

THE COUNTY OF CUMBRIA (CENTRAL AREA KENDAL)
(PEDESTRIANISATION AND TRAFFIC REGULATION) (ORDER 2005)
VARIATION (NO.2) ORDER 2008

The County Council of Cumbria in exercise of its powers under Sections 1, 2(1) to (4), 4, 19, 32, 35, 35A, 38, 45, 46, 47, 49, 51, 53 and 64 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") 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 10 March 2008 and may be cited as The County of Cumbria (Central Area, Kendal) (Pedestrianisation and Traffic Regulation) (Order 2005) Variation (No.2) Order 2008
2. For the purposes of this Order the expression "the 2005 Order" shall mean The County of Cumbria (Central Area, Kendal) (Pedestrianisation and Traffic Regulation) Order 2005
3. The 2005 Order shall have effect as though: -
 - (a) In article 2(1) the definition of "coach" was replaced with the following: -

"bus" means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver) and local buses not so constructed or adapted.
 - (b) The heading to Part 11 was amended to read "PARKING PLACES FOR BUSES ONLY"
 - (c) All references to "coach" or "coaches" throughout the 2005 Order and in particular in Part 11 were replaced with "bus" or "buses" as appropriate.
 - (d) Article 22 was amended to read: -
 22. (1) Save as provided in Article 27 of this Order, no person shall except upon the direction of a police constable in uniform or of a parking attendant, cause or permit any vehicle, other than a bus, to wait in the lengths of road or sides of road specified in Schedule 11 to this Order for a period not exceeding 20 minutes, providing that, where a vehicle has left a bus parking place specified in Schedule 11 of this Order after waiting thereon the driver shall not within 20 minutes after its leaving permit it to wait again upon that parking place.
 22. (2) Save as provided in Article 27 of this Order, no person shall except upon the direction of a police constable in uniform or of a parking attendant, cause or permit any vehicle, other than a bus, so long as it is not providing a local service, to wait between the hours of 8.00 am and 6.00 pm, on any day, in the lengths of road or sides of road specified in Schedule 11C to this Order for a period not exceeding 30 minutes, providing that, where

a vehicle has left a bus parking place specified in Schedule 11C of this Order after waiting thereon the driver shall not within 1 hour after its leaving permit it to wait again upon that parking place.

- (e) The following was added as Schedule 11C: -

**SCHEDULE 11C
PARKING PLACES FOR BUSES (WHICH ARE NOT LOCAL) ONLY
8.00 AM – 6.00 PM, 7 DAYS A WEEK
WAITING LIMITED TO 30 MINUTES, RETURN PROHIBITED
WITHIN 1 HOUR**

<u>Street Name</u>	<u>Restricted Length</u>
Highgate, Kendal (west side)	From a point 29m south of the centre of its junction with Collin Croft, southwards for a distance of 19m.

(f) Entry number 3 in Schedule 5 “Disabled Persons’ Parking Places in Stramongate, Stricklandgate and Highgate, Kendal” was deleted and replaced with the following: -

Highgate, Kendal (west side), from a point 48m south of the centre of its junction with Collin Croft to a point 3m north of the centre of its junction with New Inn Yard;

Highgate, Kendal (west side), from a point 3m south of the centre of its junction with New Inn Yard southwards for a distance of 12m.

- (g) The following was added to Schedule 11A “Parking Places for Taxis/Hackney Carriages Only – At All Times”: -

<u>Street Name</u>	<u>Restricted Length</u>
Highgate, Kendal (west side)	From a point 15m south of the centre of its junction with New Inn Yard southwards for a distance of 11m.

- (h) The entry in Schedule 31 Part 1 Kendal (Restricted Waiting, 8.00 am – 6.00 pm, Monday to Saturday inclusive, waiting limited to 30 minutes, return prohibited within 30 minutes) of The County of Cumbria (Various Roads, South Lakeland Area) (Consolidation of Traffic Regulations) Order 2002, which relates to Highgate, was deleted in its entirety.

4. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any Regulation made or having effect as if made under the Act, or by or under any other enactment.

5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the day of 2008

THE COMMON SEAL of)

CUMBRIA COUNTY COUNCIL)

was hereunto affixed in)

the presence of:-)

Authorised Signatory