

**CUMBERLAND COUNCIL (VARIOUS ROADS, COCKERMOUTH AND SURROUNDING AREA)
(WAITING, LOADING AND PARKING PLACES) (ON-STREET RESTRICTIONS) ORDER 20><**

Cumberland Council (hereinafter referred to as “the Council”) in exercise of their powers under Sections 1, 2, 19, 32, 35, 35A, 45, 46, 47, 49, 51, 53, 64, 122 and 124 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and Part 6 of the Traffic Management Act 2004 after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby make the following Order:

ARRANGEMENT OF ARTICLES

Parts

Part I – General

Articles 1 – 6 Citation, Commencement, Interpretation etc.

Part II – Limited Waiting Parking Places

Article 7 Use of Parking Place

Part III – Disc Parking Places

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Part IV – Prohibition and Restriction of Waiting

Article 14 General

Part V – Prohibition of Stopping on Entrance Markings

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Article 17 General

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PART I

GENERAL

1. This Order shall come into operation on xxxx and may be cited as Cumberland Council (Various Roads, Cockermouth and Surrounding Area) (Waiting, Loading and Parking Places) (On-Street Restrictions) Order 20><
2. (1) In this Order, except where the context otherwise requires, the following expressions have the meaning 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.

“Authorised Vehicle” means a passenger vehicle or a Goods carrying vehicle the overall height of which does not exceed 2.28 metres.

“Bus” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016, for the avoidance of doubt, this includes coaches;

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

“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 (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”, means the person driving the Vehicle;

“Entrance Marking” means an area of Carriageway identified as such in the Map Tile relating to the Entrance Marking by the Map Schedule Legend and/or Map Tile Label in the Map Schedule attached to this Order and which is contained within the Road

marking prescribed in diagram 1027.1 in Schedule 7, Part 4 of the Traffic Signs Regulations and General Directions 2016 and placed in conjunction with an upright sign which includes the symbol at item 12, of the sign table in Part 3 of Schedule 4 of the Traffic Signs Regulations and General Directions 2016;

“Goods” includes Goods or burden of any description;

“Goods Vehicle” means a Motor Vehicle constructed or adapted for use for the carriage of Goods or burden of any description or a Trailer so constructed or adapted;

“Heavy Commercial Vehicle” has the same meaning as in section 138 of the 1984 Act and which has an operating weight exceeding 7.5 tonnes;

“Heavy Goods Vehicle (HGV)” means a commercial vehicle with a gross vehicle weight (GVW) exceeding 3,500 kg (3.5 tonnes);

“Junction” means, unless otherwise indicated in this Order, the intersection of the general alignment of the carriageway edges of two Roads;

“Local Authority” means, for the purpose of this Order, Cumberland Council as Traffic Authority;

“Map Schedule” means the Map Schedule being a collection of Map Tiles listed and inserted into Schedule 1, which depicts the traffic movement prohibitions and restrictions designated by this Order, and in conjunction with the Map Tile Label and/or Map Schedule Legend, identifies the type of each particular prohibition and restriction and, if appropriate, certain of its governing provisions:

Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the Map Schedule and where a traffic movement prohibition or restriction is depicted on the Map Schedule, that prohibition or restriction will continue to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data;

“Map Schedule Legend” means the Map Schedule Legend to this Order which, when used in conjunction with a Map Tile as listed and included in Schedule 1, identifies the specific type of traffic movement prohibition or restriction designated by this Order and, where appropriate, certain of their governing provisions;

“Map Tile” means an individual Map Tile with a specific reference, being part of the Map Schedule as listed and included in Schedule 1;

“Map Tile Label” where shown on a Map Tile forming part of the Map Schedule in relation to a traffic movement prohibition or restriction, means a label which indicates the type of prohibition or restriction and, if appropriate, certain of its governing provisions;

“Motor Cycle” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984 (as amended);

“Motor Vehicle” and “Trailer” have the same meaning as in section 136 of Road Traffic Regulation Act 1984 (as amended);

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

“Parking Place” means any part of a Road authorised by this Order to be used as a Parking Place, and identified as such in the Map Schedule to this Order;

“Pedal Cycle” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Permit” means a valid Permit, in accordance with the protocol entitled “Protocol for the management and operation of Residents Parking Exemption Scheme and Visitor Parking Scheme” which is attached as Schedule 3 hereto;

“Permit Holder” means a person to whom a Permit has been issued by the Council authorising the use of a Parking Place in accordance with the protocol entitled “Protocol for the management and operation of Residents Parking Exemption Scheme and Visitor Parking Scheme” which is attached as Schedule 3 hereto;

“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)

“the Protocol” means the “Protocol for the management and operation of Residents Parking Exemption Scheme and Visitor Parking Scheme” attached as Schedule 3 hereto.

“Prescribed Hours” means those hours and on those days during which are on the Map Labels;

“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;

“Resident Permit” means a Permit issued to a resident authorising the use of a specified Parking Place in accordance with the protocol entitled “Protocol for the management and operation of Residents Parking Exemption Scheme and Visitor Parking Scheme” which is attached as Schedule 3 hereto;

“Restricted Parking Zone” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Road” means any length of highway or any other Road to which the public has access, and includes any bridge over which a Road passes;

“Traffic Sign” means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of Road Traffic Regulation Act 1984 (as amended);

“Vehicle” means a form of transportation to carry people, goods or both and includes Motor Vehicles, Trailers and Pedal Cycles.

“Visitor Permit” means a Permit issued to a resident authorising the use of a specified Parking Place solely by a visitor to that resident in accordance with the protocol entitled “Protocol for the management and operation of Residents Parking Exemption Scheme and Visitor Parking Scheme” which is attached as Schedule 3 hereto;

- (2) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- (3) The Interpretation Act, 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- (4) Words importing the masculine gender shall also include the feminine gender and words in the singular include the plural and vice versa.

GENERAL EXEMPTIONS

3. (1) Nothing in this Order shall render it unlawful to cause any Vehicle to wait during the controlled hours in the lengths of Road, on the side of Road referred to therein, or in any part of a Parking Place referred to therein, identified in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend, if the use of that part has not been suspended, for a period no longer than is necessary for:
- (a) a person to board or alight from the Vehicle or load thereon or unload therefrom his or her personal luggage;
 - (b) Goods to be loaded on or unloaded from a Vehicle, where the Vehicle is necessary for the collection or delivery of those Goods, (except in those Roads or lengths of Roads and during those hours where loading and unloading is prohibited).
 - (c) a Vehicle directly used in connection with any of the following operations, namely:
 - (i) the removal of any obstruction to traffic;
 - (ii) the maintenance, improvement or reconstruction of any of the said lengths of Road or sides of Road; or
 - (iii) the laying, erection, alteration or repair in, or in land adjacent to, any of the said lengths or sides of Road of any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus;
 - (d) a Vehicle, not being a passenger Vehicle, being used in the service of a Local Authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or in the performance of such duties for the Vehicle to wait in the place in which it is waiting;
 - (e) a Vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
 - (f) a Vehicle to wait at or near to any premises situated on or adjacent to the said side or any of the said lengths of Road or Parking Place for so long as such waiting by that Vehicle is reasonably necessary in connection with a funeral; or
 - (g) the Vehicle is an Ambulance or is to be used for fire brigade or police purposes;
 - (h) a Vehicle displaying a valid dispensation issued by the Council;
 - (i) in relation to anything done with the permission or at the direction of a police officer in uniform or to avoid an accident.
- (2) Where this article is stated to apply, nothing in article 14 of this Order shall render it unlawful to cause a Vehicle, to wait in any Restricted Road or Parking Place for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 hour from a previous period of waiting by the same Vehicle in the same Road or a part of the same Road on the same day) in the lengths of Road specified therein if the Vehicle displays in the Relevant Position a disabled persons badge and a Parking Disc issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or a badge having effect under those Regulations as if it were a disabled persons badge and the Driver or other persons in charge of the Vehicle marks on the said Parking Disc the time at which the period of waiting began.

- (3) Where this article is stated to apply, nothing in articles 7 and 8 of this Order shall render it unlawful to cause or permit a Vehicle to wait in any Restricted Road or Parking Place in the lengths of Road specified therein if the Vehicle displays in the Relevant Position a disabled persons badge and a Parking Disc issued by any local authority in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 or a badge having effect under those Regulations as if it were a disabled persons badge and the Driver or other persons in charge of the Vehicle marks on the said Parking Disc the time at which the period of waiting began.
- (4) Nothing in this Order will make it illegal for a Driver of a Bus to allow that Vehicle to wait during the Prescribed Hours, marked out and/or shown on a Traffic Sign at the location of the Bus Parking Place and identified in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.

MANNER OF STANDING

- 4. Every Vehicle left in a Parking Place in accordance with the provisions of this Order shall stand so that its wheels are wholly within the Parking Place and it does not obstruct the premises adjacent to the side of the Road on which the Vehicle is standing.
- 5. The Driver of a Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in a 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.
- 6. During the period of operation of a Parking Place specified in this Order no person shall, without the written consent of the Council and subject to such conditions as the Council from time to time decide, use any Vehicle while it is in the Parking Place in connection with any commercial activities, or the advertisement or 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.

PART II

LIMITED WAITING PARKING PLACES

- 7. (1) Save as provided in Articles 3(1), 3(3) and 3(4) or where a site specific exemption applies in Schedule 2, no person shall, except upon the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer, cause or permit any Vehicle, other than an Authorised Vehicle, to wait in any of the Roads or parts of Roads indicated as being a Limited waiting Parking Place during the Prescribed Hours, marked out and/or shown on a Traffic Sign at the location of the Limited waiting Parking Place and identified in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.
- (2) No Authorised Vehicle parked within a Limited waiting Parking Place identified in Article 7 (1) shall wait:
 - (i) for longer than the maximum period of waiting specified in the Map Schedule; and
 - (ii) if an Authorised Vehicle returns to a Limited waiting Parking Place in the same Road during the Prescribed Hours until after the expiration of the time shown on the Map Schedules when an Authorised Vehicle is permitted to return to the same Limited waiting Parking Place.

PART III

DISC PARKING PLACES

8. (1) Save as provided in Articles 3(1) and 3(3) or where a site specific exemption applies in Schedule 2, no person shall, except upon the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer, cause or permit any Vehicle, other than an Authorised Vehicle, to wait in any of the Roads or parts of Roads indicated as being a Disc Parking Place during the Prescribed Hours, marked out and/or shown on a Traffic Sign at the location of the Disc Parking Place and identified in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.
- (2) No Authorised Vehicle parked within a Disc Parking Place identified in Article 8(1) shall wait:
- (i) for longer than the maximum period of waiting specified in the Map Schedule; and
 - (ii) if an Authorised Vehicle returns to a Disc Parking Place in the same Road during the Prescribed Hours until after the expiration of the time shown on the Map Schedules when an Authorised Vehicle is permitted to return to the same Disc Parking Place.

DISPLAY OF PERMITS FOR PARKING DISCS

9. Except at specific locations specified in Schedule 2, a Vehicle that is parked in a Disc Parking Place in the lengths of Road of this Order and displaying a Permit in the Relevant Position will be exempt during the Prescribed Hours from compliance with any limitation of time during which a Vehicle may be left in such a Disc Parking Place.
10. A Vehicle that is parked in a Disc Parking Place in the lengths of Road of this Order and is not displaying a Permit in the Relevant Position shall display a parking disc in the Relevant Position and set the disc so that it indicates the quarter of an hour period during which the Vehicle arrived at the Disc Parking Place.
11. Where a Vehicle having been left on a side of a Road remains there at the beginning of the Prescribed Hour then the Vehicle shall be treated as if it had arrived in the Disc Parking Place at the beginning of those hours.
12. The Driver of a two wheeled Motor Cycle not having a side car attached thereto shall be exempt from the provisions of Article 8 and 9 of this Order.
13. No person shall:
- (a) after the parking disc exhibited on the Vehicle has been set in accordance with Article 10 of this Order, alter the indications given by that parking disc whilst the said Vehicle remains in the Disc Parking Place; or
 - (b) knowingly exhibit on any Vehicle any parking disc which has been altered, defaced, mutilated or added to or upon which the figures or particulars have become illegible.

PART IV

PROHIBITION AND RESTRICTION OF WAITING

14. Save as provided in Articles 3(1) and 3(2) of this Order no person shall except upon the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer, cause or permit any Vehicle to wait in the lengths of Road or sides of Road during the Prescribed Hours indicated by a Traffic Sign and identified as a prohibition or restriction of waiting in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.

PART V

PROHIBITION OF STOPPING ON ENTRANCE MARKINGS

15. Save as provided in Articles 3(1)(g) and (i) no person shall except upon the direction or with the permission of a police officer in uniform or a Civil Enforcement Officer, cause or permit any Vehicle to stop in the lengths of Road or sides of Road during the Prescribed Hours indicated by a Traffic Sign and identified as a prohibition of stopping on Entrance Markings in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.

PART VI

PARKING FOR BUSES AND HEAVY COMMERCIAL VEHICLES

16. Save as provided in Articles 3(1) of this Order, no person shall except upon the direction of a police officer in uniform or of a Civil Enforcement Officer cause or permit any Vehicle, other than a Heavy Commercial Vehicle or Bus to wait in a Heavy Commercial Vehicle Parking Place or Bus Parking Place respectively during the Prescribed Hours shown in a Traffic Sign and identified as such in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.

PART VII

PROHIBITION AND RESTRICTION OF LOADING OR UNLOADING

17. Save as provided in Articles 3(1) (c), (e), (f), (g) and (i) of this Order or where a site specific exemption applies in Schedule 2, no person shall cause or permit any Vehicle to wait for the purposes of loading or unloading during days and Prescribed Hours, in the lengths of Road or sides of Road indicated by a Traffic Sign and identified as a prohibition or restriction of loading in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend.

PART VIII

LOADING/UNLOADING BAYS

18. Save as provided in Articles 3(1) (a), (b), (c), (e), (g) and (i) to this Order, no person shall cause or permit any Vehicle, or any class of Vehicle specified in the Map Tiles, to wait during the Prescribed Hours, in the lengths of Road or sides of Road indicated by a Traffic Sign and identified as such in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend as a Loading bay unless it is waiting for the purpose of being loaded or unloaded.

PART IX

DISABLED PARKING PLACES

19. (1) Save as provided in Article 3(1) (a), (c), (e), (f), (g), and (i) to this Order or where a site specific exemption applies in Schedule 2, no person shall cause or permit any Vehicle, which does not display in the Relevant Position a Disabled Person's Badge, to wait during the Prescribed Hours, in the lengths of Road or sides of Road indicated by a Traffic Sign and identified as such in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend as a Disabled Parking Place.
- (2) No Vehicle parked within a Disabled Parking Place identified in Article 19(1) shall wait:
 - (i) for longer than the maximum period of waiting specified in the Map Schedule; and

(ii) if a Vehicle returns to a Disabled Parking Place in the same Road during the Prescribed Hours until after the expiration of the time shown on the Map Schedules when a Vehicle is permitted to return to the same Disabled Parking Place.

PART X

RESTRICTED PARKING ZONE

20. Save as provided in Articles 3(1) to this Order, no person shall cause or permit any Vehicle to wait and/or load during the Prescribed Hours, in the lengths of Road or sides of Road indicated by a Traffic Sign and identified as such in the Map Schedule in conjunction with the Map Tile Label and/or Map Schedule Legend as a Restricted Parking Zone unless it is waiting within a signed bay.

PART XI

SUPPLEMENTARY PROVISIONS

Indication of Parking Places and Signage

21. (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

22. (1) Any person duly authorised by the Council or the Chief Officer of Police for Cumbria may suspend the use of a Parking Place or any part thereof whenever they consider such suspension reasonably necessary for the purpose of:
- (a) facilitating the movement of traffic;
 - (b) promoting its safety;
 - (c) preventing obstruction;
 - (d) the undertaking of works in or adjacent to the Parking Place; or
 - (e) for the convenience of occupiers of premises adjacent to the Parking Place.

- (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 in uniform, Police Officer in uniform, or other authorised person who causes the suspension of the use of any Parking Place or any part thereof in accordance with Article 22 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

23. Where a police officer in uniform or Civil Enforcement Officer is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of a Vehicle he may remove or cause to be removed the Vehicle and, where it is so removed, shall provide for the safe custody of the Vehicle.

24. Where a police officer in uniform or Civil Enforcement Officer is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of a Vehicle he may alter or cause to be altered the position of the Vehicle in order that its position shall comply with those provisions.
25. A police officer in uniform or a Civil Enforcement Officer may move or cause to be moved, in case of emergency, to any place he thinks fit, any Vehicle left in a Parking Place.
26. Where a police officer in uniform or Civil Enforcement Officer is of the opinion that any of the provisions of this Order have been contravened or not complied with in respect of a Vehicle he may wish to immobilise or cause to be immobilised the Vehicle by fixing a device authorised by the Council for this purpose to the wheel of the Vehicle.
- (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 in uniform, a Civil Enforcement Officer in uniform 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 in uniform, Civil Enforcement Officer in uniform 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.

PART XII

REVOCATION OF ORDER

27. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order the Orders specified in Schedule 4 to this Order are hereby revoked in part as specified.

Dated the xx day of xxxx 2026

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

Authorised Signatory

SCHEDULE 1

Map Schedule

Map Tile Reference	Map Tile Revision Number
HU25	0
HU35	0
HU36	0
HZ38	0
HZ54	0
HZ55	0
IA55	0
IB29	0
IB30	0
IB55	0
IC29	0
IC30	0
IC42	0
ID38	0
ID39	0
ID40	0
ID41	0
ID42	0
IE32	0
IE38	0
IE39	0
IE40	0
IF37	0
IF38	0
IF39	0
IF40	0
IF41	0
IF49	0
IG30	0
IG31	0
IG32	0
IG38	0
IG39	0
IG40	0
IH38	0
II23	0

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(insert map tiles)

SCHEDULE 2
Specific Exemptions

Road / Area Name	Static Restriction	Location	Exceptions and additions
Layby at the south east side of the A595 at the entrance to Wood Hall Lodge/Farm	Waiting Limited to 2 Hours, Return Prohibited within 2 Hours, At All Times	Both Sides, throughout the entire length of the layby	The exemptions in Article 3(4) is also applicable at this location.
Layby at the south side of the C2025 Higham Road		South side, from a point 8m east of its junction with the C2064 Embleton Road to a point 49m east of its junction with the C2064 Embleton Road	
South Street	Disc Parking, Waiting Limited to 1 Hour, Return Prohibited within 1 Hour, 8.00am - 6.00pm, Monday – Saturday - Residents Exempt	North side, from a point 17m east of its junction with Sullart Street to a point 29m east of its junction with Sullart Street	Permit Holders as specified in Article 9 are not exempt at these locations.
		North side, from a point 34m east of its junction with Sullart Street to a point 48m east of its junction with Sullart Street	
		North side, from a point 59m east of its junction with Sullart Street to a point 82m east of its junction with Sullart Street	
		North side, from a point 88m east of its junction with Sullart Street to a point 108m east of its junction with Sullart Street	
Market Place	Disc Parking 8.00 am – 6.00 pm Monday – Saturday, Waiting Limited to 30 minutes, Return Prohibited within 1 Hour,	South side, from a point 16m west of its junction with Kirkgate to a point 25m west of its junction with Kirkgate	Permit Holders as specified in Article 9 are not exempt at these locations. In addition, the restrictions at these locations will not apply during the Market or when Market Place is closed for an event.
		South side, from a point 34m west of its junction with Kirkgate to a point 42m west of its junction with Kirkgate	

Market Place	Disc Parking 10.00am – 6.00pm, Monday to Saturday, 30 Minutes, No Return Within 1 hour, Residents NOT Exempt	North-east side, from a point 34m south-east of its junction with Castlegate to a point 51m south-east of its junction with Castlegate	Permit Holders as specified in Article 9 are not exempt at these locations.
Main Street	Disc Parking, Waiting Limited to 1 Hour, Return Prohibited within 1 Hour, 8.00am - 6.00pm, Monday - Saturday, Residents NOT Exempt	North side, from a point 31m east of its junction with Bridge Street to a point 39m east of its junction with Bridge Street	
		North side, from a point 52m east of its junction with Bridge Street to a point 80m east of its junction with Bridge Street	
		North side, from a point 28m west of its junction with High Sand Lane to a point 45m west of its junction with High Sand Lane	
		North side, from a point 87m west of its junction with High Sand Lane to a point 97m west of its junction with High Sand Lane	
		North side, from a point 6m east of its junction with High Sand Lane to a point 67m east of its junction with High Sand Lane	
		South side, from a point 15m east of its junction with Sullart Street to a point 33m east of its junction with Sullart Street	
		South side, from a point 51m east of its junction with Sullart Street to a point 96m east of its junction with Sullart Street	
		South side, from a point 34m west of its junction with Station Street to a point 55m west of its junction with Station Street	

		South side, from a point 5m east of its junction with Station Street to a point 50m east of its junction with Station Street	
		South side, from a point 4m east of its junction with Challoner Street to a point 22m east of its junction with Challoner Street	
South Street		South-west side, from a point 38m north-west of its junction with Station Road to a point 78m north-west of its junction with Station Road	
Station Street		East side, from a point 41m south of its junction with Main Street to a point 48m south of its junction with Main Street	
		East side, from a point 53m south of its junction with Main Street to a point 79m south of its junction with Main Street.	
		East side, from a point 83m south of its junction with Main Street to a point 128m south of its junction with Main Street	
		East side, from a point 132m south of its junction with Main Street to a point 150m south of its junction with Main Street	
Market Street	No Waiting at Any time on any day, and No Loading or Unloading except between 8 am and 10 am each day	South end, near Church.	An exemption to enable any hearses and wedding cars to park at this location is also applicable.
Main Street	No Waiting or Loading/Unloading at Any Time	North side, from a point 13m east of its junction with Bridge Street to a point 31m east of its junction with Bridge Street	An additional exemption prohibiting any Vehicle to wait or to allow Goods to be

South Street		South West side, from a point at its junction with Station Road to a point 38m north-west of its junction with Station Road	loaded or unloaded at any time is also applicable at these locations.
Market Place	No Waiting Except for Disabled Persons Vehicles, 8 am to 6 pm, Monday to Saturday, Waiting Limited to 3 Hours, Return Prohibited within 3 Hours (Except when Market, or Market place closed for event)	From a point 25m west of its junction with Kirkgate to a point 34m west of its junction with Kirkgate.	The restriction at this location will not apply during the Market or when Market Place is closed for an event

SCHEDULE 3

CUMBERLAND COUNCIL

PROTOCOL FOR THE MANAGEMENT AND OPERATION OF RESIDENTS PARKING EXEMPTION SCHEME AND VISITOR PERMIT SCHEME

Part 1

Cumberland Council ("the Council") is the highway authority and the traffic authority for Cumberland and is responsible for de-criminalised parking enforcement in Cumberland.

The following criteria, terms and conditions, shall be applied to the operation of The Residents Parking Exemption Scheme/Visitor Permit Scheme ("the Scheme") under the provisions of the Traffic Regulation Order to which this Protocol is attached, unless and until replaced by further terms and conditions

1 Preamble

- 1.1 The Scheme shall exempt Vehicles displaying a Permit from the time limited parking restrictions with exemptions which are in force by reason of the Traffic Regulation Order to which this Protocol is attached.
- 1.2 Residents of any "household", being any property with a discrete postal address, may apply for a Permit. Any Permit that is issued for the purpose of exempting the holder from time limited parking restrictions shall be valid only in the Zone in which the household is situated or the street which the Permit is issued for.
- 1.3 Any Permit that is issued under the terms of the Scheme shall not imply an exclusive right for the holder to park in any place nor overcome the legitimate rights of other users of any public Roads and highways.

2 Residents Parking Exemption Areas

- 2.1 The areas in which the Scheme shall apply are listed in the current Traffic Regulation Orders which are in force for the following areas:
 - (a) Keswick and surrounding area;
 - (b) Cockermouth and surrounding area;
 - (c) Wigton, Aspatria and Silloth and surrounding area;
 - (d) Maryport and surrounding area;
 - (e) Workington and surrounding area;

3 Eligibility and Conditions for the Issue of Residents Permits

- 3.1 The criteria for eligibility and the conditions of operation of the Scheme are set out in Schedule 3 Part 2 of this Document.

4 Appeal

- 4.1 There shall be a right of Appeal as detailed in clause 8 of the Entitlement to Permits Scheme. The decision of the Council shall be final and binding upon the appellant.

Part 2

Criteria for the Entitlement to Permits

1 Application of Protocol

- 1.1 The following criteria shall be equally applied to all applications for the issue of any Residents Permits and Visitors Permits.

2 Entitlement to Residents Permits.

- 2.1 Save as provided in paragraphs 2.5 and 2.6, residents of a household abutting a Road which is affected by time limited parking restrictions shall be entitled to receive a maximum of two (2) permits "Residents Permits".
- 2.2 Each Residents Permit shall be issued in respect of a specific Vehicle. Where additional Vehicles are owned or operated by the same household the details of such Vehicles may be added to one of the Permits, provided that only the Vehicle that is displaying the Residents Permit shall be exempt from the time limited parking restrictions at any time.
- 2.3 Where any household has a need to park a Vehicle that is associated with their employment a Residents Permit may be issued in respect of that Vehicle but such issue will be included in the total entitlement of the household as referred to at paragraph 2.1 above.
- 2.4 Where any household has less than two (2) Vehicles there shall be no transferable entitlement of Residents Permits to any other household or persons whatsoever.
- 2.5 Notwithstanding the provisions of paragraph 2.1 above, where the household has the benefit of any off-street parking at the property, the entitlement to Residents Permits shall be reduced to one (1) only.
- 2.6 Notwithstanding the provisions of paragraph 2.1 above, where the household has benefit of an off-street driveway and a garage at the property, there shall be no entitlement to any Residents Permits whatsoever.
- 2.7 Business premises which are located on a Road which is affected by time limited parking restrictions shall not be entitled to a Residents Permit except in the case where the premises contain living accommodation for which Council Tax is paid and providing also that the occupier is registered for Council Tax at the premises.

3 Visitors and Tradesmen

- 3.1 Each household abutting a Road which is affected by time limited parking restrictions shall be issued with one (1) "Visitors Permit" capable of holding the details of a maximum of 60 'visits' by tradesmen or other visitors. Proof of residency must be supplied before a Visitors Permit is issued. Additional Visitor Permits may be issued in exceptional circumstances.
- 3.2 Provided that the details of the date of the visit and details of the Vehicle are completed and that the Visitors Permit is clearly displayed in the front windscreen of the same Vehicle, the

Visitors Permit shall exempt that Vehicle from the time limited parking restrictions for the whole of the date as is recorded upon the Visitors Permit.

- 3.3 Tradesmen with business at a household abutting a Road which is affected by time limited parking restrictions may use the residents Visitors Permit with the permission of the resident provided that it is completed and displayed as above for the duration of their stay.
- 3.4 Business premises shall not be entitled to receive or use a Visitors Permit in respect of the same address as the business.
- 3.5 A Visitors Permit that has been altered, overwritten, contains erasures or is illegible shall not be valid.
- 3.6 When there is a requirement for a replacement Visitors Permit it shall be a requirement that the old Permit is handed in.

4 Application for a Residents Permit

- 4.1 All applications for the issue or renewal of any Residents Permit shall be in writing using the form provided and such forms shall be taken to or sent to a Council office together with all of the proofs of residential qualification and Vehicle Ownership that are required.
- 4.2 Upon receipt of any such application the Council's staff shall check the proofs provided and note these onto the Application form which documentation shall be passed to the Council's Parking Services for processing.
- 4.3 Provided that all details on the Application Form have been completed and all proofs have been duly seen and noted by the Council's staff they may then issue a "Temporary Permit", valid for fourteen (14) days only, to cover the processing time required for each application. Temporary Permits shall not be renewed or replaced with further Temporary Permits once an application has been made except in the case where the Council's Parking Service has been incapable of processing an Application and then only with the expressed authority of the Council's Parking Service.
- 4.4 Duly completed applications which satisfy the conditions as set out herein shall result in the issue of a formal Residents Permit, which will be sent by the Council to the applicant's home address by Post within 14 days. Where any Application is refused the applicant shall be informed of this in writing together with information regarding appeals.

5 Proofs of Entitlement

- 5.1 At the time of receipt of an Application for a Residents Permit applicants shall supply the Council's staff with the following proofs of entitlement;
 - a) Proof of payment of Council Tax (not NNDR) at the same address as that for which the Residents Permit is required **or** Rent Book showing the status of the applicant as a paid up tenant provided that the tenant shall not be the same person as the Landlord.
 - b) Proof of Ownership and registration of the Vehicle at the same address as that for which a Residents Permit is required
 - c) In the case of leased Vehicles or business Vehicles, proof of leasing at the same address **or** a certificate provided by the Leasing Company or the Vehicle Owner that states that the Vehicle is normally operated by the applicant and is required to be operated from his address.
 - d) The expired Permit, which will be retained and replaced with a temporary Permit as described at 4.3 above.

- e) Any other proof that is capable of demonstrating a 'Residential' entitlement, or legitimate use of the Vehicle at the specified address.

6 Qualifying Vehicles

- 6.1 Residents Permits shall only be issued in respect of self-propelled Vehicles, **including motorcycles with or without sidecars**, that are demonstrably for personal daily use and which do not exceed the following dimensions;
- i) Height - 2.1m
 - ii) Width - 2.1m
 - iii) Length - 5.5m.

Caravans and Trailers do not qualify for a Residents Permit

7 Validity of Residents Permits

- 7.1 The period of validity of any Residents Permit shall be at the discretion of the Council. Normally a Residents Permit shall be valid for not less than one (1) calendar year
- 7.2 Each Residents Permit shall be marked with an expiry date. It is the responsibility of the user to note the expiry date and to make appropriate timely arrangements for its renewal.
- 7.3 The period of validity of any Visitor's Permit shall be unlimited provided that there is remaining space in it for entry of further visitors' Vehicle details, (without deletions or alterations in any way to the Visitors Permit).
- 7.4 A Residents Permit, or Temporary Permit, or Visitor Permit shall be invalid for any of the following reasons;
- a) Where it is displayed in a Zone for which it has not been issued
 - b) If it is displayed in such a manner that it is not clearly visible and able to be read by an Attendant standing outside the Vehicle
 - c) If it is displayed on any Vehicle whose Registration Mark is different to the registration mark shown on the Permit
 - d) If the Permit has been defaced or altered in any way
 - e) If the Permit has been copied or reproduced or the image has been electronically manipulated in any way
 - f) If it has been declared lost or stolen
 - g) If it has been sold-on with the Vehicle for which it was originally issued
 - h) Where it is subsequently found that an Application form contains deliberate omissions or false statements and the resident has been informed that the Permit is withdrawn.
 - i) Where the Permit has been withdrawn for any other reason and a notice of this has been sent to the address given by the resident.

8 Appeals against a refusal to issue a Permit

- 8.1 Where an Application for issue or renewal of a Residents Permit has been made and rejected by the Council's Parking Service there shall at all times be a means of Appeal to the Cumberland Council Traffic Team Leader.
- 8.2 All Appeals must be made in writing to:

Traffic Team Leader

*Cumberland Council
Highways Depot
Joseph Noble Road
Lillyhall Industrial Estate
Workington
CA14 4JH*

- 8.3 The determination of any Appeal must be given in writing to both the appellant and the Council's Parking Service within 10 working days.
- 8.4 No further Temporary Permits shall be issued to an applicant whilst an Appeal is being considered.
- 8.5 The decision of the Cumberland Council Traffic Team Leader or his appointed agent shall be final and binding upon the applicant.

SCHEDULE 4

The list of Traffic Orders revoked in part by this Order:

Column 1	Column 2
Title of Order	Parts Revoked
1. Cumberland Council (Various Roads, Cockermouth and Surrounding Area) (Consolidation and Provision of Traffic Regulations) Order 2025	Parts I - VII, XIII – XVI (inclusive) & Schedule 1 – 19, 27, 28, 32 and Appendix 1.