

THE COUNTY OF CUMBRIA (VARIOUS ROADS, SOUTH LAKELAND AREA)
(CONSOLIDATION OF TRAFFIC REGULATIONS) (ORDER 2002)
(ULVERSTON – NO. 3) VARIATION ORDER 2011

The County Council of Cumbria in exercise of its powers under Sections 1(1), 2(1) to (4), 19, 32, 35, 35A, 38, 45, 46, 47, 49, 51, 53 and 64 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on 14 March 2011 and may be cited as The County of Cumbria (Various Roads, South Lakeland Area) (Consolidation of Traffic Regulations) (Order 2002) (Ulverston – No. 3) Variation Order 2011
2. For the purposes of this Order the expression “the 2002 Order” shall mean The County of Cumbria (Various Roads, South Lakeland Area) (Consolidation of Traffic Regulations) Order 2002
3. The 2002 Order shall have effect as though: -

(a) Article 111 was replaced by the following: -

111. (1) Each of the lengths of road specified in Schedule 81 to this Order are designated as a loading only parking place;
- (2) Save as provided in Article 112 to this Order, no person shall, except upon the direction of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle to wait in those lengths of road specified in **Schedule 81** to this Order, unless goods are being loaded or unloaded from the said vehicle.
- (3) Each of the lengths of road specified in Schedule 81A to this Order are designed as a loading only parking place between the hours of 6.00 am and 10.00 am each day;
- (4) Save as provided in Article 112A to this Order, no person shall, except upon the direction of a police constable in uniform or a civil enforcement officer, cause or permit any vehicle to wait in those lengths of road specified in **Schedule 81A** to this Order, between the hours of 6.00 am and 10.00 am each day, unless goods are being loaded or unloaded from the said vehicle.

(b) Article 112 was replaced by the following: -

112. Nothing in Article 111(2) shall render it unlawful to cause or permit any vehicle to wait in the lengths of road specified in Schedule 81 for so long as may be necessary to enable:-
 - (i) a person to board or alight from the vehicle;
 - (ii) the vehicle, if it cannot conveniently use another road for such purposes to be used in connection with the following operations:-

- (a) Building and demolition work;
 - (b) The removal of any obstruction to traffic from the highway;
 - (c) The maintenance, improvement or reconstruction of any of those lengths of road;
 - (d) 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 telecommunications apparatus in or on any land adjacent to any of those lengths of road;
- (iii) 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;
 - (iv) the vehicle to be used in connection with the delivery or collection of postal packets as defined by Section 125 of the Postal Services Act 2000;
 - (v) 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;
 - (vi) the vehicle to be used for Ambulance, Fire Brigade or Police purposes; or
 - (vii) goods to be loaded or unloaded from the vehicle.

(c) The following was added as Article 112A: -

- 112A (1) Nothing in Article 111(4) shall render it unlawful to cause or permit any vehicle to wait in the lengths of road specified in Schedule 81A for so long as may be necessary to enable:-
- (i) a person to board or alight from the vehicle;
 - (ii) the vehicle, if it cannot conveniently use another road for such purposes to be used in connection with the following operations:-
 - (a) Building and demolition work;
 - (b) The removal of any obstruction to traffic from the highway;
 - (c) The maintenance, improvement or reconstruction of any of those lengths of road;

- (d) 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 telecommunications apparatus in or on any land adjacent to any of those lengths of road;
- (iii) 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;
- (iv) the vehicle to be used in connection with the delivery or collection of postal packets as defined by Section 125 of the Postal Services Act 2000;
- (v) 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;
- (vi) the vehicle to be used for Ambulance, Fire Brigade or Police purposes; or
- (vii) goods to be loaded or unloaded from the vehicle.

(2) Nothing in Article 111(4) shall apply on Market Days.

(d) **The following was added as Schedule 81A Part 1 – Ulverston: -**

**SCHEDULE 81A – Loading Only Parking Place – 6.00 am to 10.00 am each day
PART 1 – ULVERSTON**

<u>Street Name</u>	<u>Restriction</u>	<u>Side of Street</u>	<u>Restricted Length</u>
Market Place	Loading Only, 6 am – 10 am (Except on Market Days)	South	From a point 17m east of the centre of its junction with Queen Street, extending in an easterly direction for a distance of 16m (3 spaces) (measured along the kerb line)

- (e) **The following entry in Part 2 of Schedule 85 “Provision of Parking Places for Hackney Carriages/Taxis Only – 24 Hours a Day, Every Day”, was deleted in its entirety: -**

<u>Item No.</u>	<u>Street Name</u>	<u>Restriction</u>	<u>Side of Street</u>	<u>Restricted Length</u>
2	Market Place	24 Hour Hackney Carriage/Taxi Stand (except on Market Days)	South	From a point 17m east of the centre of its junction with Queen Street, eastwards for a distance of 16m (3 spaces) (measured along the kerb line)

- (f) **The following was added as Article 115(3): -**

115. (3) Save as provided in Articles 116 and 116B to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle, other than a licensed Hackney Carriage/Taxi, to stop or remain at rest, between the hours of 10 am and midnight and/or between midnight and 6 am the following day, in the lengths of road specified in **Schedule 85B** to this Order.

- (g) **The following was added as Article 116B: -**

116B. Nothing in Article 115(3) to this Order shall apply on Market Days.

- (h) **The following was added as Schedule 85B Part 1 - Ulverston “Provision of Parking Places for Hackney Carriages/Taxis Only – 10 am to midnight and midnight to 6 am every day”:-**

**SCHEDULE 85B – Provision of Parking Places for Hackney Carriages/Taxis Only – 10 am to midnight and midnight to 6 am every day
PART 1 – ULVERSTON**

<u>Street Name</u>	<u>Restriction</u>	<u>Side of Street</u>	<u>Restricted Length</u>
Market Place	Parking places for Hackney Carriages/Taxis Only, 10 am to midnight and midnight to 6 am every day (Except on Market Days)	South	From a point 17m east of the centre of its junction with Queen Street, extending in an easterly direction for a distance of 16m (3 spaces) (measured along the kerb line)

4. 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 4th day of March 2011

THE COMMON SEAL OF)

CUMBRIA COUNTY COUNCIL)

was hereunto affixed)

in the presence of:-

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