of this Part of this Order on a vehicle waiting in a parking place specified in Schedules 2, 2A, 3, 3A, 3B and 4 to this Order is showing the time of arrival, the time indicated by the disc shall be treated as evidence that the vehicle has been waiting in that parking place since that time.
- (4) No person shall alter the parking disc (or the indications given therein) exhibited on the vehicle which has been set in accordance with this Article whilst the said vehicle remains in the parking place or knowingly exhibit on any vehicle any parking disc which has been otherwise altered, defaced, mutilated, or added to or upon which the figures or particulars have become illegible.
14. A disabled person's vehicle which displays in the relevant position a disabled person's badge shall be exempt, during the prescribed hours, from compliance with any limitation of time during which a vehicle may be left in a parking place specified in Schedules 2, 2A, 3, 3A, 3B, 4 and 4A of this Order.
15. (1) Subject to the proviso hereto, where a police officer in uniform is of the opinion that any of the provisions contained in Articles 5, 7 and 12 of this Order have been contravened or not complied with in respect of a vehicle left in a parking place he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, he shall make such arrangements as may be necessary for the safe custody of the vehicle.

- (2) Provided that when a vehicle is waiting in a parking place in contravention of the provisions of Article 5(b) and 7(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.
16. Any person removing a vehicle or altering its position by virtue of the last preceding Article may do so by towing or driving the vehicle or in such other manner as he may think necessary and may take such measures in relation to the vehicle as he may think necessary to enable him to remove it or alter its position as the case may be.
17. Nothing in the foregoing provisions of this part of the Order and in Articles 29 and 38 shall apply to a vehicle which is: -
- (a) waiting only so long as is necessary 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;
  - (b) waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;
  - (c) a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (d) waiting to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
  - (f) being used by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;
  - (g) in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (h) in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situate on or adjacent to that parking place.

### Application for permits of exemption

18. (1) Any resident or owner of premises whose normal residence is at premises the postal address of which is Main Street, St Bridget's Lane between the Market Place and the junction with the link road from Nelson Square, numbered 1 to 23 Lamb Lane and numbered 1 to 15 Chapel Street, Egremont, who is the owner of a vehicle such as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled person's vehicles and goods vehicles not exceeding 3.00 metres in height, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 12(2) of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (2) Any resident or owners of premises whose normal residence is at premises the postal address of which is Main Street, St Bridget's Lane between the Market Place and the junction with the link road from Nelson Square, numbered 1 to 23 Lamb Lane and numbered 1 to 15 Chapel Street, Egremont, who is the owner of a vehicle such as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled person's vehicles and goods vehicles not exceeding 3.00 metres in height, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 12(3) of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (3) Any resident or owners of premises whose normal residence is at premises the postal address of which is numbered 38 to 66 North Road, Egremont, who is the owner of a vehicle such as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled person's vehicles and goods vehicles not exceeding 3.00 metres in height, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 12(5) of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (4) Any resident or owner of premises whose normal residence is at premises the postal address of which is Ehen Court, Egremont or any person who is a member of staff at Ehen Court Old Folks Home/Sheltered Housing Complex, who is the owner of a vehicle such as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled person's vehicles and goods vehicles not exceeding 3.00 metres in height, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 12(4) of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (5) The Council may require an applicant for a permit to produce to an Officer of the Council such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them.

- (6) The Council, upon being satisfied that an applicant is a resident or owner of premises whose normal residence is at premises the postal address of which is Main Street, St Bridget's Lane between the Market Place and the junction with the link road from Nelson Square, numbered 1 to 23 Lamb Lane and numbered 1 to 23 Lamb Lane, Egremont, and is the owner of a vehicle of a class specified in paragraph (2) of this Article may issue to that applicant one permit exempting the vehicle from the time limit in the lengths of road or sides of road specified in Schedule 3.
- (7) The Council, upon being satisfied that an applicant is a resident or owner of premises whose normal residence is at premises the postal address of which is Main Street, St Bridget's Lane between the Market Place and the junction with the link road from Nelson Square, numbered 1 to 23 Lamb Lane and numbered 1 to 23 Lamb Lane, Egremont, and is the owner of a vehicle of a class specified in paragraph (3) of this Article may issue to that applicant one permit exempting the vehicle from the time limit in the lengths of road or sides of road specified in Schedule 3A.
- (8) The Council, upon being satisfied that an applicant is a resident or owner of premises whose normal residence is at premises the postal address of which is Ehen Court or a member of staff at Ehen Court Old Folks Home/Sheltered Housing Complex, and is the owner of a vehicle of a class specified in paragraph (1) of this Article may issue to that applicant one permit exempting the vehicle from the time limit in the lengths of road or sides of road specified in Schedule 4.
19. (a) Subject to the provisions set out in Articles 20, 21 and 22 of this Order, no more than one parking permit shall be granted in respect of any premises.
- (b) Subject to the provisions set out in Articles 20, 21 and 22 of this Order, no permit shall be granted in respect of any premises which have the benefit of an off-street parking facility.
20. The following particulars shall be included in writing on a permit:-
- (a) a distinct identification mark (ie. Residents Permit)
- (b) either (i) the registration mark of the vehicle in respect of which the permit has been issued or (ii) the address of the resident in respect of which the permit has been issued;
- (c) an authentication that the permit has been issued by the Council;
- (d) the period during which the permit shall remain valid being a period not exceeding 12 months
- (e) the name of the street or zone of streets and town to which the permit applies.
21. At the discretion of the Council, short term parking permits may be issued to carers and shall be subject to the same provisions as those issued to residents.
22. At the discretion of the the Council visitors parking permits may be issued to residents for the use of:-

- (1) visitors to residents or owners of premises the postal address is specified in Schedules 3, 3A, 3B and 4 of this Order; and
  - (2) such visitors parking permits shall be identified with a distinct identification mark (ie. Visitors Permit) with particulars in writing on them as specified in Articles 20(b), 20(c), 20(d) and 20(e); and
  - (3) such visitors parking permits shall be the responsibility of the resident to whom they are issued and do not require the resident to own a vehicle at their residence before issue; and
  - (4) such visitors parking permits, if not in use by visitors or carers may be used on additional vehicles owned by the resident but for which no parking permit has been issued; and
  - (5) in all other respects the application for and issue of visitors parking permits shall be in accordance with Article 20 of this Order
23. Notwithstanding the provisions set out in Articles 19, 20, 21 and 22 of this Order, the Council may, at its discretion, issue more than one parking permit per household and may waive the vehicle height requirement.
24. At the discretion of the Council, a parking permit or visitors parking permit may be issued to any person who is not a resident for use on a vehicle of the specified class set out in Articles 18(1), 18(2), 18(3) and 18(4) when parked in the parking places set out in Schedules 3, 3A, 3B and 4 to this Order.

#### Surrender, Withdrawal and Validity of Parking Permits

25. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing serve on the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said Notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the expiry of the period for which the permit was issued;
  - (b) the permit holder ceasing to be a resident or carer or visitor, as appropriate, at the address in respect of which the permit was issued;
  - (c) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;

- (d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 4 of this Order;
  - (e) the issue of a duplicate permit by the Council under the provisions of Article 26 of this Order;
  - (f) the issue, contrary to any provision or requirement of the foregoing provisions of this Order of a permit to the permit holder who was not thereby eligible to receive the said permit.
- (4) A permit shall cease to be valid on the occurrence of any of the events set out in paragraph (3) of this Article.

#### Application for, and Issue of Duplicate Parking Permits

26. (1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the - permit holder shall surrender it to the Council and may then apply to the Council for the issue to him of a duplicate permit.
- (2) If a permit is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate.
- (3) The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
- (4) Any permit issued by virtue of the provisions of paragraph (1) or (2) of this Article shall be marked as a duplicate and upon the issue of a duplicate the permit which it duplicates shall become invalid.
27. Nothing in the foregoing provisions of this Order shall restrict the power of the Council for preventing obstruction of the streets by order on the occasion of any public procession rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.

#### General Exemptions

28. (1) Nothing in the foregoing provisions of this part of the Order shall apply to a vehicle waiting during the prescribed hours in a parking place specified in Schedules 3, 3A 3B and 4 to this Order if the vehicle is:-
- (a) waiting only so long as is necessary 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;
  - (b) waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;

- (c) a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (d) waiting to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
  - (f) being used by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;
  - (g) in actual use in connection with the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (h) in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situate on or adjacent to that parking place;
  - (i) if goods are being sold or offered or exposed for sale from a vehicle by a person who is licensed by a local authority to sell goods from a stationary vehicle on a pitch situated in a parking place;
- (2) Nothing in the foregoing provisions of this Part of this Order shall apply to a vehicle waiting during the prescribed hours in a parking place specified in Schedules 3, 3A, 3B, 4, 5, 5A or 5B to this Order if the vehicle is displaying in the relevant position a valid disabled person's badge or permit of exemption.

### PART III

#### PROHIBITION AND RESTRICTION OF WAITING

29. Save as provided in Articles 17 and 30, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to wait:-
- (1) between the hours of 8.00 am and 6.00 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 5 and 5B to this Order: -
    - (a) for a longer period than one hour, or
    - (b) if a period of less than one hour has elapsed since the termination during the said hour of the last period of waiting (if any) by that vehicle in that length of road or side of road.
  - (2) between the hours of 8.00 am and 6.00 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 5A to this Order: -
    - (c) for a longer period than one hour, or
    - (d) if a period of less than one hour has elapsed since the termination during the said hour of the last period of waiting (if any) by that vehicle in that length of road or side of road.
  - (3) at any time on any day, in the lengths of road or sides of road specified in Schedule 6 to this Order: -
    - (a) for a longer period than one hour, or
    - (b) if a period of less than one hour has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in that length of road or side of road.
  - (4) between the hours of 8.00 am and 6.00 pm on any day, in the lengths of road or sides of road specified in Schedule 7 to this Order: -
    - (a) for a longer period than one hour, or
    - (b) if a period of less than two hours have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in that length of road or side of road.
  - (4A) between the hours of 8.00 am and 6.00 pm on any day, in the lengths of road or sides of road specified in Schedule 7A to this Order: -
    - (a) for a longer period than four hours, or
    - (b) if a period of less than four hours have elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle in that length of road or side of road.

- (5) between the hours of 8.30 am and 6.00 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 8 to this Order: -
  - (a) for a longer period than 30 minutes, or
  - (b) if a period of less than one hour has elapsed since the termination during the said 30 minutes of the last period of waiting (if any) by that vehicle in that length of road or side of road.
- (6) between the hours of 8.30 am and 9.30 am and between 2.30 pm and 3.30 pm during term time only, on any school day, in the lengths of road or sides of road specified in Schedule 9 to this Order for a longer period than 15 minutes
- (7) at any time on any day in the lengths of road or sides of road specified in Schedule 10 to this Order;
- (8) at any time between 1<sup>st</sup> April and 30<sup>th</sup> September inclusive each year, in the lengths of road or sides of road specified in Schedule 11 to this Order;
- (9) between the hours of 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 12 to this Order.
- (10) between the hours of 8.00 am and 6.00 pm on every day, in the lengths of road or sides of road specified in Schedule 13 to this Order;
- (11) between the hours of 9.30 am and 2.30 pm and between the hours of 3.30 pm and 8.30 am during term time only, on any school day, in the lengths of road or sides of road specified in Schedule 14 to this Order.
- (12) Between the hours of 8.30 am and 6.00 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 15 to this Order;
- (13) Between the hours of 8.00 am and 6.00 pm, on a Monday to Friday inclusive, during term time only, in the lengths of road or sides of road specified in Schedule 16 to this Order.
- (14) Between the hours of 8.00 am and 6.00 pm, Monday to Friday inclusive, in the lengths of road or sides of road specified in Schedule 16A to this Order.
- (15) Between the hours of 8.30 am and 11.00 pm every day, in the lengths of road or sides of road specified in Schedule 17 to this Order;
- (16) Between the hours of 7.00 am and 7.00 pm on a Friday, in the lengths of road or sides of road specified in Schedule 18 to this Order;
- (17) Between the hours of 7.00 am and 7.00 pm every day, in the lengths of road or sides of road specified in Schedule 19 to this Order;
- (18) Between the hours of 8.30 am and 9.30 am and between the hours of 3.00 pm and 4.00 pm, on a Monday to Friday inclusive, on school days only, in the lengths of road or sides of road specified in Schedule 20 to this Order;

- (19) Between the hours of 9.00 am and 6.00 pm every day in the lengths of road or sides of road specified in Schedule 21 to this Order;
  - (20) Between the hours of 8.30 am and 7.00 pm every day in the lengths of road or sides of road specified in Schedule 22 to this Order;
  - (21) Between the hours of 8.30 am and 5.30 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 23 to this Order.
30. Nothing in Article 29 of this Order shall render it unlawful to cause or permit any vehicle specified in Article 17 to wait for the purposes stated therein in any of the lengths of road or sides of road referred to in the said Article.
- 30A. Nothing in Article 29(4A) of this Order shall render it unlawful to cause or permit a heavy goods vehicle to wait in any lengths of road or sides of road referred to in the said Article.
31. (1) Nothing in Articles 29(1) to 29(5) 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 in the lengths of road or sides of road referred to in that Article.
  - (2) Nothing in Articles 29(6) to 29(21) of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled persons' 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 sides of road referred to in the said Article for a period not exceeding three hours (not being a period separated by an interval of less than one hour from the previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day).
  - (3) Nothing in Article 29(2) shall apply to a vehicle waiting during the prescribed hours in a parking place specified in Schedule 5A to this Order if the vehicle is displaying in the relevant position a valid disabled person's badge or permit of exemption issued in accordance with Article 33A(1) to this Order.
32. (1) The driver of any vehicle shall exhibit a parking disc in the relevant position (as defined) in the vehicle upon its arrival at the length of road or sides of road specified in Schedules 5, 5A and 5B to this Order and in the subsequent period during which it is left in that location.
- (2) The driver of a vehicle shall on exhibiting the parking disc on the vehicle in accordance with these provisions, set the disc so that it indicates the quarter hour of an hour period during which the vehicle arrived at that location.
  - (3) When the parking disc exhibited in pursuance of this Part of the Order on a vehicle waiting on a length of road or side of road specified in Schedules 5, 5A and 5B to this order is showing the time of arrival, the time indicated by the disc shall be treated as evidence that the vehicle has been waiting in that location since that time.
  - (4) No person shall alter the parking disc (or the indications given therein) exhibited on the vehicle which has been set in accordance with this Article whilst the said vehicle remains in the location or knowingly exhibit on any vehicle any parking disc which

has been otherwise altered, defaced, mutilated, or added to upon which the figures or particulars have become illegible.

33. (1) At side road junctions, waiting restrictions (except limited waiting) on one road, terminating at the junction with another road shall, notwithstanding the definition of junction contained in this Order, apply to the adjacent half width of the second mentioned road. Where there are restrictions on one road which are different from those on the other, the more onerous shall prevail.
- (2) Nothing in the foregoing provisions of this Order shall apply at a bus stop to a public service vehicle providing a local service, as defined in Section 2 of the Transport Act 1985, provided that the Highway Authority or its agent has agreed in writing that the bus stop is a suitable place at which such vehicles may wait for no longer than is necessary to take up or set down passengers.

#### Application for permits of exemption

- 33A. (1) Any resident or owner of premises whose normal residence is at premises the postal address of which is Wellington Street, Nelson Street, Lapstone Road, Crown Street and Katherine Street, Millom, who is the owner of a vehicle such as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled person's vehicle and goods vehicles not exceeding 3.00 metres in height, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 29(2) of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (2) The Council may require an applicant for a permit to produce to an Officer of the Council such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them.
- 33B. (a) Subject to the provisions set out in Articles 33C, 33D and 33E of this Order, no more than one parking permit shall be granted in respect of any premises.
- (b) Subject to the provisions set out in Articles 33C, 33D and 33E of this Order, no permit shall be granted in respect of any premises which have the benefit of an off-street parking facility.
- 33C. The following particulars shall be included in writing on a permit:-
- (a) a distinct identification mark (ie. Residents Permit)
- (b) either (i) the registration mark of the vehicle in respect of which the permit has been issued or (ii) the address of the resident in respect of which the permit has been issued;
- (c) an authentication that the permit has been issued by the Council;
- (d) the period during which the permit shall remain valid being a period not exceeding 12 months

- (e) the name of the street or zone of streets and town to which the permit applies.
- 33D. At the discretion of the Council, short term parking permits may be issued to carers and shall be subject to the same provisions as those issued to residents.
- 33E. At the discretion of the Council visitors parking permits may be issued to residents for the use of:-
- (1) visitors to residents or owners of premises the postal address is specified in Schedule 5A of this Order; and
  - (2) such visitors parking permits shall be identified with a distinct identification mark (ie. Visitors Permit) with particulars in writing on them as specified in Articles 33C(b), 33C(c), 33C(d) and 33C(e); and
  - (3) such visitors parking permits shall be the responsibility of the resident to whom they are issued and do not require the resident to own a vehicle at their residence before issue; and
  - (4) such visitors parking permits, if not in use by visitors or carers may be used on additional vehicles owned by the resident but for which no parking permit has been issued; and
  - (5) in all other respects the application for and issue of visitors parking permits shall be in accordance with Article 33C of this Order.
- 33F. Notwithstanding the provisions set out in Article 33B, 33C, 33D and 33E of this Order, the Council may, at its discretion, issue more than one parking permit per household and may waive the vehicle height requirement.
- 33G. At the discretion of the Council, a parking permit or visitors parking permit may be issued to any person who is not a resident for use on a vehicle of the specified class set out in Article 33A.(1) when parked in the parking places set out in Schedule 5A to this Order.

Surrender, Withdrawal and Validity of Parking Permits

- 33H. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Borough Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing serve on the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said Notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the expiry of the period for which the permit was issued;
  - (b) the permit holder ceasing to be a resident or carer or visitor, as appropriate, at

the address in respect of which the permit was issued;

- (c) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
  - (d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 33A(1) of this Order;
  - (e) the issue of a duplicate permit by the Council under the provisions of Article 33I of this Order;
  - (f) the issue, contrary to any provision or requirement of the foregoing provisions of this Order of a permit to the permit holder who was not thereby eligible to receive the said permit.
- (4) A permit shall cease to be valid on the occurrence of any of the events set out in paragraph (3) of this Article.

#### Application for, and Issue of Duplicate Parking Permits

- 33I. (1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council and may then apply to the Council for the issue to him of a duplicate permit.
- (2) If a permit is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate.
- (3) The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
- (4) Any permit issued by virtue of the provisions of paragraph (1) or (2) of this Article shall be marked as a duplicate and upon the issue of a duplicate the permit which it duplicates shall become invalid.

### **PART IV**

#### PROHIBITION OF WAITING AND OF LOADING/UNLOADING

34. Save as provided in Article 36 to this Order, no person shall cause or permit any vehicle to wait or allow goods to be loaded or unloaded between the hours of 8.00 am and 6.00 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 24 to this Order.
35. Save as provided in Article 36 to this Order, no person shall cause or permit any vehicle to wait or allow goods to be loaded or unloaded, at any time, on any day, in the lengths of road or sides of road specified in Schedule 24A to this Order.

## Exemptions

36. Nothing in Article 23 of this Order shall apply so as to render it unlawful for a person to cause or permit a vehicle to wait in the lengths of road specified therein if the vehicle is:-
- (a) being used by statutory undertakers or their contractors in connection with any building operation or demolition the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act 1984;
  - (b) waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;
  - (c) being used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (d) if the vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository; or
  - (e) if the vehicle is being used for other exceptional loading or unloading purposes.

## **PART V**

### ONE-WAY TRAFFIC RESTRICTIONS

37. No person shall cause or permit any vehicle to proceed along the lengths of road or sides of road specified in columns 1-3 of Schedule 25 to this Order, other than in the directions specified in column 4 of the said Schedule.

## **PART VI**

### PROHIBITION OF WAITING – EXCEPT FOR TAXIS/HACKNEY CARRIAGES

38. (1) Save as provided in Article 17 to this Order, no person shall cause or permit any vehicle other than a taxi or hackney carriage, to wait at any time on any day, in the lengths of road or sides of road specified in Schedule 26 to this Order;
- (2) Save as provided in Article 17 to this Order, no person shall cause or permit any vehicle other than a taxi or hackney carriage, to wait between the hours of 6.00 pm and 6.00 am every day, in the lengths of road or sides of road specified in Schedule 27 to this Order;

## PART VII

### RESTRICTION OF STOPPING ON SCHOOL “KEEP CLEAR” MARKINGS

39. Save as provided in Article 40, no person shall, except upon the direction or with the permission of a Police Constable in uniform, cause or permit any vehicle to stop on any school entrance markings which comply with diagram number 1027.1 and indicated by an associated sign to diagram 642.2A as prescribed in the 2016 regulations during the days and times specified on the said notices located on the road at or near any school in the Borough of Copeland as specified in Schedule 28 to this Order.

#### Exemptions

40. Nothing in Article 39 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or sides or road referred to therein for so long as may be necessary:-
- (a) to enable goods or merchandise to be loaded onto or unloaded from the vehicle;
  - (b) to enable waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;
  - (c) if the vehicle is being used for police, fire brigade or ambulance purposes, or a vehicle in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (d) to enable it to be used in connection with the removal of any obstruction to traffic;
  - (e) if the vehicle is being used in the service of or employed by the post office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or, is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
  - (f) if the vehicle is being used by statutory undertakers or their contractors in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;
  - (g) if the vehicle is in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (h) if the vehicle is in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situated on or adjacent to that parking place.

- (i) if the vehicle is adapted to carry more than 8 passengers and is a school bus waiting so long as to enable children to board or alight from the vehicle.

## **PART VIII**

### **RESIDENTS ONLY PARKING – AT ALL TIMES (Ravenglass)**

41. The lengths of road specified in Schedule 29 to this Order may be used for parking, subject to the following provisions of this Order at any time on any day by such vehicles as are passenger vehicles, motor cycles, motor cycles with side cars attached thereto, disabled persons' vehicles and goods vehicles not exceeding 5.00 metres in length and 2.28 metres in height.

#### **Conditions of Use**

42. The driver of a vehicle shall not permit it to wait in the lengths of road specified in Schedule 29 to this order, unless the vehicle is:-
- (a) of a class specified in Article 41 of this Order, and
  - (b) is displaying a valid parking permit issued in accordance with Article 45 of this Order.
43. The driver of a motor vehicle shall wait in the lengths of road specified in Schedule 29 to this Order so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
44. (1) No person shall use a vehicle, while it is waiting in the lengths of road specified in Schedule 29, in connection with the sale of any article to persons in or near the parking area or in connection with the selling or offering for hire of his skill or services.
- (2) The driver of a residents vehicle shall on the arrival of the vehicle in the lengths of road specified in Schedule 29 to this Order, and during the period of waiting, exhibit on the vehicle in accordance with the provisions of this Order a parking permit
- (3) The parking permit shall be exhibited in the relevant position on the vehicle
- (4) When a parking permit has been displayed in a vehicle in accordance with the foregoing provisions of this Order, no person shall remove the parking permit from the vehicle unless authorised to do so by the driver of the vehicle.
- (5) The driver of a two wheeled motor cycle not having a side car attached thereto shall be exempt from the provisions of paragraphs (2) and (3) of this Article.

#### **Application for Permits of Exemption**

45. (1) Any person whose normal residence is at premises classed as Residential for the purposes of Council Tax fronting onto or accessed by Main Street, Ravenglass, south of the Croftlands Drive junction, or who is a carer for any such resident, and who is

the owner of a vehicle of a type specified in Article 41 of this Order, may apply to the Council for the issue of a parking permit for the leaving of that vehicle in the lengths of road or sides of road referred to in Article 41 of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.

- (2) The Council may require an applicant for a permit to produce to an Officer of the Council such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them.
- (3) The Council, upon being satisfied that: -
  - (a) an applicant's residence is at premises classed as Residential for the purposes of Council Tax fronting onto or accessed by Main Street, Ravenglass, south of the Croftlands Drive junction, or who is a carer for any such resident, and
  - (b) such premises do not have the benefit of an off-street parking facility (including properties where there is insufficient frontage space for the vehicle to be parked without a partial overhang into the carriageway); and
  - (c) is the owner of a vehicle of a class specified in paragraph (1) of this Article;

may issue to that applicant one permit enabling the vehicle to wait without time time in the lengths of road or sides of road specified in Schedule 29.

In the event of there being sufficient space, second or subsequent permits may be issued to the applicant where such premises do not have the benefit of an off-street parking facility.

- (4) The Council, upon being satisfied that an applicant's residence is at premises classed as Residential for the purposes of Council Tax fronting onto or accessed by Main Street, Ravenglass, south of the Croftlands Drive junction and is the owner of a vehicle of a class specified in paragraph (1) of this Article may apply to the Council for the issue of: a book of 60 No. visitors certificates of exemption each year for use in accordance with the foregoing provisions of this Order exempting them from the time limits in parking areas specified in Schedule 29 of this Order subject to them satisfying the conditions specified in the preceding paragraphs of this Article and providing each visitors certificate is displayed in accordance with the requirements of Article 44 to this Order and lapses after a period of one day when it must be removed from the vehicle

Providing also that the visitors certificates will be valid for one calendar year only after which time they will become void.

- (5) The Council, upon being satisfied that: -
  - (a) an applicant's residence is a holiday home classed as Residential for the purposes of Council Tax fronting onto or accessed by Main Street, Ravenglass, south of the Croftlands Drive junction, or who is a temporary resident of the Ravenglass and Eskdale Railway's Hostel, and

- (b) such premises do not have the benefit of an off-street parking facility (including properties where there is insufficient frontage space for the vehicle to be parked without a partial overhang into the carriageway); and
- (c) is the owner of a vehicle of a class specified in paragraph (1) of this Article;

may issue to that applicant one permit exempting the vehicle from the restrictions in the lengths of road or sides of road specified in Schedule 29.

46. Subject to the provisions set out in Articles 48 and 49 of this Order, no more than one parking permit shall be granted in respect of any premises.

47. The following particulars shall be included in writing on a permit:-

- (a) a distinct identification mark (ie. Residents Permit)
- (b) either (i) the registration mark of the vehicle in respect of which the permit has been issued or (ii) the address of the property in respect of which the permit has been issued;
- (c) an authentication that the permit has been issued by the Council;
- (d) the period during which the permit shall remain valid being a period not exceeding 12 months
- (e) the name of the street or zone of streets and town to which the permit applies.

48. Permits issued to carers and shall be subject to the same provisions as those issued to residents.

49. Notwithstanding the provisions set out in Articles 46 and 47 of this Order, the Council may, at its discretion, issue more than one parking permit per household and may waive the vehicle height requirement.

#### Surrender, Withdrawal and Validity of Parking Permits

50. (1) A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing serve on the permit holder at the address shown by that person on the application for the permit, or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the said Notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (a) the expiry of the period for which the permit was issued;
  - (b) the permit holder ceasing to be a resident or carer or visitor, as appropriate, at

the address in respect of which the permit was issued;

- (c) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
  - (d) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 4 of this Order;
  - (e) the issue of a duplicate permit by the Council under the provisions of Article 51 of this Order;
  - (f) the issue, contrary to any provision or requirement of the preceding Articles of this Order, of a permit to the permit holder who was not thereby eligible to receive the said permit.
- (4) A permit shall cease to be valid on the occurrence of any of the events set out in paragraph (3) of this Article.

#### Application for, and Issue of Duplicate Parking Permits

51. (1) If a permit is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Borough Council and may then apply to the Council for the issue to him of a duplicate permit.
- (2) If a permit is lost or destroyed the permit holder may apply to the Council for the issue of a duplicate.
- (3) The provisions of this Order shall apply to a duplicate permit and an application for such a permit as if it were a permit or, as the case may be, an application for a permit.
- (4) Any permit issued by virtue of the provisions of paragraph (1) or (2) of this Article shall be marked as a duplicate and upon the issue of a duplicate the permit which it duplicates shall become invalid.
52. Nothing in the foregoing provisions of this Order shall restrict the power of the Council for preventing obstruction of the streets by order on the occasion of any public procession rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.

#### General Exemptions

53. Nothing in Articles 41 to 52 of this Order shall apply to a vehicle waiting during the prescribed hours in the lengths of road specified in Schedule 29 to this Order if the vehicle is
- (a) waiting only so long as is necessary 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;

- (b) waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;
- (c) a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
- (d) waiting to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
- (f) being used by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;
- (g) in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
- (h) in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situate on or adjacent to that parking place;
- (i) if goods are being sold or offered or exposed for sale from a vehicle by a person who is licensed by a local authority to sell goods from a stationary vehicle on a pitch situated in a parking place;
- (j) displaying in the relevant position a valid disabled person's badge or resident's permit.

## **PART IX**

### PROHIBITION OF RIGHT TURN

54. No person shall cause or permit any vehicle proceeding in the length of road specified in columns 1 and 2 of Schedule 30 to this Order to make a right turn as specified in column 3 of the said Schedule.

## **PART IXA**

### **PROHIBITION OF RIGHT TURN, EXCEPT FOR BUSES**

- 54A. Save as provided in Article 54B, no person shall cause or permit any vehicle proceeding in the length of road specified in columns 1 and 2 of Schedule 30A to this Order to make a right turn as specified in column 3 of the said Schedule.
- 54B. Nothing in Article 54A shall apply to those service buses facilitating access/egress to the Sellafield Site.

## **PART IXAB**

### **PROHIBITION OF RIGHT TURN, EXCEPT FOR CYCLISTS**

- 54C. Save as provided in Article 54D, no person shall cause or permit any vehicle proceeding in the length of road specified in columns 1 and 2 of Schedule 30B to this Order to make a right turn as specified in column 3 of the said Schedule.
- 54D. Nothing in Article 54C shall apply to cyclists.

## **PART X**

### **PROHIBITION OF LEFT TURN**

55. No person shall cause or permit any vehicle proceeding in the length of road specified in columns 1 and 2 of Schedule 31 to this Order to make a left turn as specified in column 3 of the said Schedule.

## **PART XI**

### **PROHIBITION OF MOTOR VEHICLES EXCEPT FOR ACCESS**

56. Save as provided in Article 57 to this Order, no person shall cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 32 to this Order.
57. Nothing in Article 56 of this Order shall apply to vehicles being used: -
- (a) for the conveyance of persons, goods or burden to or from any premises situated on or adjacent to those lengths of road.
  - (b) for police, fire brigade or ambulance purposes, or a vehicle in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (c) in connection with the removal of any obstruction to traffic;
  - (d) by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place

or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;

- (e) for or in connection with mechanical road cleansing or mechanical refuse collection;
- (f) for the purpose of agriculture in connection with land adjacent to the said lengths or road; or
- (g) for the driving of livestock.

## **PART XII**

### PROHIBITION OF THROUGH TRAFFIC

58. Save as provided in Article 59 of this Order, no person shall cause or permit any vehicle to proceed in the lengths of road specified in Schedule 33 to this Order.
59. Nothing in Article 58 of this Order shall apply to a vehicle being used: -
- (a) for the conveyance of persons, goods or burden to or from any premises situated on or adjacent to those lengths of road.
  - (b) for police, fire brigade or ambulance purposes, or a vehicle in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
  - (c) in connection with the removal of any obstruction to traffic;
  - (d) by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984.

## **PART XIII**

### PROHIBITION OF ENTRY

- 59A. No person shall cause or permit any vehicle which is being driven along the length or lengths of road specified in column 2 of Schedule 33A to this Order to enter the length or lengths of road specified in column 3 of the said Schedule.

## **PART XIIB**

### **PROHIBITION OF ALL TRAFFIC**

- 59B. No person shall proceed or cause or permit any vehicle to proceed, along the length or lengths of road specified in Schedule 33B to this Order.
- 59C. The Council is satisfied that for preventing the likelihood of danger arising to persons or other traffic using the road or roads specified in Schedule 33B to this Order, it is requisite that Section 3(1) of the Act should not apply in relation to the length or lengths of road specified in the said Schedule.

## **PART XIII**

### **WEIGHT RESTRICTION**

60. Save as provided in Article 60A, no person shall cause or permit any vehicle the maximum gross weight of which exceeds 7.5 tonnes to proceed in the lengths of road specified in Schedule 34 to this Order.
- 60A. Nothing in Article 60 shall apply to farm vehicles requiring access to/egress from fields adjoining Gallows Lonning, Moresby.
- 60B. Save as provided in Article 61 to this Order, no person shall cause or permit any vehicle the maximum gross weight of which exceeds 10 tonnes, to proceed in the lengths of road specified in Schedule 34A to this Order.
- 60C. Save as provided in Article 61 to this Order, no person shall cause or permit any vehicle the maximum gross weight of which exceeds 13 tonnes, to proceed in the lengths of road specified in Schedule 34B to this Order.
- 60D. Save as provided in Article 61 to this Order, no person shall cause or permit any vehicle the maximum gross weight of which exceeds 18 tonnes, to proceed in the lengths of road specified in Schedule 34C to this Order.
- 60E. Save as provided in Article 61 to this Order, no person shall cause or permit any vehicle the maximum gross weight of which exceeds 33 tonnes, to proceed in the lengths of road specified in Schedule 34D to this Order.

### **Exemptions**

61. (1) Nothing in Article 60A to this Order shall apply to: -
- (a) vehicles being used for Police, Fire Brigade or Ambulance purposes;
  - (b) all vehicles which are delivering or collecting goods from Bridge End Farm, The Green, Millom, LA18 5HZ;
  - (c) all vehicles which are delivering heating oil to Birch Bank, Vicarage Lane, The Green, Millom, LA18 5HZ and Thwaites Old Vicarage, The Green, Millom, LA18 5HZ.

- (2) Nothing in Article 60B shall apply to vehicles being used for Police, Fire Brigade or Ambulance purposes.

## **PART XIV**

### **WIDTH RESTRICTIONS**

62. (1) Save as provided in Article 63 to this Order, no person shall cause or permit any vehicle exceeding 6'6" in width from proceeding in the lengths of road specified in Schedule 35 to this Order.
- (2) Save as provided in Articles 63(a) to (d) inclusive to this Order, no person shall cause or permit any vehicle exceeding 3'3" in width from proceeding in the lengths of road specified in Schedule 35A to this Order.
63. Nothing in Article 63 of this Order shall apply to vehicles being used: -
- (a) for the conveyance of persons, goods or burden to or from any premises situated on or adjacent to those lengths of road.
- (b) for police, fire brigade or ambulance purposes, or a vehicle in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
- (c) in connection with the removal of any obstruction to traffic;
- (d) by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984; or
- (e) for or in connection with the conveyance or haulage of timber felled upon that land;

## **PART XV**

### **24 HOUR CLEARWAY**

64. Save as provided in Articles 65 and 66 to this Order, no person shall cause or permit any vehicle to stop at any time on any part of the roads specified in Schedule 36 to this Order, other than a layby, except upon the direction or with the permission of a Police Constable in uniform.
65. Nothing in Article 64 of this Order shall apply to vehicles being used: -
- (a) for police, fire brigade or ambulance purposes, or a vehicle in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;

- (b) in connection with the removal of any obstruction to traffic;
  - (c) by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;
  - (d) for the purpose of delivering or collecting postal packet
  - (e) whilst waiting for a gate or other barrier at the entrance to premises to which the vehicle is proceeding or from which it has emerged, is open or closed, if it is not reasonably practicable for the vehicle to wait elsewhere;
  - (f) when the person in control of it is required by law to stop, obliged to stop in order to avoid an accident; or prevented from proceeding by circumstances outwith his or her control;
66. Nothing in Article 64 of this Order shall apply to prevent: -
- (a) any vehicle to wait on the side of the southbound carriageway of the C4013 for so long as may be necessary in connection with a visit for whatever purpose to No. 1 or No. 2 Sella Park Cottages or The Spinney;
  - (b) any vehicle to wait on the side of the C4045 for as long as may be necessary in connection with a visit for whatever purpose to Tarn Cottage, Tarn Head Farm or Brig Dyke Farm.
67. No person shall cause or permit any vehicle to wait on any part of the lengths of road specified in Schedule 36 to this Order for the purpose of selling, or of dispensing, goods from or in that vehicle, unless the goods are immediately delivered at, or taken into, premises adjacent to the land on which the vehicle stood at the time when the goods were sold or dispensed.

## **PART XVI**

### RESERVED BUS LANE

68. Save as provided in Articles 69 and 70 of this Order, no person shall cause or permit any vehicle other than a works bus, school bus, a vehicle undertaking a local service or a pedal cycle, to enter, proceed or wait in the bus lane specified in Schedule 37 to this Order otherwise than for the purpose of crossing it.
69. Nothing in Article 68 of this Order shall apply to vehicles being used: -
- (a) in connection with the removal of any obstruction to traffic;
  - (b) by a statutory undertaker or its contractor in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration or repair in or near the said parking place 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 Schedule 2 to the Telecommunications Act, 1984;

- (c) for police, fire brigade or ambulance purposes;
- (d) for the loading or unloading of goods or burden to or from premises accessible only from the bus lane, providing that it takes place only whilst no prohibition of loading and unloading in the bus lane is in force.

70. Nothing in Article 68 of this Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in a southerly direction in the bus lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used: -

- (a) in the service of a Local Authority or Water Authority in pursuance of statutory powers or duties in connection with the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act, 1984;
- (b) for the avoidance of an accident;
- (c) the gaining of access to or egress from off-street loading and garaging premises adjacent to or accessible only from the bus lane;
- (d) the boarding or alighting of any person, providing that such boarding or alighting does not cause the vehicle to wait in the same place for more than two minutes.

## **PART XVII**

### SUPPLEMENTARY PROVISIONS

#### Indication of Parking Places and Signage

71. (1) It is hereby declared that (for the avoidance of doubt) that the Council shall (in its sole discretion) have the power to carry out the following actions, namely:-
- (i) to cause the limits of each and any parking place designated by this Order to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size colour and type prescribed or authorised under Section 64 of the 1984 Act;
  - (ii) to place and maintain on or in the vicinity of each such parking place, traffic signs of any size colour and type prescribed or authorised under Section 64 of the 1984 Act indicating that such parking place may be used during the prescribed hours for the leaving of vehicles only as specified in this Order; and
  - (iii) to carry out such work as is reasonably required for the purposes of the satisfactory operation of these designated parking places.

### Powers to Suspend Use of Parking Places

- (2) Any Civil Enforcement Officer or other person duly authorised by the Council may suspend the use of any parking place or any part thereof whenever he or she considers such suspension reasonably necessary as follows:-
- (i) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (ii) for the erection maintenance or removal of any traffic sign adjacent to that parking place;
  - (iii) for the purpose of any building operation, demolition or excavation in or adjacent to any parking place or the maintenance improvement or reconstruction of any such parking place or the laying erection alteration removal or repair in or adjacent to the designated parking place of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telegraphic line or traffic sign;
  - (iv) for the cleansing of gullies in or adjacent to that parking place;
  - (v) for the convenience of occupiers of premises adjacent or close by to any parking place on any occasion of the removal of furniture from one dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, or on the occasion of works being carried out to or within any such premises;
  - (vi) on any occasion of any public procession rejoicing or illumination, or where the streets are thronged or liable to be obstructed.
- (3) Without prejudice to the generality of any other statutory provision, a Police Constable in uniform may suspend for not longer than 24 hours the use of any parking place or any part thereof designated by this Part of this Order whenever he or she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

### Traffic Signs and Cones

- (4) (i) Any person, Civil Enforcement Officer, Police Officer or other authorised person who causes the suspension of the use of any parking place or any part thereof in accordance with Articles 58 and 59 of this Order, shall thereupon place or cause to be placed in or adjacent to that designated parking place or the part thereof, the use of which is suspended, a traffic sign or cone indicating that waiting by motor vehicles is prohibited.
- (ii) No person shall cause or permit a motor vehicle to be left in any part of a parking place so long as during such period there is in or adjacent to that designated parking place a traffic sign or cone placed in pursuance the preceding Articles of this Order.

### Powers to remove vehicles in Parking Places

- (5) (i) It is hereby declared for the avoidance of doubt and in pursuance of statutory powers in that behalf, if any vehicle is left in a position other than in accordance with the forgoing provisions of this Order, then a Police Constable, Civil Enforcement Officer or other person authorised by the Council in that behalf:-
- (a) may alter or cause to be altered, the position of the vehicle so that its position is in accordance with the said provisions; or
- (b) may alter or cause to be altered, the position of the vehicle or remove or arrange for the removal of the vehicle to a secure place in the manner and on the basis set out in this Article.
- (ii) Any person or persons altering, or causing the alteration of, the position of any vehicle by virtue of paragraph (1) (i) or (1)(ii) of this Article, may do so by towing or driving the vehicle or in such other manner as he or she or they may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
- (iii) Any person or persons removing or arranging for the removal of any vehicle by virtue of paragraph (1) (i) or (1)(ii) of this Article shall make such arrangements as he/she or others considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed.
- (6) No person shall, except with the permission of a Police Constable, Civil Enforcement Officer or other person duly authorised by the Council in that behalf, drive or permit to be driven any vehicle in a parking place for any purpose other than the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purposes of departing from the parking place.

### Miscellaneous Provisions

72. For the avoidance of doubt , it shall be an offence for any vehicle to wait, park or be left on any length of footway in any road to which the foregoing provisions of this Order apply.

## **PART XVIII**

### Goods Vehicles Loading Only

73. The lengths of road or sides of road specified in Schedule 38 to this Order, as indicated on the highway by traffic sign no. 660.4 of the 2016 Regulations, are authorised to be used between the hours of 8.30 am and 6.00 pm on any day other than a Sunday, subject to the provisions of Article 8 of this Order, as a loading area for goods vehicles (other than a passenger vehicle), which are loading onto or unloading from that vehicle.

**PART XIX**

**REVOCATION OF EXISTING ORDERS**

74. The Order specified in Schedule 39 to this Order are hereby revoked to the extent specified therein, and to the extent that the provisions of this Order are inconsistent with, or incompatible with, the provisions of any other Order, Byelaws or enactment not specifically referred to in the said Schedule, the provisions of this Order shall prevail for all purposes.

Dated the >< day of >< 20><

THE COMMON SEAL OF )  
CUMBERLAND COUNCIL )  
was hereunto affixed )  
in the presence of:- )

Authorised Signatory .....