

THE COUNTY OF CUMBRIA (VARIOUS ROADS IN THE CITY OF CARLISLE)
(PROHIBITION OF WAITING EXCEPT FOR HACKNEY CARRIAGES) ORDER 2007

The County Council of Cumbria in exercise of its powers under Sections 1, 2, 32 and 35 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on 25 June 2007 and may be cited as The County of Cumbria (Various Roads in the City of Carlisle) (Prohibition of Waiting Except for Hackney Carriages) Order 2007
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -
 - "hackney carriage" has the same meaning as in section 38 of the Town Police Clauses Act 1847 as referred to in The Local Government (Miscellaneous Provisions) Act 1976 save further that reference to "plying for hire" shall be excluded from this definition; and "taxi" shall be construed accordingly;
 - "hackney carriage stand" means any area of the carriageway which is comprised within and indicated by road markings complying with diagram 1028.2 in schedule 6 of the Traffic Signs and General Directions 2002;
 - "prescribed hours" means: -
 - (a) in relation to Nos. 3, 4, 5, 6 and 7 inclusive of Schedule 1 to this Order, 24 hours a day, seven days a week;
 - (b) in relation to Nos. 2 of Schedule 1 to this Order, between the hours of 9 pm on one day and 6 am the following day, seven days a week; and
 - (c) in relation to No. 1 of Schedule 1 to this Order, between the hours of 6 pm on any day and 8.30 am the following day, seven days a week.
3. No person shall cause or permit any vehicle, other than a hackney carriage or taxi, to wait in the lengths of road or sides of road specified in columns 2, 3 and 4 of Schedule 1 to this Order, which have been designated as a hackney carriage stand, during the prescribed hours detailed in Column 5 thereof.
4. Nothing in Article 3 of this Order shall apply so as to render it unlawful for a person to cause or permit a vehicle to wait in the lengths of road specified in Schedule 1 to this Order if the vehicle is: -
 - (a) waiting only so long as is necessary to enable goods or merchandise to be loaded onto or unloaded from the vehicle;
 - (b) waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accidents;

- (c) being used for police, fire brigade or ambulance purposes, or is a vehicle (other than a passenger vehicle) which is in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;
 - (d) waiting to enable it to be used in connection with the removal of any obstruction to traffic;
 - (e) being used in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the length or side of road, or the laying, erection, alteration or repair in or near the said road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984.
5. The Orders specified in Schedule 2 to this Order are hereby revoked to the extent specified therein.
6. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the 15th day of June 2007

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

Authorised Signatory R. Walker
HEAD OF LEGAL SERVICES



SCHEDULE 1

PROHIBITION OF WAITING EXCEPT FOR HACKNEY CARRIAGES/TAXIS

1	2	3	4	5	6
<u>No.</u>	<u>Road/Street</u>	<u>Side</u>	<u>Length</u>	<u>Time</u>	<u>No. of Taxis.</u>
1	Lonsdale Street	South	44m from its junction with Crosby Street in an easterly direction for a distance of 33m.	6pm to 8.30 am	6
2	English Street	South West	From a point 21m south-east of its junction with Victoria Viaduct for a distance of 16m in a south-easterly direction (in existing loading bay)	9 pm to 6 am	3
3	Warwick Road	South	61m from its junction with Cecil Street in a westerly direction for a distance of 31m.	24 Hours	6
4	St Nicholas Street	West	18.5m from its junction with Albion Street in a northerly direction for a distance of 10m.	24 Hours	2
5	Court Square	North	37m from its junction with English Street in a westerly direction for a distance of 65m.	24 Hours	10
6	Castle Street	South West	From its junction with St Mary's Gate (eastern side) in a north westerly direction for a distance of 6m.	24 Hours	1
7	Portland Place	South East	From a point 10m north west of its junction with Botchergate for a distance of 43m in a north westerly direction.	24 Hours	7

SCHEDULE 2

Revocation of Existing Orders

<u>Title of Order</u>	<u>Extent of Revocation</u>
The County of Cumbria (Various Roads in the City of Carlisle) (Prohibition of Waiting Except for Hackney Carriages) Order 2001	The entire Order
The County of Cumbria (Various Roads in the City of Carlisle) (Prohibition of Waiting Except for Hackney Carriages) (Order 2001) Variation Order 2003	The entire Order

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