

THE COUNTY OF CUMBRIA BOROUGH OF BARROW-IN-FURNESS

ON-STREET (TOWN CENTRE) AND OFF-STREET PARKING PLACES ORDER, 1997

The Council of the Borough of Barrow-in-Furness (hereinafter referred to as ("the Council")) pursuant to arrangements made under section 101 of the Local Government Act, 1972 with Cumbria County Council, in exercise of the powers of the said County Council under Sections 1, 2, 3, 4, 5, 32, 35, 36, 45, 46, 47, 48 and 64 of the Road Traffic Regulation Act, 1984 (hereinafter referred to as ("the 1984 Act")) and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with the 1984 Act, hereby make the following Order:

PART ONE - GENERAL

1. Commencement and Citation

This Order shall come into force on the **first** day of **April** one thousand nine hundred and ninety seven and may be cited as the County of Cumbria {Borough of Barrow-in-Furness} On-Street (Town Centre) And Off-Street Parking Places Order, 1997.

2. Amendments and Repeals

The Orders specified in Schedule 6 are hereby repealed to the extent specified in the second column of that Schedule.

3. Interpretation

In this Order: except: where the context otherwise requires, the following expressions have the meanings hereby assigned to them:-

- 3.1 "The 1984 Act" and "The Act" means the Road Traffic Regulation Act, 1984.
- 3.2 "Parking Attendant" means a person authorised by or on behalf of the Council to supervise any parking place in accordance with the relevant provisions of the 1984 Act, or a Traffic Warden or a Police Constable in uniform.
- 3.3 "Contract", means a ticket or pass issued by the Council authorising the parking of a designated vehicle upon a named parking place as listed in Schedule 4 subject to such conditions as may from time to time be fixed by the Council.
- 3.4 "Contract holder", means a person to whom a contract has been issued pursuant to Article 26.5 of this Order.
- 3.5 "Disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982,

as amended by the Disabled Persons (Badges for Motor Vehicles) (Amendment) Regulations, 1991.

- 3.6 "Disabled badge holder" means a person to whom a disabled person's badge has lawfully been issued.
- 3.7 "Driver" in relation to a vehicle waiting in a parking place, means:
- (a) The person driving the vehicle at the time it was left in the parking place; OR:-
 - (b) in the event of the Council being unable, for any reason whatsoever, to identify, and/or reasonably contact that person:-
 - (i) The owner, being the person registered as the keeper of the vehicle with D.V.L.A. or otherwise identified as the keeper at the time of the offence OR: -
 - (ii) in relation to hired or leased vehicles, the person identified by the hire company as the hirer/lessee at the time of the offence.
- 3.8 "Goods vehicle" means a motor vehicle not exceeding 3 tonnes unladen weight which is constructed or adapted for use for the carriage of goods or burdens of any description and is not drawing a trailer save as provided in Article 39 of this Order.
- 3.9 "Immobilisation device" means any device or appliance designed or adapted to be fixed to a vehicle for the purpose of preventing it from being driven or otherwise put into motion I being a device or appliance of a type approved either generally or specifically by the Secretary of State for use for that purpose.
- 3.10 "Local. Authority" and "water undertaker" have the meanings assigned to the.111 by the Local Government Act, 1988 and the Water Industry Act, 1991 respectively.
- 3.11 "Motor vehicle" "motor cycle" and "invalid carriage" all have the same meaning as are assigned to them by Section 136 of the 1984 Act.
- 3.12 "Owner", has the same meaning as in the Act.
- 3.13 "Parking bay" means any area of a parking place as listed in Schedule 4 which is provided for the leaving of a vehicle and indicated by markings on the surface of the said parking place.
- 3.14 "Parking disc" means a disc issued by a Local Authority which complies with the requirements of the British Standard Specification for Parking Discs (BS No.4631 1970) but is coloured orange and is capable of showing the quarter hour period during which a period of waiting began.
- 3.15 "Parking place" means any length of road as may be designated as a parking place by virtue of article 5 and 24 and "parking places" shall be construed accordingly.

- 3.15.1 "Parking permit" and "permit" both means a permit to use a parking place listed in Schedule 1 issued by the Council in accordance with the provisions of article 15.
- 3.15.2 "Permit holder" means any person lawfully in possession of a permit from time to time.
- 3.15.3 "Duplicate permit" means a permit issued to a permit holder subsequent to an application made by him under article 20.
- 3.15.4 "Revised permit" means a permit issued to a permit holder subsequent to an application made by him under article 19.
- 3.15.5 "Residents parking permit:" means a permit issued under the provisions of Article 15 and "resident" means a person whose usual place of abode is at premises the postal address of which is in the streets or parts of streets described in Schedule
- 3.15.6 "visitors parking permit" means a permit issued under the provisions of article 16.
- 3.16 "Prescribed hours" means:
- (a) In relation to any length of road specified in Schedule 1 for 24 hours each day of the week and
 - (b) in relation to any length of road specified in Schedules 2 and 3 for the period between 8.00 a.m. and 6.00 p.m. on Mondays to Saturdays inclusive.
 - (c) in respect of the parking places described in Schedule 4 the period specified in that Schedule.
- 3.17 "Original vehicle" means the vehicle or vehicles (as the case may be) in respect of which an application for a permit under article 14 has been made or any vehicle in respect of which there is a valid permit in force from time to time.
- 3.18 "Substitute vehicle" means any vehicle which may be acquired by a permit holder after the date on which any permit he holds comes into effect and which is not referred to in the particulars of the permit.
- 3.19 "Passenger vehicle" means a vehicle constructed or adapted solely for the carriage of passengers and their effects, as detailed in Article 5.1.
- 3.20 "police force" "fire authority" and "health authority" have the meanings assigned to them by the police Act, 1964 the Fire Services Act, 1947 and the National Health Services Act, 1977 (as amended) respectively.
- 3.21 "Qualified medical practitioner" has the same meaning as in the Medical Act, 1983.
- 3.22. "Relevant position" shall be defined and interpreted as follows:

- 3.22.1 A vehicle shall be regarded as displaying a permit or ticket as the case may be in the relevant position when:
- 3.22.1.1. In the case of a vehicle fitted with a front windscreen the permit or ticket is exhibited on the near side of the vehicle immediately behind the windscreen so as to be legible from outside the vehicle; or
 - 3.22.1.2 in the case of a vehicle not fitted with a front windscreen the permit or ticket is exhibited in a conspicuous position on the vehicle so as to be easily legible from outside the vehicle.
 - 3.22.1.3 In the case of a disabled person's badge when either:-
 - 3.22.1.4 In the case of a vehicle fitted with a dashboard or a facia panel the badge is exhibited thereon so that Part I of the badge is legible from outside the vehicle; or
 - 3.22.1.5 in the case of a vehicle not fitted with a dashboard or facia panel the badge is exhibited in a conspicuous position on the vehicle so that Part I of the badge is legible from outside the vehicle
 - 3.22.1.6 In ALL cases: so that the details displayed thereon are clearly visible from outside the vehicle.
- 3.23 "Ticket machine" means an apparatus of a type and design approved either generally or specifically by the Secretary of State for Transport for the purpose of this Order, being apparatus designed to indicate the time by a clock and to issue parking tickets .indicating the payment of a charge and the date and time at which the charge was paid or the ticket expiry time.
- 3.24 "Telecommunication apparatus" has the same meaning as in the Telecommunications Act, 1984.
- 3.25 "Traffic sign" has the same meaning as assigned to it by Section 64(1) of the 1984 Act.
- 3.26 "Traffic warden" has the same meaning as is assigned to it by section 95(3) of the 1984 Act.
- 3.27 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other enactment.
- 3.28 The Interpretation Act, 1978 and any statutory modification or re-enactment thereof brought into effect after the date of this Order shall apply to the interpretation of this Order as it applies to the interpretation of an Act, of Parliament and as

if this Order were an Act of Parliament for the purposes of Section 22 of the Interpretation Act, 1978.

- 3.29 Words importing one gender include all other genders and words importing the singular include the plural and vice versa.
- 3.31 Any references to a specific statute include any statutory extension or modification amendment or re-enactment of such statute.
- 3.32 References in this Order to any article or Schedule without further designation shall be construed as a reference to the article or Schedule to this Order so numbered.
- 4. For the purpose of this Order:-
 - 4.1.1 All references to place, road and street names relate to places, roads and streets in Barrow-in-Furness unless otherwise stated.
 - 4.1.2 The terms "excess charge" and "parking penalty" refer to a specified fee to be paid to the Council by the driver or keeper or a vehicle in respect of any contravention of this Order.

5. Designation of Parking Places

Subject to the provisions of this Order, each of the roads, parts of road or areas of land specified by name in the Schedules of this Order may be used as parking places for such classes of vehicles during the prescribed hours and on such days and on payment of such charges and in compliance with such conditions as are specified in relation to that parking place.

- 5.1 Those lengths of road listed in the first, second and third Schedules are hereby designated as parking places for use by:-
 - 5.1.1 Motor cars,
 - 5.1.2 Goods and vehicles not exceeding 5.00 metres in length and 2.28 metres in height.
 - 5.1.3 Motor cycles with or without side-car and;
 - 5.1.4 invalid carriages.
- 5.2 Each area of the highway described as a designated parking place in the Schedules to this order is designated as a parking place subject to the provisions of this Order.
- 5.3 Each parking place specified in the Schedules to this Order may be used subject to the provisions of this Order for the leaving, during the Prescribed Hours of such vehicles as are specified in Article 5.1 which park within the designated parking place (subject during hours of darkness to the provisions of the law on vehicle lighting) and wholly within the limits of the bays marked.

- 5.4 The Council shall indicate the presence in a length of road of a designated parking place and the limits of any access way by placing and maintaining in the vicinity appropriate traffic signs and shall carry out such work as is reasonably required for the purpose of operating the parking place.
- 5.5 Except as provided in the provisions of this Order the driver of a motor vehicle shall not cause or permit the vehicle to wait in a designated parking place during the prescribed hours.

6. Initial and Return Periods in Parking Places

- 6.1 A vehicle of a description set out in Article 5.1 may wait during the prescribed hours in a parking place as listed in Schedules 1, 2 and 3 for a period not exceeding the initial period providing always that the said vehicle has not previously waited in that parking place within the Return Period and providing that the initial charge shall have been paid (unless the initial charge is nil) but such charge or restriction relating to the initial or return period shall not apply to a vehicle in which is displayed in the relevant position a Disabled Person's Badge or a valid permit.
- 6.1.1 The initial charge for the purpose of paragraph 6.1 is nil.
- 6.1.2 The initial period for the purposes of paragraph 6.1 in a parking place Designated in Schedule 1 is 10 minutes.
- 6.1.3 The initial period for the purposes of paragraph 6.1 in a parking place Designated in Schedule 2 is 1 hour.
- 6.1.4 The initial period for the purposes of paragraph 6.1 in a parking place Designated in Schedule 3 is 2 hours.
- 6.1.5 The return period for a parking place designated in Schedule 1 is 1 hour.
- 6.1.6 The return period for a parking place designated in Schedules 2 and 3 is 2 hours.

7. Initial and Excess Charges

Subject to the provisions of this Order:

- 7.1 The initial charge for a vehicle left in a designated parking place specified in Schedules 1, 2 and 3 during the prescribed hours for the initial period shall be nil.
- 7.2 If a vehicle is left in a designated parking place specified in Schedules 1, 2 and 3 hereto during the prescribed hours:-
- (i) For longer than the initial period, and
 - (ii) where the passenger vehicle is not displaying a valid permit in the relevant position or is left otherwise than in accordance with the provisions of this Order

an additional amount ("Excess Charge") as specified in Schedule 5 hereto shall be payable.

7.3 Any vehicle left in a parking place as designated in Schedules 1, 2 and 3 in contravention of provisions of this Order will be liable to an excess charge as specified in Schedule 5.

7.4 In the case of a vehicle in respect of which an excess charge appears to have been incurred, it shall be the duty of a parking attendant to attach to the vehicle in a conspicuous position a Notice which shall include the following particulars:-

- (i) The registration mark of the passenger vehicle or, if the passenger vehicle is being used under a trade licence, the number of the trade plate.
- (ii) The time at which he affixed the Notice and the reason for affixing the Notice.
- (iii) A statement that an excess charge of £50 is required to be paid, save that if the parking penalty is paid within fourteen working days of the date in which it was incurred, the amount thereof shall be reduced to £20.
- (iv) The manner in which and the time within the excess charge should be paid; and
- (v) A statement that it is an offence for the driver of a vehicle who has left a vehicle in a parking place to fail to pay the excess charge.
- (vi) In the event of the parking attendant being unable to attach the Notice to the vehicle, for any reason whatsoever, then Notice may be served by the Council upon the driver of the vehicle as soon as practicable after the identity of such is known. In the event of the date of service of any Notice under this Article being more than fourteen days after the date of the offence, the reduction of the penalty payable under Article 7.4(iii) shall not apply.

7.5 Manner of Payment of Excess Charge and Parking Penalty

The driver of a vehicle in respect of which the excess charge or penalty has been introduced shall pay the £20 penalty or excess charge to the Council either by cheque or postal order which shall be delivered or sent by post so as to reach the Director of Finance of the Council not later than 10.00 a.m. on the fourteenth working day following the day on which the charge was incurred or in cash in person at the said Department not later than aforesaid. Otherwise, the full £50 charge will be incurred.

7.6 Offences and Procedures

Nothing in this Order shall be deemed to restrict or negate the right of the Council under Section 35(A) of the Act to bring

proceedings against offending persons in respect of any breach of any provision of this Order.

8. Waiting Permitted in Certain Circumstances

Save for those parking places listed in the fourth Schedule, nothing herein contained shall render it unlawful to cause or permit any vehicle:-

- 8.1 To wait in those lengths of road referred to in the first, second and third Schedules for so long as may be necessary to enable:

8.1.1 A person to board or alight from the vehicle.

8.1.2 The vehicle if it cannot particularly use another road for such purposes to be used in connection with the following operations:

8.1.2.1 Building and demolition work.

8.1.2.2 The removal of any obstruction to traffic from the highway.

8.1.2.3 The maintenance and improvement or reconstruction of any of those lengths of road.

8.1.2.4 The laying erection alteration or repair of any sewer or main pipe or apparatus for the supply of gas water or electricity or of any telecommunication apparatus in or on any land adjacent to any of those lengths of road.

8.1.3 The user of the vehicle if he is employed in the services of a Local Authority or a water undertaker and is acting in pursuance of that authority's statutory powers or duties, to carry out those powers or duties.

8.1.4 The vehicle to be used in connection with the delivery or collection of postal packets as defined by Section 87 of the Post Office Act, 1953.

8.1.5 Any vehicle to wait at or near to any premises situated on or adjacent to any of those lengths of road for so long as is reasonably necessary where that vehicle is being used in connection with a wedding or funeral.

8.1.6 The vehicle to be used for Ambulance, Fire Brigade, or police purposes, or;

8.1.7 goods to be loaded or unloaded to or from the vehicle.

9. Conditions of Use of Parking Places

- 9.1 A driver of a vehicle shall not use a parking place:

9.1.1 So as to unreasonably prevent access to any premises adjoining the road on which that parking place is

situated or any other person using that road or as to be or become a nuisance; or

9.1.2 when the Council or the police have closed that parking place.

9.2 The driver of a vehicle using any parking place shall stop the engine of that vehicle as soon as it is in position in the parking place and shall not start the engine again except when changing the position of the vehicle in the parking place or departure there from.

9.3 No person shall use any vehicle whilst it is in parking place in connection with any trade or business or to sell any article to any person in or near the parking place nor shall they use any vehicle to assist in the offer for sale or hire of their skills or services.

9.4 Save for those parking places listed in the fourth Schedule any vehicle left in a parking place in accordance with the provisions of this Order shall stand so:-

9.4.1 That every part of the vehicle is within the limits of the parking place.

9.4.2 That the distance between the edge of the carriageway and the nearest wheel of the vehicle is no more than 300mm.

9.4.3 That if the parking place is not in a one-way street the left, or near side of the vehicle is adjacent to the left hand side of the carriageway; and

9.4.4 that the vehicle does not obstruct the access to or egress from any off-street parking places or any loading or unloading facilities.

10. Movement of a Vehicle within a Parking Place

10.1 Where any vehicle is standing in a parking place specified in Schedules one to three in contravention of the provisions of this Order an authorised officer may alter or cause to be altered the position of the vehicle within the parking place in order that its position shall then comply with those provisions.

10.2 Any person altering a vehicle's position within a parking place being authorised to do so by virtue of article 10.1 may do so in such reasonable manner as they think fit.

11. Removal of a Vehicle from a Parking Place

11.1 Subject to the provisions of article 11.4 where an authorised officer is of the opinion that the provisions of this Order have been contravened he may remove or cause to be removed any vehicle from any of those parking places specified in Schedules one to three.

- 11.2 In the case of an emergency an authorised officer may remove or cause to be removed any vehicle left in any of those parking places specified in article 11.1 to any place they think fit.
- 11.3 Any person removing a vehicle from a parking place being authorised to do so by virtue of article 11.1 may do so in such manner as they think fit.
- 11.4 Where any person who has been authorised to do so by the Council removes or causes a vehicle to be removed from a parking place in accordance with article 10.1 he shall make such arrangements as are reasonably necessary for the safe custody of that vehicle upon its removal.

12. Suspension of Use of Parking Place

- 12.1 Any person so authorised by the Council may suspend the use of any parking place or any part of any parking place whenever they consider such suspension reasonably necessary:-
 - 12.1.1 For the purpose of facilitating the movement of traffic or promoting its safety.
 - 12.1.2 For the purpose of permitting:-
 - 12.1.2.1 Any building operation demolition or excavation adjacent to that parking place.
 - 12.1.2.2 The maintenance improvement or re-construction of the highway.
 - 12.1.2.3 The cleansing of gullies in or adjacent to that parking place.
 - 12.1.2.4 The laying erection alteration or repair of any sewer or main pipe or apparatus for the supply of gas, water or electricity in or adjacent to that parking place.
 - 12.1.2.5 The laying erection alteration or repair of any telegraphic line in or adjacent to that parking place; or
 - 12.1.2.6 the erection maintenance or removal of any traffic sign adjacent to that parking place.
 - 12.1.3 For the convenience of the occupiers of any premises adjacent to that parking place on any occasion of the removal of furniture to or from those premises.
 - 12.1.4 On any occasion on which it is likely by reason of some special attraction or circumstance that the street in which that parking place is situated will become thronged or obstructed; or
 - 12.1.5 For the convenience of the occupiers of any premises adjacent to that parking place on the occasion of a wedding or funeral or other such occasion.

- 12.2 A uniformed Police Constable may suspend the use of any parking place or any part of any parking place for any period of up to twenty four hours whenever he considers that such suspension is reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- 12.3 Any person suspending the use of a parking place or any part of a parking place in accordance with the provisions of wither article 12.1 or 12.2 shall when doing so place or cause to be placed i-n or adjacent to that parking place or part of a parking place (as the case may be) a traffic sign of a size, type and colour prescribed by or authorised under section 64 of the 1984 Act indicating that all waiting is prohibited.
- 12.4 Where a traffic sign has been placed in or adjacent to a parking place or part of a parking place in accordance with article 12.3 no person shall cause or permit any vehicle to wait in that parking place or part of a parking place (as the case may be at any time whilst such a traffic sign is in place save that this article shall not apply:-
- 12.4.1 In respect of any vehicle which is being used by a Police Force, Fire Authority or Health Authority in pursuance of their statutory duties.
- 12.4.2 In respect of any vehicle which is being used for any of those reasons which are specified in articles 12.1.2, 12.1.4 and 12.1.5; and
- 12.4.3 to anything done with the express permission of the person suspending the use of that parking place or part of a parking place in pursuance of article 12.1 or of a uniformed Police Constable of Traffic Warden.

13. Extent of On-Street Parking Places

The Council shall; save for those parking places listed in the forth Schedule:-

- 13.1 Cause the limits of a parking place to be indicated on the carriageway by placing and maintaining thereon appropriate traffic signs of a size and/or colour and/or type prescribed by or authorised under Section 64 of the 1984 Act.
- 13.2 Place and maintain in a parking place or in the vicinity of a parking place as appropriate traffic signs of a size and/ or colour and or/type prescribed by or authorised under section 64 of the 1984 Act indicating that the parking place may be used for parking only by such vehicles as may be authorised to sue it by virtue of this Order; and
- 13.3 carry out any such work as is or may be reasonably necessary to facilitate the satisfactory operation of any parking place.

14. Permits

14.1 Any resident of those streets or parts of streets listed in Schedule 7 who is the owner or registered keeper of a vehicle being:-

14.1.1 A motor vehicle.

14.1.2 A motor vehicle constructed or adapted for use for the carriage of goods of any description the overall length of which does not exceed 5.00 metres and the overall height of which does not exceed 2.28 metres.

14.1.3 A motorcycle with or without side-car; or

14.1.4 An invalid car

may apply to the Council for the issue of a residents parking permit in respect of that vehicle .

14.2 Any application made in accordance with article 14.1 shall include such particulars as the Council may from time to time require.

14.3 The Council may require an applicant for a permit to produce to an officer of the Council such evidence in support of their application as may be reasonably required by the Council to verify any particulars or information given to it by the applicant.

14.4 Any resident who is unable to provide the Council with such information as it may reasonably require in connection with his application may apply to the Council for the issue of a visitors permit under the provisions of article 16.8.

15. Issue of Permits

15.1 Upon receipt of an application for a parking permit made in accordance with article 14.1 the Council upon being satisfied that the applicant is a resident and is either the owner or registered keeper of a vehicle referred to in his application shall issue a parking permit for that vehicle to the applicant.

15.2 A parking permit issued under the provisions of article 15.1 shall allow the vehicle in respect of which the permit is issued to park in any of those parking places listed in the first Schedule as the Council shall, at its discretion, think fit for the applicants needs.

15.3 Subject to the provisions of articles 17 and 20 the Council shall not be obliged to issue a residents parking permit to an applicant for such a permit if two or more residents parking permits have previously been issued to any person or persons (as the case may be) residing at the same address as the applicant and at least two of those permits are valid at the time an application under article 14.1 is made.

16. Visitors Parking Permits

- 16.1 Any resident may apply to the Council for the issue to them of one or more parking permits for any vehicles belonging to and used by persons visiting that resident being vehicles of those types referred to in article 14.1.
- 16.2 An application for a permit under article 16.1 shall include such information and particulars as the Council may from time to time require and the Council shall be under no obligation to consider any application which is not made in accordance with the provisions of this article.
- 16.3 The Council may at any time require an applicant for a permit under article 16.1 to produce to an officer of the Council such evidence in respect of their application as the Council may reasonably require in order to verify any information or particulars given to them by the applicant.
- 16.4 Upon receipt of an application for a parking permit under article 16.1 the Council upon being satisfied that the applicant is a resident shall issue a parking permit or permits (as the case may be) for the vehicles referred to in that application to the applicant.
- 16.5 A parking permit issued under the provisions of article 16.4 shall allow those vehicles in respect of which the permit was issued to park in any of those parking places listed in the first Schedule as the Council shall at its discretion think fit for the needs of the applicant and his visitors.
- 16.6 The Council may at its absolute discretion limit the number of visitors parking permits to be issued to any particular household at anyone time and may require any used visitors parking permits to be produced and surrendered before any further permits are issued.
- 16.7 A visitors parking permit shall be valid on any particular day or days (as the case may be) if and only if the day and date in question and the registration mark of the vehicle on which the permit is displayed are shown in such manner as may be required by the Council.
- 16.8 Where an application for a visitors parking permit is made under article 14.4 that application shall be treated as an application under article 16.1 save that:-
- 16.8.1 Any visitors parking permit issued pursuant to an application under article 14.4. shall only be valid for a maximum period of one month; and
- 16.8.2 Only one such visitors parking permit may be issue to anyone resident.

17. **Surrender of Permits**

A permit holder may surrender any permit which has been issued to him under the provisions of this Order at any time and shall immediately surrender any such permit on the occurrence of any of the following events.

- 17.1. The issue of a revised or duplicate permit by the Council under the provisions of article 20.1.
- 17.2 The expiry of the period (if applicable) for which the permit is valid.
- 17.3 The withdrawal of a permit by the Council under the provisions of article 18; or
- 17.4 the revocation of the designation under this Order of the parking place to which that permit relates.
- 17.5 In the case of either a residents parking permit or a visitors parking permit when either:
 - 17.5.1 The permit holder ceases to be a resident; or
 - 17.5.2 The vehicle in respect of which such a permit was issued is used or adapted so that it can no longer fall within any of those classes of vehicle as are listed in article 14.1.

18. Withdrawal of Permits

- 18.1 The Council may at any time require any permit holder to produce to an appropriate officer of the Council such evidence as that officer may reasonably require to enable him to verify the validity of any permit held by the permit holder and if such evidence is not forthcoming within fourteen days of the Council requesting the same the Council may at its absolute discretion withdraw the permit in accordance with the provisions of article 18.2
- 18.2 If it appears to the Council that any of the events set out in article 18 have taken place or if any permit ceases to be valid pursuant to the provisions of that article the Council may withdraw any permit if it has issued by giving notice in writing of the withdrawal of that permit to the relevant permit holder at the address given by him on his application form or at any other address at which the Council have reason to believe that person is residing or by delivering it to him by hand at such address.

19. Amendment of Permits

- 19.1 A permit holder may at any time apply to the Council for his permit to be amended so as to relate to a substitute vehicle or to the original vehicle and a substitute vehicle (as the case may be).
- 19.2 Any application made under the provisions of article 19.1 must be accompanied by the permit which the applicant wishes to be amended and for the purposes of article 19.3 any application shall not be treated as having been received by the Council until any such permit has also been received by them.

- 19.3 Upon receipt of an application made under article 19.1 the Council may at its discretion either amend the permit as it sees fit or issue a revised permit to the applicant.

20. Duplicate Permits

- 20.1 Should any permit become mutilated or accidentally defaced or should the figures or particulars thereon become illegible in any way the permit holder shall immediately surrender that permit to the Council and may apply to it for the issue to him of a duplicate permit.
- 20.2 If any permit is either lost or destroyed the permit holder may apply to the Council for a duplicate permit and the Council shall upon being satisfied as to the loss or destruction of the original permit issue the permit holder with a duplicate permit.

21. Permits to be in writing

All permits issued in accordance with the provisions of this Order shall be in writing and. each permit shall include the following particulars:-

- 21.2 The registration mark or marks of the vehicle or vehicles (as the case may be) in respect of which it is issued.
- 21.2 The period (if any) during which it remains valid; and
- 21.3 authentication that it has been issued by the Council.

22. Display of Permits

At all times during which a vehicle is parked in a parking place for which a permit is required by virtue of this Order it shall be the duty of the driver to ensure that a valid permit is displayed in the relevant position in accordance with the provisions of articles and in the absence of such display it shall be assumed that a valid permit has not been issued.

23. Removal of Permits

Where a permit is displayed either in or on a vehicle in accordance with article 22 no person shall remove that permit from that vehicle unless they have been authorised to do so by the driver of that vehicle.

PART 2

OFF-STREET PARKING PLACES

ADDITIONAL CONDITIONS FOR USE OF PARKING PLACES

24. Use of Areas as Parking Places

Each area of land or part of a road specified by name in column 1 of the fourth Schedule to this Order may be used, subject to the following provisions of this Order, as a parking place during the prescribed hours for such classes of vehicles, in such positions and on such days and on payment of such charges as are specified in relation to that parking place in the said Schedule.

- 24.1 The Council may close a parking place or any part thereof, for such periods and on such conditions as it shall think fit without notice.
- 24.2 The exercise by the Council of their powers under this Order shall not render them subject to any liability in respect of the loss of, or damage to, any vehicle or the fittings or contents of any vehicle parked in the parking place, howsoever, caused.

25. Class and Position Of Vehicles

- 25.1 Where in the fourth Schedule to this Order a parking place is described as available for vehicles of a specified class or in a specified position, the driver of a vehicle shall not permit it to wait in that parking place unless:
- (a) It is of the specified class appropriate to that parking place and/or
 - (b) it is in the specified position for that parking place.
- 25.2 The driver of a vehicle shall not permit it to wait in any parking place in a space or bay marked with a letter 'C' or otherwise marked as being available only for a vehicle in respect of which a contract has been issued unless :
- (a) A contract has been issued pursuant to Article 26.5 hereof and is in force in respect of that vehicle for that parking place; and
 - (b) that contract is displayed in the relevant position at all times while the vehicle is parked in such space or bay.
- 25.3 The driver of a vehicle shall not permit it to wait in a parking bay marked as available for disabled persons unless the vehicle displays a valid disabled persons badge.

- 25.4 The driver of any vehicle exceeding 1500 kg unladen weight shall not permit that vehicle to wait in any parking place, at any time.

26. Charges for Use of Parking Places

- 26.1 The driver of a vehicle using a parking place during the prescribed hours shall on leaving the vehicle in the parking place pay the appropriate charge in accordance with the Scale of Charges specified in Column 8 of Schedule four to this Order.
- 26.2 The charge referred to in the last preceding paragraph shall be payable by the insertion of an appropriate coin or coins into the ticket machine.
- 26.3 The driver of a vehicle shall attach any ticket issued on payment of the charge referred to in this article in the relevant position on the vehicle in respect of which it was issued and shall cause the said ticket to be exhibited in that position at all times while the vehicle is parked in a parking place.
27. Where any ticket machine is defective or is not installed on a car park the charge for the initial period may be collected by a parking attendant who will thereupon issue a ticket indicating the charge paid, the time of expiry of the ticket and date of issue.
- 27.1 The owner of a vehicle may apply to the Council and the Council may at its discretion and at a fee to be determined by it issue a contract which shall be valid for the parking place and for the period for which it is issued and the Council may restrict the sale of contracts as it sees fit.

28. Parking Penalty

Subject to the provisions of Article 28 a parking penalty of £50 shall be payable in respect of a breach of the provisions of this Order, save that if the parking penalty is paid within fourteen working days of the date on which it was incurred, the amount thereof shall be reduced to £20.

4.1 Manner of Payment of Parking Penalty

The driver of a vehicle in respect of which the penalty has been incurred shall pay the £20 penalty to the Council either by cheque or postal order which shall be delivered or sent by post so as to reach the Director of Finance of the Council not later than 10.00 am on the fourteenth working day following the day on which the charge was incurred or in cash in person at the said Department not later than aforesaid. Otherwise, the full £50 charge will be incurred.

5. Offences and Proceedings

Nothing in this Order shall be deemed to restrict or negate the right of the Council under Section 35 (A) of the Act to bring proceedings against offending persons in respect of any breach of any provision of this Order.

29. Notice of Parking Penalty Incurred

In the case of a vehicle in respect of which a parking penalty may have been incurred, it shall be the duty of a parking attendant to attach to the vehicle in a conspicuous position a notice which shall include the following particulars:

- (a) means of identifying the vehicle (e.g. registration mark; trade plate numbers; parking permit details; excise licence details, etc.).
- (b) the time at which he noticed that the penalty had been incurred;
- (c) a statement that a parking penalty is required to be paid;
- (d) the manner in which, and the time within which, the penalty should be paid; and
- (e) a statement that it is an offence under this Order for the driver of a vehicle who has left the vehicle in a parking place to fail duly to pay the parking penalty.

- 29.1 In the event of the parking attendant being unable to attach the Notice to the vehicle, for any reason whatsoever, then Notice may be served by the Council upon the driver of the vehicle as soon as practicable after the identity of the person is known. In the event of the date of service of any Notice under this Article being more than fourteen days after the date of the offence, the reduction of the penalty payable under Article 26.1 shall not apply.

30. Evidence of Offence

The details of the fee paid, the expiry time, etc., shown on any ticket issued by a ticket machine and displayed in accordance with Article 26.3 shall, unless proved to the contrary, be deemed to be evidence in respect of an offence.

31. Maximum Period of Waiting

The driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified in column 7 of the fourth Schedule to this Order in respect of that parking place. Where the maximum period is stated to be three hours, no person shall cause or permit a vehicle which has used that parking place previously that day, to return thereto unless at least one hour has elapsed since the expiry time shown on the previous ticket issued in respect of that vehicle. However, in any parking

place in respect of which contracts are issued the maximum period of waiting for contract holders shall be twenty hours.

32. Restriction on Removal of Notices

Where a notice has been attached to a vehicle in accordance with the provisions of Article 28 of this Order, no person not being a parking attendant or some other person duly authorised by the Council shall remove the notice from the vehicle until the vehicle is removed from the parking place.

33. Restriction on Removal of Parking Tickets

When a parking ticket or contract has been exhibited on a vehicle in accordance with the provisions of Article 5 of this Order, no person shall remove the parking ticket or contract from the vehicle until the vehicle is removed from the parking place.

34. Exemption from Charges

34.1 The driver of a motor cycle or of a pedal cycle which is left in a parking place in the position marked out or signed for such vehicles shall be exempt from any charge.

34.2 The driver of a vehicle which displays in the relevant position a disabled person's badge shall be exempt from any limitation of time specified in Columns 4 or 7 of the sixth Schedule to this Order and from any payment specified in Column 8 of the said Schedule. The driver of any vehicle displaying such a badge may be required by a parking attendant or some other person duly authorised by the Council to produce suitable evidence that the vehicle is being used for the personal benefit of the badge holder. Failure to do so will invalidate the exemptions referred to above.

35. Vehicles to be Licensed and Insured

The driver of a vehicle shall not permit that vehicle to wait in a parking place unless the vehicle displays a valid licence in accordance with the provisions of the Vehicles (Excise) Act 1971 and unless there is in relation to the use of the vehicle by the driver such policy of insurance as complies with the requirements of Section 143 of the Road Traffic Act 1988 and Schedule 2 of the Road Traffic Offenders Act 1989.

36. Driving in Parking Places

No person shall, except with the permission of any person duly authorised by the Council, drive any vehicle in a parking place other than for the purpose of leaving that vehicle in a parking place in accordance with the provisions of this Order or for the purposes of departing from the parking place.

- 36.1 No person shall use a parking place as a means of passage for proceeding from one road to another road.
- 36.2 The driver of a motor 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 again except when about to change the position of the vehicle in or to depart from the parking place.
36. Where in a parking place signs are erected or surface markings are laid for the purpose of:
- (a) Indicating the entrance to or exit from the parking place, or
 - (b) indicating that a vehicle using the parking place shall proceed in a specified direction within the parking place.
 - (c) No person shall drive or permit to be driven any vehicle so that it enters the parking place otherwise than by an entrance, or leaves the parking place otherwise than by an exit, so indicated, or in a direction other than so specified.

37. Conduct of Persons in Parking Places

- 37.1 No person shall at any time in a parking place wantonly shout or otherwise make any loud noise to the disturbance or annoyance of users of the parking place or residents of premises in the neighbourhood.
- 37.1 No person shall at any time in a parking place use any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned.
- 37.1 The driver of a motor vehicle using a parking place shall not sound a horn or other similar instrument except when about to change the position of the vehicle in or to depart from the parking place.

37.4 Use of Vehicles in Parking Places

- (a) 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 advertising or offering. for hire of his skill or services, except with the prior written permission of the Council.
- (b) No person shall use a parking place, or any vehicle thereon, in connection with any form of advertising, except with the prior written permission of the Council.

37.5 Repair of Vehicles in Parking Places

No person shall, while a vehicle is in a parking place, permit the carrying out of any work of maintenance or repair thereto except such as may be necessary to enable the vehicle to be moved from the parking place.

38. Use of Caravans Etc. in Parking Places

No person shall use a caravan or camper van while it is in a parking place as a dwelling or for any domestic or sanitary purpose.

39. Manner of Parking of Trailers

The driver of a vehicle drawing a trailer shall not permit the vehicle or the trailer to wait in a parking place unless they have been disconnected, and for the purposes of this Order the vehicle and the trailer shall be deemed to be separate vehicles and the said driver shall be deemed to be the driver of each of the said vehicles.

40. Removal of Vehicles from Parking Places and/or immobilisation thereof

Where a parking attendant or other person duly authorised by the Council is of the opinion that any of the provisions contained in this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he may remove the vehicle or cause it to be removed from the parking place or fix an immobilisation device to the vehicle prior to, or in lieu of, its removal from the parking place.

40.1 On any occasion when an immobilisation device is fixed to a vehicle in accordance with Article 40 of this Order, the person fixing the device shall also affix to the vehicle a Notice;

a) Indicating that such a device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion until it has been released from that device.

b) Specifying the steps to be taken in Order to secure its release, and

c) giving such other information as may be prescribed.

40.2 A vehicle to which an immobilisation device has been fixed in accordance with Article 40 of this Order may only be released from that device by or under the direction of a person authorised in that behalf by the Council, subject to payment, in the manner specified, of such fees, including outstanding charges, as the Council may from time to time determine.

40.3 When an immobilisation device has been fixed to a vehicle in accordance with Article 40 of this Order no person, not being a person duly authorised by the Council or under the direction of a person duly authorised by the Council shall remove or attempt to remove the device from the vehicle. The driver of the

vehicle shall be held responsible for any damage, howsoever caused, during any unauthorised removal of the device or attempt there at.

- 40.4 Where a notice has been attached to a vehicle under Article 40.1 of this Order no person, not being the driver of the vehicle or duly authorised representative of the Council shall remove the notice from the vehicle unless authorised by the driver to do so.

41. Movement of Vehicles in a Parking Place in Emergencies

- 41.1 A parking attendant or any other person duly authorised by the Council may move or cause, to be moved, in case of emergency to any place he thinks fit, vehicles left in a parking place.
- 41.2 Where a vehicle is left in a parking place in a position other than that specified in column 2 of the fourth Schedule to this Order, a parking attendant or any other person duly authorised by the Council may move the vehicle or cause it to be moved to a position which complies with that specified in column 2 of the said Schedule.

42. Manner of Moving Vehicles

Any person moving or removing a vehicle in accordance with Article 40 or 41 of this Order 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 move or remove it as aforesaid.

43. Safe Custody of the Vehicles

When a parking attendant or other person authorised by the Council removes a vehicle or causes it to be removed from a parking place in accordance with Articles 40 or 41 of this Order, he shall make such arrangements as may reasonably be necessary for the safe custody of the vehicle but neither he nor the Council shall be liable for any damage which a vehicle may sustain in the course of such removal.

44. Disposal of Vehicles

- 44.1 The Council may as respects a vehicle which has been, or could at any time be, removed from a parking place in pursuance of Articles 40 or 41 of this Order, if it appears to them to have been abandoned, sell or otherwise dispose of the vehicle; provided that the power of disposal conferred by this Article shall not be exercisable in the case of a vehicle unless there have been taken by the Council such steps as are necessary to comply with the relevant provisions of the Refuse Disposal (Amenity) Act, 1978.
- 44.2 The Council may sell any vehicle the driver or owner of which has declined or is unable to pay the fees and/or charges

referred to in Article 40.2 following the expiry of such time the Council may have allowed or agreed. Upon the sale of a vehicle by the Council, the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by them in connection with the disposal thereof and of any charge or payment of which they are entitled as regards the vehicle under the provisions of this Order.

- 44.3 In the event of any such costs incurred by them in connection with the disposal of the vehicle not being satisfied by virtue of the last proceeding Article, the Council may recoup those costs in so far as they are not satisfied from the person who was the last owner of the vehicle before it was removed from the parking place, either in pursuance of Articles 40 or 41 of this Order or after it had been disposed of by virtue of the power of disposal conferred by Article 44 of this order, if that person was sent by the Council a notice under the foregoing provisions of this Order.
- 44.4 Any sums received by the Council on a sale of the vehicle, after deducting any sum applied there out by virtue of this Article, shall be payable within a period of one year from the date of the sale of the vehicle to any person to whom, but for such sale, the vehicle would have belonged, and insofar as any such sums are not claimed within the said period they shall be paid into the general rate fund of the Council.

Given under the Common Seal of the Borough of Barrow-in-Furness this **twelfth** day of **March** One thousand nine hundred and ninety seven.

SCHEDULE 1

LIMITED WAITING PARKING PLACES 10 MINUTES,

NO RETRURN WITHIN ONE HOUR

INITIAL PERIOD 10 MINUTES UNLESS A VALID RESIDENTS' PERMIT
IS DISPLAYED IN THE RELEVANT POSITION

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE
EXPRESSION "PRESCRIBED HOURS" MEANS AT ANY TIME

<u>Road</u>	<u>Designated Parking Place</u>
Arnside Street	(a) North side from a point 5 metres east of its junction with Silverdale Street to a point 5 metres west of its junction with back Sutherland Street (west).
Arthur Street	(a) West side from a point 26 metres south of its junction with Crellin Street for a distance of 30 metres in a southerly direction. (b) West side from a point 80 metres south of its junction with Crellin Street to a point 80 metres north of its junction with Thompson Street. (c) West side from a point 20 metres north of its junction with Thompson Street for a distance of 36 metres in a northerly direction. (d) East side from a point 24 metres south of its junction with Crellin Street for a distance of 32 metres in a southerly direction. (e) East side from a point 26 metres north of its junction with Thompson Street for a distance of 30 metres in a northerly direction. (f) East side from a point 80 metres south of its junction with Crellin Street to a point 80 metres north of its junction with Thompson Street.
Back Harrison Street	(a) Southern side from a point 5 metres west of its junction with School Street for a distance of 30 metres in a westerly direction.

- Brewery Street
- (a) West side from a point 17 metres north of its junction with Mill Street to a point 8 metres south of its junction with Whitehead Street.
- Buccleuch Street
- (a) South side from a point 5 metres west of its junction with Dalkeith Street for a distance of 12 metres in a westerly direction.
- (b) South side from a point 22 metres east of its junction with Fell Street to a point 7 metres west of its junction with Allison Street.
- (c) South side from a point 20 metres west of its junction with Rawlinson Street for a distance of 20 metres in a westerly direction.
- Carlisle Street
- (a) West side from a point 10 metres north of its junction with Buccleuch Street for a distance of 88 metres in a northerly direction.
- Cavendish Street
- (a) North side from a point 44 metres east of its junction with Slater Street for a distance of 12 metres in an easterly direction.
- (b) North side from a point 5 metres west of its junction with Allison Street for a distance of 24 metres in a westerly direction.
- (c) North side from a point 27 metres west of its junction with Rawlinson Street to a point 8 metres east of its junction with Allison Street.
- Clifford Street
- (a) South side from a point 36 metres east of its junction with Lawson Street for a distance of 42 metres in an easterly direction.
- Coulton Street
- (a) East side from a point 10 metres south of its junction with High Street to a point 5 metres north of its junction with Buccleuch Street.
- Duncan Street
- (a) South side from a point 17 metres east of its junction with Lawson Street to a point 8 metres west of its junction with Clifford Street.

Emlyn Street

- (a) West side from a point 34 metres north of its junction with Buccleuch Street for a distance of 12 metres in a northerly direction.

Fell Street

- (a) West side from a point 10 metres north of its junction with Cavendish Street for a distance of 24 metres in a northerly direction.

Fenton Street

- (a) North side from a point 8 metres east of its junction with Fell Street to a point 8 metres west of its junction with Allison Street.
- (b) North side from a point 8 metres east of its junction with Allison Street to a point 10 metres west of its junction with Rawlinson Street.

Forshaw Street

- (a) South side from a point 7 metres east of its junction with John Street for a distance of 24 metres in an easterly direction

Hall Street

- (a) South side from a point 5 metres east of its junction with Allison Street to a point 23 metres west of its junction with Rawlinson Street.

Harrison Street

- (a) South side from a point 5 metres west of its junction with School Street to a point 7 metres east of its junction with Paradise Street.
- (b) South side from a point 5 metres west of its junction with Allison Street to a point 5 metres east of its junction with School Street.
- (c) South side from a point 7 metres east of its junction with Rawlinson Street to a point 8 metres west of its junction with back Sutherland Street (West).
- (d) South side from a point 7 metres west of its junction with Rawlinson Street to a point 5 metres east of its junction with Allison Street.
- (e) Northern side from a point 7 metres west of its junction with Back Sutherland Street (west) for a distance of 40 metres in a westerly direction.

- High Street
- (a) North side from a point 50 metres west of its junction with Dalkeith Street for a distance of 18 metres in a westerly direction.
- James Street
- (a) North side from a point 5 metres east of its junction with School Street to a point 5 metres west of its junction with Allison Street.
- (b) North side from a point 5 metres east of its junction with Allison Street to a point 7 metres west of its junction with Rawlinson Street.
- Keith Street
- (a) North side from a point 23 metres east of its junction with Lawson Street to a point 23 metres west of its junction with Clifford Street.
- (b) South side from a point 23 metres east of its junction with Lawson Street to a point 19 metres west of its junction with Clifford Street.
- Lindal Street
- (a) South side from a point 5 metres east of its junction with Silverdale Street to a point 5 metres west of its junction with back Sutherland Street (West).
- Lord Street
- (a) South side from a point 10 metres west of its junction with Allison Street for a distance of 24 metres in a westerly direction.
- (b) North side from a point 5 metres east of its junction with Allison Street to a point 7 metres west of its junction with Rawlinson Street.
- (c) South side from a point 5 metres east of its junction with Silverdale Street to a point 5 metres west of its junction with back Sutherland Street (West).
- Manchester Street
- (a) East side from a point 10 metres south of its junction with High Street to a point 70 metres north of its junction with Buccleuch Street.

- (b) East side from a point 10 metres north of its junction with Buccleuch Street for a distance of 48 metres in a northerly direction.

Marsh Street

- (a) West side from a point 22 metres south of its junction with Crellin Street for a distance of 36 metres in a southerly direction.
- (b) West side from a point 88 metres south of its junction with Crellin Street to a point 35 metres north of its junction with Thompson Street.
- (c) East side from a point 17 metres north of its junction with back Marsh Street (east) for a distance of 59 metres in a northerly direction.

Montague Street

- (a) West side from a point 5 metres south of its junction with High Street for a distance of 20 metres in a southerly
- (b) West side from a point 35 metres south of its junction with High Street for a distance of 12 metres in a southerly direction.

Parade Street

- (a) North side from a point 17 metres east of its junction with Lawson Street to a point 7 metres west of its junction with Clifford Street.
- (b) South side from a point 17 metres east of its junction with Lawson Street to a point 7 metres west of its junction with Clifford Street.

Preston Street

- (a) South side from a point 78 metres east of its junction with William Street for a distance of 18 metres in an easterly direction.

Rawlinson Street

- (a) West side from a point 15 metres north of its junction with Buccleuch Street for a distance of 72 metres in a northerly direction.

Robert Street

- (a) North side from a point 5 metres north of its junction with School Street to a point 5 metres west of its junction with Allison street.

- (b) North side from a point 5 metres east of its junction with Allison Street to a point 7 metres west of its junction with Rawlinson Street.
- St. Vincent Street
- (a) North side from a point 17 metres east of its junction with Lawson Street to a point 25 metres west of its junction with Clifford Street.
 - (b) South side from a point 23 metres east of its junction with Lawson Street to a point 25 metres west of its junction with Clifford Street.
- School Street
- (a) West side from a point 45 metres south of its junction with Crellin Street for a distance of 44 metres in a southerly direction.
- Scott Street
- (a) North side from a point 10 metres east of its junction with Dalkeith Street for a distance of 1.3 metres in an easterly direction.
 - (b) North side from a point 28 metres east of its junction with Dalkeith Street for a distance of 16 metres in an easterly
- Sidney Street
- (a) North side from a point 31 metres east of its junction with Lawson Street to a point 35 metres west of its junction with Clifford Street.
- Silverdale Street
- (a) West side from a point 19 metres north of its junction with Lord Street for a distance of 24 metres in a northerly direction.
 - (b) West side from a point 35 metres south of its junction with Crellin Street to a point 61 metres north of its junction with Lord Street.
 - (c) West side from a point 5 metres south of its junction with Lord Street. for a distance of 11 metres in a southerly direction.
- Slater Street
- (a) East side from a point 22 metres north of its junction with Buccleuch Street for a distance of 18 metres in a northerly direction.

Sutherland Street

- (a) West side from a point 12 metres south of its junction with Crellin Street for a distance of 48 metres in a southerly direction.
- (b) Western side from a point 75 metres south of its junction with Crellin Street for a distance of 38 metres in a southerly direction.
- (c) West side from a point 59 metres north of its junction with Greengate Street for a distance of 36 metres in a northerly direction.
- (d) East side from a point 25 metres south of its junction with Crellin Street for a distance of 18 metres in a southerly direction.
- (e) East side from a point 73 metres south of its junction with Crellin Street to a point 71 metres north of its junction with Thompson Street.
- (f) East side from a point 5 metres north of its junction with Thompson Street for a distance of 36 metres in a northerly direction.

Thwaite Street

- (a) West side from a point 5 metres north of its junction with Cavendish Street to a point 17 metres south of its junction with Buccleuch Street.
- (b) West side from a point 20 metres north of its junction with Buccleuch Street to a point 20 metres south of its junction with Whitehead Street.

Wallace Street

- (a) East side from a point 10 metres south of its junction with High Street for a distance of 30 metres in a southerly direction.

Whitehead Street

- (a) North side from a point 5 metres east of its junction with back Whitehead Street for a distance of 75 metres in an easterly direction.

William Street

- (a) East side from a point 10 metres north of its junction with Forshaw Street to a point 5 metres south of its junction with Preston Street.

SCHEDULE 2

LIMITED WAITING, PARKING PLACES ONE HOUR

NO RETURN WITHIN TWO HOURS

MONDAY - SATURDAY - 8.00 A.M. - 6.00 P.M.

INITIAL PERIOD ONE HOUR

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE THE
EXPRESSION PRESCRIBED HOURS MEANS 8.00 A.M. TO 6.00 P.M.
OR ANY DAY OTHER THAN A SUNDAY

<u>Road</u>	<u>Length Affected</u>
Allison Street	(a) West side from a point 5 metres south of its junction with Robert Street for a distance of 6 metres in a southerly direction. (b) West side from a point 5 metres north of its junction with James Street for a distance of 6 metres in a northerly direction. (c) West side from a point 5 metres south of its junction with James Street for a distance of 6 metres in a southerly direction. (d) West side from a point 5 metres north of its junction with Lord Street for a distance of 10 metres in a northerly direction. (e) West side from a point 5 metres south of its junction with Lord Street for a distance of 11 metres in a southerly direction. (f) West side from a point 5 metres north of its junction with Harrison Street for a distance of 12 metres in a northerly direction. (g) West side from a point 5 metres south of its junction with Harrison Street for a distance of 10 metres in a southerly direction.

Buccleuch Street

- (a) North side from a point 7 metres east of its junction with Duke Street for a distance of 12 metres in an easterly direction
- (b) South side from a point 17 metres west of its junction with Dalkeith Street to a point 5 metres of its junction with Grange Crescent.
- (c) South side from a point 10 metres east of its junction with Dalkeith Street for a distance of 28 metres in an easterly direction.
- (d) South side from a point 5 metres west of its junction with the west building line of Dalton Road for a distance of 22 metres in a westerly direction.
- (e) South side from a point 7 metres east of its junction with Allison Street to a point 40 metres west of its junction with Rawlinson Street .
- (f) South side from a point 10 metres east of its junction with Fell Street for a distance of 12 metres in an easterly direction.
- (g) Southern side from a point 45 metres west of its junction with Dalton Road for a distance of 15 metres in a westerly direction.
- (h) Northern side from a point 11 metres east of its junction with Dalton Road for a distance of 15 metres in a westerly direction.
- (i) Northern side from a point 17 metres west of its junction with Dalkeith Street for a distance of 18 metres in a westerly direction.
- (j) Northern side from a point 18 metres west of its junction with Montague Street for a distance of 12 metres in a westerly direction.

Carlisle Street

- (a) West side from a point 15 metres south of its junction with High Street for a distance of 18 metres in a southerly direction.
- (b) West side from a point 98 metres north of its junction with Slater Street for a distance of 12 metres in a northerly direction.

Cavendish Street

- (a) North side from a point 10 metres east of its junction with Slater Street for a distance of 34 metres in an easterly direction.
- (b) North side from a point 10 metres east of its junction with Dalkeith Street for a distance of 66 metres in an easterly direction.
- (c) North side from a point 8 metres east of its junction with Fell Street to a point 29 metres west of its junction with Allison Street.
- (d) North side from a point 15 metres west of its junction with Rawlinson Street for a distance of 12 metres in a westerly direction.

Crellin Street

- (a) North side from a point 15 metres west of its junction with Rawlinson Street to a point 10 metres east of its junction with Allison Street.
- (b) South side from a point 10 metres west of its junction with Allison Street for a distance of 36 metres in a westerly direction.
- (c) Northern side from a point 11 metres west of its junction with Dalton Road for a distance of 15 metres in a westerly direction.
- (d) Northern side from a point 17 metres west of its junction with Dalkeith Street for a distance of 18 metres in a westerly direction.
- (e) Northern side from a point 18 metres west of its junction with Montague Street for a distance of 12 metres in a westerly direction.
- (f) Southern side from a point 45 metres west of its junction with Dalton Road for a distance of 15 metres in a westerly direction.

Dalkeith Street

- (a) East side from a point 10 metres north of its junction with Buccleuch Street for a distance of 41 metres in a northerly direction.

- Dalton Road
- (a) West side from a point 10 metres south of its junction with High Street to a point 10 metres north of its junction with Buccleuch Street.
- Duke Street
- (a) East side from a point 10 metres north of its junction with Buccleuch street for a distance of 24 metres in northerly direction.
- (b) East side from a point 10 metres south of its junction with Buccleuch Street to a point 46 metres north of its junction with Cavendish Street.
- (c) East side from a point 10 metres south of its junction with Cavendish Street to point 20 metres north of its junction with Forshaw Street.
- Emllyn Street
- (a) West side from a point 10 metres north of its junction with Buccleuch Street for a distance of 24 metres in a northerly direction.
- Fell Street
- (a) West side from a point 10 metres south of its junction with Buccleuch Street to a point. 34 metres north of its junction with Cavendish Street.
- (b) Eastern side from a point 15 metres north of its junction with Crellin Street for a distance of 45 metres in a northerly direction.
- Hall Street
- (a) South side from a. point 5 metres west of its junction with Rawlinson Street for a distance of 18 metres in a westerly direction.
- High Street
- (a) North side from a point 68 metres west of its junction with Dalkeith Street for a distance of 50 metres in a westerly direction.
- Manchester Street
- (a) East side from a point 58 metres north of its junction with Buccleuch Street for a distance of 12 metres in a northerly direction.
- Montague Street
- (a) West side from a point 5 metres north of its junction with Buccleuch Street for a distance 10 metres in a northerly direction.

Rawlinson Street

- (a) West side from a point 87 metres north of its junction with Buccleuch Street for a distance of 18 metres in a northerly direction.
- (b) East side from a point 32 metres south of its junction with Buccleuch Street to a point 10 metres north of its junction with Cavendish Street.
- (c) East side from a point 15 metres south of its junction with Cavendish Street to a point 10 metres north of its junction with Crellin Street.
- (d) East side from a point ~metres south its junction with Crellin Street for a distance of ~4 metres in a southerly direction.
- (e) East side from a point 10 metres north of its junction with Lord Street to a point 60 metres south of its junction with Crellin street.

School Street

- (a) West side from a point 5 metres north of its junction with Harrison street for a distance of 12 metres in a northerly direction.
- (b) South side from a point 10 metres east of its junction with Dalkeith Street for a distance of 80 metres in an easterly direction.

Scott Street

- (a) North side from a point 49 metres east of its junction with Dalkeith Street for a distance of 60.4 metres in an easterly direction.
- (b) South side from a point 10 metres east of its junction with Dalkeith Street for a distance of 80 metres in an easterly direction.
- (c) South side from a point 95 metres east of its junction with Dalkeith Street for a distance of 14.4 metres in an easterly direction.

Slater Street

- (a) East side from a point 10 metres north of its opposite junction with Buccleuch Street for a distance of 12 metres in a northerly direction.

Thomas Street

- (a) North side from a point 12 metres west of its junction with Stephen Street to a point 11 metres east of its junction with John Street.

Wallace Street

- (a) East side from a point 5 metres north of its junction with Buccleuch Street for a distance of 11 metres in a northerly direction.

William Street

- (a) East side from a point 5 metres north of its junction with Preston Street to a point 10 metres south of its junction with Cavendish Street.

SCHEDULE 3

LIMITED PARKING TWO HOURS NO RETURN WITHIN TWO HOURS

MONDAY TO SATURDAY - 8.00 A.M. - 6.00 P.M.

INITIAL PERIOD 2 HOURS

IN RELATION TO A PARKING PLACE REFERRED TO IN THIS SCHEDULE
THE TERM "PRESCRIBED HOURS" II MEANS 8.00 A.M. TO 6.00 P.M.
ON ANY DAY OTHER THAN A SUNDAY

Road

Arthur Street

- (a) West side from a point 8 metres south of its junction with Crellin Street for a distance of 18 metres in a southerly direction.
- (b) West side from a point 56 metres south of its junction with Crellin Street for a distance of 24 metres in a southerly direction.
- (c) West side from a point 56 metres north of its junction with Thompson Street for a distance of 24 metres in a northerly direction.
- (d) West side from a point 8 metres north of its junction with Thompson Street for a distance of 12 metres in a northerly direction.
- (e) East side from a point 6 metres south of its junction with Crellin Street for a distance of 18 metres in a southerly direction.
- (f) East side from a point 56 metres south of its junction with Crellin Street for a distance of 24 metres in a southerly direction.
- (g) East side from a point 56 metres north of its junction with Thompson Street for a distance of 24 metres in a northerly direction.
- (h) East side from a point 8 metres north of its junction with Thompson Street for a distance of 18 metres in a northerly direction.

Back Sutherland Street
(West)

- (a) West side from a point 5 metres north of its junction with Arnside Street for a distance of 6 metres in a northerly direction.
- (b) West side from a point 5 metres south of its junction with Arnside Street for a distance of 6 metres in a southerly direction.
- (c) West side from a point 5 metres north of its junction with Lindal Street for a distance of 6 metres in a northerly direction.
- (d) West side from a point 5 metres south of its junction with Lindal Street for a distance of 6 metres in a southerly direction.
- (e) West side of point 5 metres north of its junction with Lord Street for a distance of 6 metres in a northerly direction.
- (f) West side from a point 5 metres north of its junction with Lord Street for a distance of 11 metres in a northerly direction.
- (g) West side from a point 5 metres north of its junction with Harrison Street for a distance of 11 metres in a northerly direction.

Brewery Street

- (a) West side from a point 5 metres north of its junction with Mill Street for a distance of 12 metres in a northerly direction.

Buccleuch Street

- (a) South side from a point 7 metres east of its junction with Thwaite Street for a distance of 38 metres in an easterly direction.

Cavendish Street

- (a) South side from a point 25 metres east of its junction with Rawlinson Street for a distance of 36 metres in an easterly direction.
- (b) North side from a point 5 metres east of its junction with Thwaite Street for a distance of 24 metres in an easterly direction.

Clifford Street

- (a) South side from a point 5 metres east of its junction with Lawson Street for a distance of 31 metres in an easterly direction.
- (b) South side from a point 78 metres east of its junction with Lawson Street for a distance of 24 metres in an easterly direction.
- (c) West side from a point 5 metres south of its junction with Parade Street for a distance of 10 metres in a southerly direction.
- (d) West side from a point 5 metres north of its junction with Keith Street for a distance of 10 metres in a northerly direction.
- (e) West side from a point 5 metres south of its junction with Keith Street for a distance of 6 metres in a southerly direction.
- (f) West side from a point 7 metres north of its junction with St. Vincent Street for a distance of 6 metres in a northerly direction.
- (g) West side from a point 7 metres south of its junction with St. Vincent Street for a distance of 6 metres in a southerly direction.
- (h) West side from a point 5 metres north of its junction with Duncan Street for a distance of 6 metres in a northerly direction.
- (i) West side from a point 5 metres south of its junction with Duncan Street for a distance of 6 metres in a southerly direction.
- (j) West side from a point 5 metres north of its junction with Sidney Street for a distance of 6 metres in a northerly direction.

Cornwallis Street

- (a) South side from a point 8.6 metres east of its junction with Hindpool Road to a point 3.8 metres west of its junction with
- (b) South side from a point 15 metres west of its junction with Duke Street for a distance of 24 metres in a westerly direction.

- (c) North side from a point 35 metres east of its junction with Lawson Street for a distance of 13 metres in an easterly direction.
- Crellin Street
 - (a) South side from a point 7 metres west of its junction with Arthur Street for a distance of 10 metres in a westerly direction.
 - (b) South side from a point 7 metres east of its junction with Arthur Street for a distance of 10 metres in an easterly direction.
 - (c) Northern side from a point 5 metres east of its junction with Back Sutherland Street (West) for a distance of 55 metres in an easterly direction.
- Duncan Street
 - (a) South side from a point 5 metres east of its junction with Lawson Street for a distance of 12 metres in an easterly direction.
- Gradwell Court
 - (a) South side from a its termination for a distance of 7.9 metres in a westerly direction.
- Harrison Street
 - (a) Northern side from a point 5 metres west of its junction with Silverdale Street for a distance of 23 metres in a westerly direction.
- Hindpool Road
 - (a) West side from a point 50 metres south of its junction with Abbey Road for a distance of 95 metres in a southerly direction.
 - (b) West side from a point 250 metres south of its junction with Abbey Road for a distance of 23 metres in a southerly direction.
 - (c) West side from a point 365 metres south of its junction with Abbey Road for a distance of 31 metres in a southerly direction.
- Hindpool Road Ramp
 - (a) West side from a point 21 metres north of its junction with Michaelson Road for a distance of 90 metres in an northerly direction.

Keith Street

- (a) North side from a point 5 metres east of its junction with Lawson Street for a distance of 18 metres in an easterly direction.
- (b) North side from a point 5 metres west of its junction with Clifford Street for a distance 12 metres in a westerly direction.
- (c) South side from a point 7 metres west of its junction with Clifford Street for a distance of 12 metres in a westerly direction.
- (d) South side from a point 5 metres east of its junction with Lawson street for a distance of 18 metres in a easterly direction.

Lawson Street

- (a) West side from a point 15 metres south of its junction with Cornwallis Street to a point 5 metres north of its junction with Wesley Place.

Lord Street

- (a) North side from a point 5 metres west of its junction with Silverdale Street for a distance of 6 metres in a westerly direction.
- (b) North side from a point 7 metres east of its junction with Rawlinson Street for a distance of 6 metres in an easterly direction.

Market Street

- (a) North side from a point 7 metres east of its junction with Lawson Street for a distance of 27 metres in an easterly direction.
- (b) North side from a point 61 metres east of its junction with Lawson Street for a distance of 23 metres in an easterly direction.
- (c) North side from a point 18 metres west of its junction with Duke Street for a distance of 12 metres in a westerly direction.
- (d) South side from a point 82 metres west of its junction with Duke Street for a distance of 38 metres in a westerly direction.
- (e) Southern side from a point 15 metres west of its junction with Duke Street for a distance of 43 metres in a westerly direction.

Marsh Street

- (a) West side from a point 10 metres south of its junction with Crellin Street for a distance of 12 metres in a southerly direction.
- (b) West side from a point 58 metres south of its junction with Crellin Street for a distance of 30 metres in a southerly direction.
- (c) West side from a point 5 metres north of its junction with Thompson Street for a distance of 30 metres in a northerly direction.
- (d) East side from a point 58 metres north of its junction with Back Marsh Street (East) for a distance of 36 metres in a northerly direction.
- (e) East side from a point 5 metres north of its junction with Back Marsh Street (East) for a distance of 12 metres.

Parade Street

- (a) North side from a point 5 metres east of its junction with Lawson Street for a distance of 12 metres in an easterly direction.
- (b) North side from a point 7 metres west of its junction with Duke Street to a point 5 metres east of its junction with Clifford Street.
- (c) South side from a point 5 metres east of its junction with Lawson Street for a distance of 12 metres in an easterly direction.
- (d) South side from a point 7 metres west of its junction with Duke Street to a point 5 metres east of its junction with Clifford Street.

St. Vincent Street

- (a) North side from a point 10 metres east of its junction with Hindpool Road to a point 5 metres west of its junction with Lawson Street.
- (b) North side from a point 5 metres east of its junction with Lawson Street for a distance of 12 metres in an easterly direction.

- (c) North side from a point 7 metres west of its junction with Clifford Street for a distance of 12 metres in a westerly direction.
- (d) South side from a point 5 metres east of its junction with Lawson Street for a distance of 18 metres in an easterly direction.
- (e) South side from a point 7 metres west of its junction with Clifford Street for a distance of 18 metres in a westerly direction.
- (f) South side from a point 7 metres west of its junction with Duke Street to a point 7 metres east of its junction with Clifford Street.

Sidney Street

- (a) North side from a point 7 metres east of its junction with Lawson Street for a distance of 24 metres in an easterly direction.
- (b) North side from a point 5 metres west of its junction with Clifford Street for a distance of 30 metres in a westerly

Silverdale Street

- (a) West side from a point 5 metres north of its junction with Harrison Street for a distance of 12 metres in a northerly direction.
- (b) West side from a point 7 metres north of its junction with Lord Street for a distance of 12 metres in a northerly direction.
- (c) West side from a point 43 metres north of its junction with Lord Street for a distance of 18 metres in a northerly direction.
- (d) West side from a point 5 metres south of its junction with Crellin Street for a distance of 30 metres in a southerly direction.

Sutherland Street

- (a) East side from a point 7 metres north of its junction with Greengate Street to a point 5 metres south of its junction with Thompson Street.

- (b) East side from a point 41 metres north of its junction with Thompson Street for a distance of 30 metres in a northerly direction.
- (c) East side from a point 43 metres south of its junction with Crellin Street for a distance of 30 metres in a southerly direction.
- (d) East side from a point 7 metres south of its junction with Crellin Street for a distance of 18 metres in a southerly direction.
- (e) West side from a point 59 metres north of its junction with Greengate Street for a distance of 12 metres in a northerly direction.

Thwaite Street

- (a) West side from a point 8 metres south of its junction with Whitehead Street for a distance of 12 metres in a southerly direction.
- (b) West side from a point 8 metres north of its junction with Buccleuch Street for a distance of 12 metres in a northerly direction.
- (c) West side from a point 5 metres south of its junction with Buccleuch Street for a distance of 12 metres in a southerly direction.

Whitehead Street

- (a) South side from a point 5 metres east of its junction with Brewery Street for a distance of 14 metres in an easterly direction.
- (b) North side from a point 8 metres east of its junction with Rawlinson Street for a distance of 30 metres in an easterly direction.

SCHEDULE 4

<u>(1)</u> <u>Parking Places</u>	<u>(2)</u> <u>Position in which</u> <u>vehicle</u>	<u>(3)</u> <u>Class of Vehicle</u>	<u>(4)</u> <u>Initial</u> <u>Periods</u>	<u>(5)</u> <u>Pay and</u> <u>Display</u> <u>Days of</u> <u>Operation</u>
Hall Street	Any motor cycle to be within a bay marked for "Motor Cycles" on the parking place. Any other vehicle to be wholly within a bay marked on the parking place. Contract holders in spaces marked with a Letter "C" or otherwise indicated as only available for contract holders.	All vehicles except:-	1 Hour	Mon-Sat
Fell Street		a) Goods vehicles exceeding 1500kg unladen weight and	1 Hour	Mon-Sat
High Street		b) Passenger vehicles adapted to carry out more than 12 passengers exclusive of the driver.	1 Hour	Mon-Sat
Oldham Street			1 Hour	Mon-Sat
Town Hall			1 Hour	Mon-Sat
Whittaker Street			1 Hour	Mon-Sat
Portland Walk and Market		As above but vehicles whose unladen height exceeds two metres are prohibited.	1 Hour	Mon-Sat

<u>(1)</u> <u>Parking Places</u>	<u>(2)</u> <u>Position in which</u> <u>vehicle</u>	<u>(3)</u> <u>Class of Vehicle</u>	<u>(4)</u> <u>Initial</u> <u>Periods</u>	<u>(5)</u> <u>Pay and</u> <u>Display</u> <u>Days of</u> <u>Operation</u>
Market Street	As P.1		3 hours	Mon-Sat
Lawson Street	Any motor cycle to be within a bay marked for "Motor Cycles" on the parking place.	All vehicles except:-	3 hours	Mon-Sat
Church Street	Any other vehicle to be wholly within a bay marked on the parking place.	a) Goods vehicles exceeding 1500kg unladen weight and	---	---
Cornwallis Street	Contract holders in spaces marked with a letter "C" or otherwise indicated as only available for contract holders.	b) Passenger vehicles adapted to carry out more than 12 passengers exclusive of the driver.	3 hours	Mon-Sat
Rawlinson Street				
Slater Street			---	---
Strand West			---	---

<u>(1)</u> <u>Parking Places</u>	<u>(2)</u> <u>Position in which</u> <u>vehicle</u>	<u>(3)</u> <u>Class of Vehicle</u>	<u>(4)</u> <u>Initial</u> <u>Periods</u>	<u>(5)</u> <u>Pay and</u> <u>Display</u> <u>Days of</u> <u>Operation</u>
Strand 1 and 2	Motor cycles in bays marked "Motor Cycles" on the parking place. All other vehicles in bays marked in the parking place. Contract holders in spaces marked with a letter "C" or otherwise indicated as only available for contract holders.	All vehicles except:-	---	---
St. George's Square		a) Goods vehicles exceeding 1500kg unladen weight and	---	---
West Shore			---	---
Thorney Nook		b) Passenger vehicles adapted to carry out more than 12 passengers exclusive of the driver.	---	---
Biggar Bank, Walney			---	---
Nelson Street			---	---
Tudor Square			---	---
Lime Street			---	---
The Beach, Askam			---	---

SCHEDULE 5

EXCESS CHARGE

The excess charge referred to in Article 7 is £50.00.

For the purposes of this Order, the term "excess charge" means a sum payable to the Council for any contravention of the conditions governing the parking places specified in Schedules 1, 2 and 3 (on-street parking places) and the term "parking penalty" means a like sum regarding those parking places specified in Schedule 4 (off-street parking).

SCHEDULE 6

REPEALS

<u>Short Title</u>	<u>Extent of Repeal</u>
The County of Cumbria (Borough of Barrow-in-Furness) (Town Centre Parking Places) Order, 1992	The whole of the Order.
The County of Cumbria (Borough of Barrow-in-Furness) (Market Street) (Limited Waiting) Order, 1996	The whole of the Order.
The County of Cumbria (Borough of Barrow-in-Furness) (On and Off-Street Parking Places) (CP/5) Order, 1993 (as amended)	The whole of the Order.

SCHEDULE 7

RESIDENT'S STREET

Abbey Road (southern side), between Rawlinson Street and Hindpool Road); Allison Street (between Buccleuch Street and Greengate Street); Arnside Street; Arthur Street; Brewery Street; Buccleuch Street; Carlisle Street; Cartmel Crescent; Cavendish Street; Clifford Street; Cornwallis Street; Coulton Street; Crellin Street; Dalkeith Street; Dalton Road (between Abbey Road and Duke Street); Duke Street; Duncan Street; Emlyn Street; Fell Street; Fenton Street; Field Street; Forshaw Street; George Street; Grange Crescent; Greengate Street (northern side, between Church Street and Marsh Street); Hall Street; Harley Street; Harrison Street; High Street; Hindpool Road (eastern side, between Abbey Road and Newland Street); James Street; John Street; Keith Street; Lawson Street; Lindal Street; Lord Street; Manchester Street; Market Street; Marsh Street (between Crellin Street and Greengate Street); Mill Street; Montague Street; Parade Street; Paradise Street (between Harrison Street and Greengate Street); Paxton Street; Preston Street; Rawlinson Street (between Abbey Road and Greengate Street); Robert Street; St. Vincent Street; School Street (between Buccleuch Street and Greengate Street); Scott Street; Sidney Street; Silverdale Street; Slater Street; Stephen Street; Sutherland Street (between Crellin Street and Greengate Street); Thomas Street; Thompson Street; Thwaite Street; Wallace Street; Whitehead Close; Whitehead Street and William Street.

THE COMMON SEAL OF THE COUNCIL)
OF THE BOROUGH OF BARROW-IN-FURNESS)
was hereto affixed in)
the presence of:-)

TJH Bodys

Borough Solicitor

