

Green text denotes new entries
Blue text denotes minor amendments
Red text denotes deletions

The County of Cumbria(Various Roads, District of Eden)
(Consolidation and Provision of Traffic Regulations) Order 20><

The County Council of Cumbria (hereinafter referred to as “the Council”) 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 Part 6 of the Traffic Management Act 2004 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:-

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PART I

GENERAL

1. This Order shall come into operation on ><, and may be cited as The County of Cumbria (Various Roads, District of Eden) (Consolidation and Provision of Traffic Regulations) Order 20><
- 2.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them: -
 - (1) "approved" means approved by the Department for Transport for the purposes of this Order in accordance with Section 35(3) of the Act.
 - (2) "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.
 - (3) "certificate of exemption" means a certificate issued under the provisions of Article 21 of this Order;
 - (4) "certificate holder" means a person to whom a certificate of exemption has been issued under the provisions of Article 21 of this Order;
 - (5) "civil enforcement officer" shall mean the person or persons duly authorised in writing in that behalf (from time to time) by the Council of the District of Eden;
 - (6) "delivering" and or "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;
 - (7) "disabled person" means a person who holds a disabled persons' badge in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682) (and in particular Regulation 4 thereof) or any re-enactment thereto;
 - (8) "disabled person's badge" means a badge issued in accordance with the provisions of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended) (in particular Regulation 11 and the Schedule thereto) or under regulations having effect in Scotland and Wales under Section 21 of the Chronically Sick and Disabled Persons Act 1970 as referred to currently by the Local Authorities Traffic Orders (Exemptions for Disabled) (England) Regulations 2000 (No. 683) or any subsequent further re-enactments thereof;
 - (9) "disabled person's vehicle" means a vehicle driven by a disabled person as defined in Regulation 4(2) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (No. 682);
 - (10) "driver", in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place (and shall, as appropriate, bear the meaning assigned by Section 142 of the 1984 Act);
 - (11) "goods" shall mean material possessions, goods, burdens and items of any description and shall include cash or other valuable securities and be of such weight or bulk that they cannot be reasonably conveyed otherwise than by means of a vehicle;
 - (12) "goods vehicle" means for the purpose of this Order a motor vehicle which is constructed or adapted for the carriage of goods or burden of any description, the unladen weight of which does not exceed 1.524 tonnes;
 - (13) "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 to the extent that these terms are interchangeable;

- (14) "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 Regulations and General Directions 2016;
- (15) "heavy commercial vehicle" has the same meaning as in section 138 of the 1984 Act and which has an operating weight exceeding 7.5 tonnes;
- (16) "junction" means, unless otherwise indicated in this Order, the intersection of the general alignment of the carriageway kerblines boundaries of two roads;
- (17) "local authority" means, for the purposes of this Order, a County Council or District Council;
- (18) "motor car" shall mean and include any mechanically propelled vehicle not being a motorcycle or an invalid carriage, which is constructed itself to carry passengers of which the weight unladen does not normally exceed 3050 kilograms subject always to the inclusion of the extended meaning to this term given in Section 136 of the 1984 Act (and whether or not it is being used for business purposes);
- (19) "motorcycle" and "invalid carriage" have the same meanings respectively as in Section 136 of the Act;
- (20) "motor vehicle" means any class of mechanically propelled vehicle including motorcycles motor cars goods vehicles and car derived vans and shall bear the extended definition given thereto in Sections 136 and 137 of the 1984 Act (but shall not include any commercial vehicle as defined above or any heavy commercial vehicle as defined in Section 138 of the Act) (and whether or not it is being used for business purposes). Where reference is made to vehicle or motor vehicle in the Order these terms shall be deemed to have the same meaning and be interchangeable and to be interpreted accordingly;
- (21) "owner" in relation to a vehicle means the person by whom such vehicle is kept and used;
- (22) "Civil enforcement officer" shall mean the person or persons duly authorised in writing in that behalf (from time to time) by Eden District Council;
- (23) "parking device" shall have the meaning assigned to it in the 1984 Act (Section 142; Section 35(3B); Section 51(4) and shall include parking disc;
- (24) "parking disc" in relation to Part IV of this Order (Disabled Persons Parking Places), a device which: -
- (i) is 123 millimetres square and coloured blue, issued on or after 1st April 2000, or orange if issued before that date;
 - (ii) has been issued by a local authority and has not ceased to be valid; and
 - (iii) is capable of showing the quarter hour period during which a period of waiting began;
- (25) "parking place" means any part of a road authorised by this Order to be used as a parking place;
- (26) "parking place" in relation to Part VI means any part of a road authorised by this Order to be used as a parking place for buses and identified by The Traffic Signs Regulations and General Directions 2016 Schedule 6, Part 2 and road marking No 1028.2 complying with the 2016 Regulations or otherwise authorised by the Department of Transport;
- (27) "passenger vehicle" means a motor vehicle (other than a motorcycle, an invalid carriage, goods vehicle, or heavy commercial vehicle) as defined in this Order;
- (28) "post office" and any reference to "post office vehicle" or "postal packets" shall be construed in the context of the Postal Services Act 2000 and the Consequential Amendments Order 2001 (No.

2001/648) and shall include therefore references to “universal service providers” such as Consignia Plc, as the context shall require

(29) “prescribed hours” means: -

- (a) In relation to Schedules 1 and 21, the period 8 am to 6 pm, Monday to Friday inclusive;
- (b) In relation to Schedules 2, 3, 24 and 39 the period 8 am to 6 pm, Monday to Saturday inclusive;
- (c) In relation to Schedule 4, the period between 9 am and 5 pm on a Tuesday to Saturday inclusive;
- (d) In relation to Schedules 5, 9, 22, 28, 29, 30, 31, 32, 33, 33A, 34, 35, 36, 37 and 38, 24 hours a day, 7 days a week;
- (e) In relation to Schedule 7, the period between 9 am and 6 pm each day;
- (f) In relation to Schedule 8, the period between 9 am and 5 pm, Monday to Saturday inclusive;
- (g) In relation to Schedule 10, the period between 8 am and 6 pm each day;
- (h) In relation to Schedule 11, the period between 7 am and 7 pm each day;
- (i) In relation to Schedule 12, 24 hours a day between May and September inclusive each year;
- (j) In relation to Schedule 13, the period between 9 am and 7 pm each day between March and October inclusive each;
- (k) In relation to Schedule 6 and 14, the period between 9 am and 5 pm between March and October inclusive each year;
- (l) In relation to Schedules 8A and 15, the period between 9 am and 6 pm between Good Friday and 30th September inclusive each year;
- (m) In relation to Schedule 16, 24 hours a day between Good Friday and 30th September inclusive each year;
- (n) In relation to Schedules 17 and 29B, the period between 8 am and 5 pm on a Saturday;
- (o) In relation to Schedule 18, the period between 8 am and 6 pm between Good Friday and 30th September inclusive each year;
- (p) In relation to Schedule 19, the period between 8 am and 6 pm on each Monday between Good Friday and 31st August inclusive each year;
- (q) In relation to Schedules 20 and 39, the period between 8 am and 6 pm on a Monday to Saturday inclusive;
- (r) In relation to Schedules 23, 26 and 27, the period between 9 am and 6 pm each day;
- (s) In relation to Schedule 21A, the period between 8.30 am and 4.30 pm, Monday to Friday; and
- (t) In relation to Schedule 25, the period between 8.30 am and 4.00 pm on a Monday to Friday inclusive.

(30) “quarter hour period” means: in relation to Part III of this Order a period of quarter of an hour starting at any hour or fifteen, thirty or forty-five minutes past the hour which can be shown on the parking disc;

(31) “registered keeper” means:-

- (a) the person whose name appears in the vehicle registration document or book of the vehicle in whose name the vehicle is registered, or
- (b) a person who has the permanent use of the vehicle vested in the name of his employer, or in the case of a leased vehicle in the name of the leasing company;

(32) “relevant position” means (in conformity with Regulation 12 of SI 2000 No. 682) referred to above):

- - (a) in relation to a disabled person's badge,
 - (i) in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or
 - (ii) 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 1 of the badge is legible from outside the vehicle

- (b) in relation to a permit or certificate of exemption
 - (i) in the case of a vehicle fitted with a front windscreen the permit is exhibited thereon on the near side of and immediately behind the windscreen and with the front facing forward so as to be legible from the outside of the vehicle; or
 - (ii) in the case of a vehicle not fitted with a front windscreen, the permit is exhibited in a conspicuous position on the vehicle;

(33) “resident” means a person who is permanently residing (being a freeholder, leaseholder, or tenant but not a lodger or licensee of any such premises) at an address which abuts or is adjacent to one of the roads comprising parking places as set out in Schedules 1 to 22 to this Order;

(34) “road” means the full width of the highway including the carriageway and footway;

(35) “school days” means the days of the School Term;

(36) “traffic sign” means a sign or marking of any size colour and type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the 1984 Act;

(37) “trailer” shall have the meaning assigned to it by Section 138(3) of the 1984 Act;

(38) “The 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016;

(39) “visitor certificate of exemption” means a certificate issued in accordance with Article 21 of this Order.

2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

2.3 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if for the purposes of Section 38 of that Act this Order were an Act of Parliament and the Orders and Byelaws revoked by Article 68 of this Order were Acts of Parliament thereby repealed.

3. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any Regulations made or having effect as if made under the Act of 1984, or by or under any other enactment.

PART II

AUTHORISATION AND USE OF PARKING PLACES

USE OF PARKING PLACE

4. Each of the parts of road specified in Schedules 1 to 8 inclusive to this Order is authorised to be used, subject to the following provisions of this Order, and subject to the exclusion of the lengths of road mentioned in the Columns headed “Exemption” in the said Schedules (where applicable), as a parking place during the prescribed hour for such vehicles as are passenger vehicles, goods vehicles, motor cycles, motor cycles with side cars attached thereto and disabled persons’ vehicles.

5. The driver of a vehicle shall not permit it to wait in a parking place specified in Schedules 1 to 8 inclusive to this order during the prescribed hours, unless the vehicle is: -

- (a) of a class specified in Article 4 of this Order, and
- (b) is wholly within the limits of the parking place as marked on the carriageway by broken white lines

6. The driver of a motor vehicle shall not use a parking place

- (a) so as unreasonably to prevent access to any premises adjoining the road, or the use of the road by other persons, or so as to be a nuisance;
 - (b) when closed under the provisions of Article 9 of this Order.
7. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
8. 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 offering for hire of his skill or services.
9. Nothing in Article 5 of this Order shall restrict the power of the Council or of the District Council for preventing obstruction of the streets by order on the occasion of any public procession rejoicing or illumination, or where the streets are thronged or liable to be obstructed, to close any parking place.

DISPLAY OF CERTIFICATES OF EXEMPTION OR PARKING DISCS

10. (1) Subject to the provisions of Article 16 of this Order the driver of a vehicle shall on the arrival of the vehicle at a parking place specified in Schedules 1 to 3 inclusive to this Order during the period of waiting within the prescribed hours, exhibit on the vehicle in accordance with the following provisions of this Article a parking disc or a certificate of exemption.
- (2) The parking disc or certificate shall be exhibited on the vehicle
- (a) in the case of a two wheeled motorcycle having a side car attached thereto, or an invalid carriage, in a conspicuous position on the near side of the vehicle in front of the driving seat, and
 - (b) in the case of all other vehicles, in a relevant position.
- (3) The parking disc while exhibited on the vehicle shall be so placed that the time of arrival shown on the front of the said disc is clearly visible to a person standing on the near side of the vehicle.
11. When a certificate or parking disc has been displayed in a vehicle in accordance with the provisions of Article 10 of this order, no person shall remove the certificate or parking disc from the vehicle unless authorised to do so by the driver of the vehicle.
12. The driver of a vehicle shall on exhibiting the parking disc on the vehicle in accordance with the provisions of Article 10 set the disc so that it indicates the quarter of an hour period during which the vehicle arrived at the parking place.
13. Where a vehicle having been left on a side of road remains there at the beginning of the prescribed hours then the vehicle shall be treated as if it had arrived in the parking place at the beginning of those hours.
14. (1) Subject to the provisions of Article 16 of this Order the driver of a vehicle shall not permit it to wait continuously in a parking place specified in
- (a) Schedules 1, 3, 4, 5, 6 and 8 to this Order for a longer period than two hours, such period of two hours being calculated as commencing from the later time indicated on the parking disc, set in accordance with the provisions of Article 12;
 - (b) Schedules 2 to this Order for a longer period than three hours, such period of three hours being calculated as commencing from the later time indicated on the parking disc, set in accordance with the provisions of Article 12;
 - (c) Schedule 7 to this Order for a longer period than 1 hour, such period of 1 hour being calculated as commencing from the later time indicated on the parking disc, set in accordance with the provisions of Article 12;

- (2) When a parking disc exhibited in pursuance of Article 10 of this Order on a vehicle waiting in a parking place is showing the quarter of an hour period, the later time indicated by the disc showing the end of that period shall be treated as evidence that the vehicle has been waiting in that parking place since that later time in any proceedings for a contravention under paragraph (1) of this Article.
- (3) Where in any proceedings for a contravention under paragraph (1) of this Article, it is not proved that the contravention had occurred, but it is proved that the parking disc had not been set in accordance with Article 12 the driver had contravened that Article.
- (4) In any proceedings for a contravention under paragraph (1) of this Article, it shall be assumed unless the contrary is shown, that the parking disc mentioned in that paragraph is an approved device.
15. (1) When a vehicle has left a parking place specified in: -
- (a) Schedules 1, 2, 3, 4, 5, 6, 8 and 8B to this Order after waiting thereon, the driver thereof shall not within two hours after its leaving permit it to wait again upon that parking place;
- (b) Schedules 7 and 8A of this Order to this Order after waiting thereon, the driver thereof shall not within one hour after its leaving permit it to wait again upon that parking place.
- (2) Nothing under paragraph (1) of this Article shall apply to a resident in possession of a certificate of exemption and complying with the provisions set out in Article 10 of this Order.
16. (1) The driver of a two wheeled motorcycle not having a sidecar attached thereto shall be exempt from the provisions of Article 10 and 17 of this Order.
- (2) A disabled persons' vehicle which displays in the relevant position a disabled persons' badge shall be exempt, during the prescribed hours, from compliance with any limitation of time during which a vehicle may be left in a parking place specified in the foregoing provisions of this Order.
17. No person shall:
- (a) after the parking disc exhibited on the vehicle has been set in accordance with Article 12 of this Order, alter the indications given by that parking disc whilst the said vehicle remains in the parking place; or
- (b) knowingly exhibit on any vehicle any parking disc which has been altered, defaced, mutilated, or added to or upon which the figures or particulars have become illegible.
18. (1) Subject to the proviso hereto, where a police officer in uniform or a Civil enforcement officer is of the opinion that any of the provisions contained in Articles 5, 10, 12, 14, 15 or 17 of this Order have been contravened or not complied with in respect of a vehicle left in a parking place, he may remove or cause to be removed the vehicle from the parking place and, where it is so removed he shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.
- (2) Provided that when a vehicle is waiting in a parking place in contravention of the provisions of Article 5(b) of this Order, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
19. Any person removing a vehicle or altering its position by virtue of the last preceding Article 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 remove it or alter its position as the case may be.

RESTRICTION OF WAITING OF VEHICLES

20. (1) Nothing in the foregoing provisions of this part of the Order shall apply to a vehicle waiting during the prescribed hours in a parking place specified in Schedules 1 to 8 inclusive to this Order if the vehicle is
- (a) waiting only so long as is necessary to enable a person to board or alight from the vehicle or 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) a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) 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) in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting or is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
 - (f) being used in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, or repair in or near the said parking place 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;
 - (g) in actual use in connection with the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (h) in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situate on or adjacent to that parking place; or
 - (i) displaying a valid Certificate of Exemption
- (2) Nothing in the foregoing provisions of this Order shall render it unlawful to cause or permit any licensed Hackney Carriage to wait during the prescribed hours in a parking place or part thereof specified in Schedules 1 to 8 inclusive to this Order which has been designated or authorised as a Hackney Carriage Stand.

APPLICATION FOR CERTIFICATES OF EXEMPTION

21. (1) Any resident who is the owner of a vehicle not exceeding 72" (1830 mm) in height, being either a passenger vehicle, a goods vehicle, motor cycle with sidecar attached thereto, may apply to the Council for the issue of a Residents Certificate of Exemption for the leaving of that vehicle in a parking place specified in Article 4 of this Order, any such application shall be made on a form issued by the Council and obtainable from such office as the Council shall require, and shall include the particulars and information required by such form.
- (2) The Council may require an applicant for a Residents Exemption Certificate to produce to an Officer of the County Council such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them.
- (3) The Council, upon being satisfied that an applicant is a person whose normal residence is at premises on one of the following streets in Appleby,
- Bridge Street, The Cloisters, Boroughgate, High Wiend, Low Wiend, Chapel Street, Holme Street, Holme Court, Doomgate and The Sands (east side) from a point 108m north of its junction with

Bridge Street to a point 140m south of that junction and The Sands (west side) from a point 105m north of its junction with Bridge Street to a point 133m south of that junction,

and is the owner of a vehicle or vehicles of a class specified in paragraph (1) of this Article and such premises do not have the benefit of an off-street parking facility, may issue to that applicant: -

- (a) One Residents Certificate of Exemption, exempting the vehicle from the time limit in a parking place in any street in Schedule 2 to this Order, and/or
- (b) a book of 60 No. Visitors Certificates of Exemption for use in accordance with the foregoing provisions of this Order exempting them from the time limits in parking places specified in Schedule 2 of this Order subject to them satisfying the conditions specified in the preceding paragraphs of this Article and providing each Visitors Certificate of Exemption is displayed in accordance with the requirements of Article 10 to this Order and lapses after a period of one day when it must be removed from the vehicle;

Providing also that the Visitors Certificate of Exemption may be issued only in respect of vehicles which do not exceed 72" (1830mm) in height, being either a passenger vehicle, a goods vehicle, motorcycle, or motorcycle with sidecar attached thereto.

At the discretion of the Council, certificates of exemption may be issued to carers with the proviso that such certificates shall show an expiry date after twelve months, whereupon the certificate ceases to be valid.

- (4) Nothing in paragraph (3) of this Article shall apply so as to prevent any person whose normal residence is at premises within the streets specified therein and who has the benefit of an off-street parking facility from applying to the Council for: -
 - (a) a book of 60 No. Visitors Certificates of Exemption provided the conditions specified in the foregoing provisions of this Order are complied with; or
 - (b) a Residents Certificate of Exemption which will be issued at the discretion of the Council if the resident can prove that he/she would experience extreme hardship should such a Certificate not be issued.

Provided that subject to the provisions of Articles 26 of this Order the Council shall not issue a certificate to any resident which would be valid for any period to which any other certificate issued to that resident extends.

- 22. Notwithstanding the provisions set out in Articles 21 and 24 and the preceding paragraphs of this Article no more than one certificate of exemption shall be granted in respect of any premises
- 23. The following particulars shall be included in writing on a Residents Certificate of Exemption: -
 - (a) the registration mark of the vehicle in respect of which the certificate has been issued;
 - (b) an authentication that the certificate has been issued by the Council;
 - (c) the period during which the certificate shall remain valid; and
 - (d) an index number allocated by the Council for identification purposes.
- 24. The following particulars shall be included in writing on a Visitor's Certificate of Exemption: -
 - (a) an authentication that the permit has been issued by the Council; and
 - (b) the period during which the permit shall remain valid, i.e., 24 hours from the date and time of arrival, which must be clearly written in ink and not altered.

SURRENDER, WITHDRAWAL AND VALIDITY OF CERTIFICATES OF EXEMPTION

25. (1) A certificate holder may surrender a certificate to the Council at any time and shall surrender a certificate to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing serve on the certificate holder at the address shown by that person on the application for the certificate, or at any other address believed to be that person's residence, withdraw a certificate if it appears to the Council that any of the events set out in paragraph (3) of this Article has occurred and the certificate holder shall surrender the certificate to the Council within 48 hours of the receipt of the said Notice.
- (3) The events referred to in the foregoing provisions of this Article are: -
- (a) the expiry of the period for which the certificate was issued;
 - (b) the certificate holder ceasing to be a resident or visitor or carer, as appropriate, at the address in respect of which the certificate was issued;
 - (c) the certificate holder ceasing to be the owner of the vehicle in respect of which the certificate was issued;
 - (d) the vehicle in respect of which such certificate was issued being adapted or used in such a manner that it is not a vehicle of a class specified in Article 21 of this Order;
 - (e) the issue of a duplicate certificate by the Council under the provisions of Article 26 of this Order;
- (4) A certificate shall cease to be valid on the occurrence of any of the events set out in paragraph (3) of this Article.

APPLICATION FOR, AND ISSUE OF DUPLICATE CERTIFICATES OF EXEMPTION

26. (1) If a certificate is mutilated or defaced or the figures or particulars on it have become illegible or the colour of the certificate has become altered by fading or otherwise, the certificate holder shall surrender it to the Council and may then apply to the Council for the issue to him of a duplicate certificate.
- (2) If a certificate is lost or destroyed the certificate Holder may apply to the Council for the issue of a duplicate.
- (3) The provisions of this Order shall apply to a duplicate certificate and an application for such a certificate as if it were a certificate or, as the case may be, an application for a certificate.
- (4) Any certificate issued by virtue of the provisions of paragraph (1) or (2) of this Article shall be marked as a duplicate and upon the issue of a duplicate the certificate which it duplicates shall become invalid.

PART III

PROHIBITION AND RESTRICTION OF WAITING, LOADING AND UNLOADING

27. Save as provided in Article 28 of this Order, no person shall except upon the direction or with the permission of a police constable in uniform, or of a Civil enforcement officer, cause or permit any vehicle to wait: -
- (1) (a) between the hours of 8 am and 6 pm, on a Monday to Friday inclusive in the lengths of road or sides of road specified in Schedules 1 to 24 of this Order as are identified by a single yellow line on the carriageway conforming to diagram 1017 in Schedule 7 of the 2016 Regulations;

- (b) At any time on the lengths of road or the sides of road specified in Schedules 1 to 24 inclusive as are identified by a double yellow line conforming to diagram 1017 in Schedule 6 of the 2016 Regulations.
- (2) between the hours of 8 am and 6 pm on a Monday to Friday inclusive in the lengths or road or sides of road specified in Schedule 1 of this Order:-
 - (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (3) between the hours of 8 am and 6 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 2 to this Order.
 - (a) for a longer period than 3 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (4) between the hours of 8 am and 6 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 3 to this Order.
 - (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (5) between the hours of 9 am and 5 pm on a Tuesday to Saturday inclusive, in the lengths of road or sides of road specified in Schedule 4 to this Order.
 - (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (6) at any time, on any day, in the lengths of road or sides of road specified in Schedule 5 to this Order.
 - (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (7) between the hours of 9 am and 5 pm between March and October inclusive, in the lengths of road or sides of road specified in Schedule 6 to this Order.
 - (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (8) between the hours of 9 am and 6 pm each day, in the lengths of road or sides of road specified in Schedule 7 to this Order.
 - (a) for a longer period than 1 hour or
 - (b) if a period of less than 1 hour has elapsed since the termination during the said hour of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
 - (9) between the hours of 9 am and 5 pm on any day other than a Sunday, in the lengths of road or sides of road specified in Schedule 8 to this Order.

- (a) for a longer period than 2 hours or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said hours of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
- (9)(A) between the hours of 9 am and 6 pm, on any day, between Good Friday and 30th September inclusive, in the lengths of road or sides of road specified in **Schedule 8A** to this Order: -
- (a) for a longer period than 1 hour or
 - (b) if a period of less than 1 hour has elapsed since the termination during the said hour of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
- (9)(B) between the hours of 9 am and 5 pm, on any day other than a Sunday, in the lengths of road or sides of road specified in **Schedule 8B** to this Order: -
- (a) for a longer period than 30 minutes or
 - (b) if a period of less than 2 hours has elapsed since the termination during the said half hour of the last period of waiting (if any) by that vehicle on the same side of road or length of road.
- (10) at any time in the lengths of road or the sides of road specified in Schedule 9 of this Order;
- (11) at any time between the hours of 8 am and 6 pm in the lengths of road or sides of road specified in Schedule 10 of this Order;
- (12) at any time between the hours of 7 am and 7 pm in the lengths of road or sides of road specified in Schedule 11 of this Order;
- (13) At any time between May and September inclusive, in the lengths of road or sides of road specified in Schedule 12 of this Order;
- (14) Between the hours of 9 am and 7 pm, March to October inclusive, in the lengths of road or sides of road specified in Schedule 13 of this Order;
- (15) Between the hours of 9 am and 5 pm, March to October inclusive, in the lengths of road or sides of road specified in Schedule 14 of this Order;
- (16) Between the hours of 9 am and 6 pm, Good Friday to 30th September inclusive, in the lengths of road or sides of road specified in Schedule 15 of this Order;
- (17) At any time between Good Friday and 30th September inclusive, in the lengths of road or sides of road specified in Schedule 16 of this Order;
- (18) between the hours of 8 am and 5 pm on a Saturday, in the lengths of road or sides of road specified in Schedule 17 to this Order;
- (19) between the hours of 8 am and 6 pm Good Friday to 30th September inclusive, in the lengths of road or sides of road specified in Schedule 18 to this Order;
- (20) between the hours of 8 am and 6 pm on Mondays, Good Friday to 31st August inclusive, in the lengths of road or sides of road specified in Schedule 19 to this Order;
- (21) between the hours of 8 am and 6 pm on any day other than a Sunday in the lengths of road or sides of road specified in Schedule 20 of this Order;
- (22) between the hours of 8 am and 6 pm, Monday to Friday inclusive, in the lengths of road or sides of road specified in Schedule 21 of this Order;

- (23) between the hours of 8.30 am and 4.30 pm, Monday to Friday inclusive, in the lengths of road or sides of road specified in Schedule 21A of this Order.

Exemptions

28. (1) Nothing in Article 27 of this Order shall render it unlawful to cause or permit any vehicle specified in Article 20(1) or any licensed Hackney Carriage in any parking place which has been designated or authorised as a Hackney Carriage Stand to wait in any of the lengths of road or on any of the sides of road referred to in the said Article 27.
- (2) Nothing in Articles 27(10) to 27(23) inclusive of this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge and a parking disc (on which the driver or other person in charge of the vehicle has marked the time at which the period of waiting began) to wait in the lengths of road or on the sides of road referred to in the said Articles for a period not exceeding three hours (not being a period separated by an interval of less than one hour from the previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day).
- (3) Nothing in Articles 27(2) to 27(9) of this Order shall render it unlawful to cause or permit a disabled person's vehicle, which displays in the relevant position, a disabled person's badge to wait without time limit in the lengths of road or sides of road referred to in that Article.
29. Nothing in Article 27(4-18) shall apply to Market Traders' vehicles which have the permission of the Market Superintendent
30. At side road junctions, waiting and loading restrictions (except limited waiting) on one road, terminating at the junction with another road shall, notwithstanding the definition of junction contained in this order, apply to the adjacent half width of the second mentioned road. Where there are restrictions on one road which are different from those on the other, the more onerous shall prevail.
31. Nothing in the foregoing provisions of this Order shall apply at a bus stop to a public service vehicle providing a local service, as defined in Section 2 of the Transport Act 1985, provided that the Highway Authority or its agent has agreed in writing that the bus stop is a suitable place at which such vehicles may wait for longer than is necessary to take up or set down passengers.

PART IV

AUTHORISATION AND USE OF DISABLED PARKING PLACE

32. (1) The lengths of road or sides of road specified in Schedule 22 to this Order are authorised to be used at any time, subject to Articles 33, 34 and 35 of this Order as a parking place for a disabled person's vehicle which displays a disabled person's badge in a relevant position.
- (2) That part of the road specified in Schedule 23 to this Order is authorised to be used between the hours of 9 am and 6 pm each day, subject to the provisions of Articles 33, 34 and 35 of this Order, as a parking place for a disabled person's vehicle which displays a disabled person's badge.
- (3) The lengths of road or sides of road specified in Schedule 24 to this Order are authorised to be used between the hours of 8 am and 6 pm on any day other than a Sunday, subject to the provisions of Articles 33, 34 and 35 of this Order, as a parking place for a disabled person's vehicle which displays a disabled person's badge in a relevant position.
33. (1) Save as provided in paragraphs (2), (3), (4) and (5) to this Article, the driver of a vehicle shall not permit it to wait in the parking place specified in Schedules 22, 23 and 24 to this Order unless the vehicle
- (a) is a disabled person's vehicle which displays a disabled persons badge in a relevant position; and
- (b) is wholly within the limits of the parking place as indicated by the markings on the carriageway.

34. (1) Save as provided in Article 35 of this Order, no person shall except upon the direction of a police constable in uniform or of a Civil enforcement officer cause or permit any vehicle to wait in the parking place specified in Schedule 23 to this Order
- (a) for a longer period than three hours;
 - (b) if a period of less than one hour has elapsed since the termination of the last period of waiting (if any) by that vehicle in that parking place.
- (2) Save as provided in Article 35 of this Order, no person shall except upon the direction of a police constable in uniform or of a Civil enforcement officer cause or permit any vehicle to wait in the parking place specified in Schedules 24 to this Order
- (a) for a longer period than three hours;
 - (b) if a period of less than three hours have elapsed since the termination of the last period of waiting (if any) by that vehicle in that parking place.

Exemptions

35. (1) Nothing in Article 32 of this order shall restrict the power of the Council or of the District Council for preventing obstruction of the street by Order on the occasion of any public procession rejoicing or illumination or where the street is thronged or liable to be obstructed to close the parking place specified in Schedules 22, 23 or 24 to this Order.
- (2) Nothing in Articles 32, 33 or 34 of this order shall apply to prevent any vehicle waiting:-
- (a) if it is being used for Police, Fire Brigade or Ambulance purposes;
 - (b) if its being used in connection with any building operation or demolition, the maintenance, improvement or construction of the parking place or the laying, erection, alteration, or repair in or near the parking place 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.
- (3) In accordance with Regulation 4(6) of The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England and Wales) Regulations 1986 as amended, the restrictions specified in Articles 32 and 33 of this Order shall not apply to a goods vehicle which displays in the relevant position a disabled persons badge.

PART V

NO STOPPING ON SCHOOL "KEEP CLEAR" MARKINGS,
MONDAY – FRIDAY, 8.30 AM – 4.00 PM

36. Save as provided in Article 37 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform, or of a Civil enforcement officer, cause or permit any vehicle to stop or remain at rest between the hours of 8.30 am and 4.00 pm, on a Monday to Friday inclusive, in the lengths of road or sides of road specified in Schedule 25 to this Order.

Exemptions

37. (1) Nothing in Article 36 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or sides or road referred to therein for so long as may be necessary: -
- (a) to enable 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;
 - (b) if the vehicle is being used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties;

- (c) to enable it to be used in connection with the removal of any obstruction to traffic;
- (d) if the vehicle is being used in the service of or employed by the post office and is waiting while postal packets addressed to premises adjacent to the parking place in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, or are being delivered or while postal packets are being collected from premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or, is in use in connection with the servicing of posting boxes adjacent to the parking place in which the vehicle is waiting;
- (e) if the vehicle is being used by statutory undertakers or their contractors in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, or repair in or near the said parking place 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;
- (f) if the vehicle is in actual use in connection with the removal of a coffin containing the remains of a deceased person to or from premises situated on or adjacent to that parking place.
- (g) if the vehicle is adapted to carry more than 8 passengers and is a school bus waiting so long as to enable children to board or alight from the vehicle.

PART VI

PROHIBITION OF WAITING - EXCEPT FOR BUSES

- 38A. Save as provided in Article 41 of 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 bus, to stop or remain at rest between the hours of 9.00 am and 6.00 pm, on any day, in those lengths of road specified in Schedule 26 to this Order.
- 38B. Notwithstanding the provisions of Article 38A, a bus stopping or remaining at rest between the hours of 9.00 am and 6.00 pm, on any day, in those lengths of road specified in Schedule 26 to this Order must not wait for a longer period than 1 hour and providing that where a bus has left a parking place specified in Schedule 26 to this Order after waiting thereon the driver thereof shall not within one hour after its leaving permit it to wait again upon that parking place.
- 39A. Save as provided in Article 41 of 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 bus, to stop or remain at rest between the hours of 9.00 am and 6.00 pm, on any day, in those lengths of road specified in Schedule 27 to this Order.
- 39B. Notwithstanding the provisions of Article 39A, a bus stopping or remaining at rest between the hours of 9.00 am and 6.00 pm, on any day, in those lengths of road specified in Schedule 27 to this Order must not wait for a longer period than 2 hours and providing that where a bus has left a parking place specified in Schedule 27 to this Order after waiting thereon the driver thereof shall not within two hours after its leaving permit it to wait again upon that parking place.
40. Save as provided in Article 41 of 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 bus, to stop or remain at rest, at any time, on any day, in those lengths of road specified in Schedule 28 to this Order;

Exemptions

41. Nothing in Articles 38, 39 and 40 of this Order shall render it unlawful to cause or permit a vehicle to wait in those lengths of road specified therein for so long as may be necessary to enable the vehicle, if it cannot conveniently use another road for such purposes, to be used in connection with the following operations:-

- (i) Building and demolition work;
- (ii) The removal of any obstruction to traffic from the highway;
- (iii) The maintenance, improvement, or reconstruction of any of those lengths of road;
- (iv) 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;
- (v) 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;
- (vi) if the vehicle to be used in connection with the delivery or collection of postal packets as defined by Schedule 2 to the Telecommunications Act, 1984;
- (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 is to be used for Ambulance, Fire Brigade or Police purposes;
- (vii) If the vehicle is a public service vehicle; or
- (viii) In relation to a vehicle waiting when the person in control of it: -
 - (a) is required by law to stop, or
 - (b) is obliged to stop in order to avoid an accident, or
 - (c) is prevented from proceeding by circumstances outside his control;
- (ix) If the vehicle is a public service vehicle.

PART VII

PROHIBITION OF DRIVING/ PROHIBITION OF MOTOR VEHICLES EXCEPT FOR ACCESS

Prohibition of Driving

42. Save as provided in Article 43 to this Order, no person shall cause or permit any vehicle to proceed in the lengths of road specified in Schedule 29 to this Order.
- 42A. Save as provided in Article 43 to this Order, no person shall cause or permit any vehicle to proceed in the length or lengths of road specified in **Schedule 29B** to this Order between the hours of 8 am and 5 pm on a Saturday

Exemption

43. Nothing in Article 42 of this Order shall apply to vehicles being used for Police, Fire or Ambulance purposes.

Prohibition of Motor Vehicles (No Access Provision)

- 43A. No person shall cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 29A to this Order, and as described in that Schedule.

Prohibition of Motor Vehicles Except for Access

44. Save as provided in Article 45 to this Order, no person shall cause or permit any motor vehicle to proceed in the lengths of road specified in Schedule 30 to this Order.

Exemptions

- 45.(1) Nothing in Article 44 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in the lengths of road specified as item numbers 1 and 2 of Schedule 30, if the motor vehicle is being used:-
- (a) for the conveyance of persons, goods, or burden to or from any premises situated on or adjacent to that length of road;
 - (b) for the purpose of agriculture in connection with land adjacent to that length of road or for the conveyance or haulage of timber felled upon that land;
 - (c) in connection with any building operation or demolition in or adjacent to that length of road, the maintenance, improvement, or reconstruction of that length of road, or the laying, erection, alteration, or repair in or adjacent to that length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act, 1878;
 - (d) for fire brigade, police, or ambulance purposes;
 - (e) if it cannot conveniently be used for such purpose in any other road, to be used in the service of a local authority or water authority, in pursuance of statutory powers or duties.
- (2) Nothing in Article 44 of this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in the length of road specified as item number 1 of Schedule 30, if the motor vehicle is being used as a public service vehicle on a scheduled service.
- (3) Nothing in Article 44 to this Order shall apply so as to prevent any person from causing any motor vehicle to proceed in the length of road specified as item number 3 of Schedule 30, if the motor vehicle is being used for the conveyance of goods or merchandise to or from any land or premises situated on or adjacent to the said length of road.

PART VIII

CLEARWAYS

46. Save as provided in Article 47 of this Order, no person shall cause or permit any vehicle to wait at any time in the length of road specified in Schedule 31 of this Order.

Exemptions

47. Nothing in Article 46 of this Order shall render it unlawful to cause or permit any vehicle to wait in the length of road specified therein for so long as may be necessary: -
- (a) to enable a person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage;
- PROVIDED that, except where the said person is a disabled person, no vehicle may so wait in the same place for longer than two minutes
- (b) for the purpose of enabling goods or animals to be loaded onto or unloaded from the vehicle.
48. (1) Nothing in Article 46 of this Order shall apply to the following vehicles, that is to say: -
- (a) vehicles when used for Fire Brigade, Ambulance or Police purposes;
 - (b) vehicles when used in the service of a local authority in pursuance of statutory powers or duties;
 - (c) vehicles while waiting upon any authorized parking place.

- (2) Nothing in Article 46 of this Order shall render it unlawful to cause or permit any vehicle to wait at any time in the lengths of road specified therein: -
- (a) if the vehicle is in the service of or employed by the Post Office and is waiting while postal packets addressed to premises adjacent to that road are being unloaded from the vehicle or, having been unloaded therefrom, are being delivered, or while postal packets are being collected from premises or posting boxes adjacent to that road or loading on the vehicles;
 - (b) while the vehicle, if it cannot conveniently be used for such purpose in any road not being the restricted road or outside the prescribed hours, is being used in connection with any building operation or demolition in or adjacent to the said length of road, the maintenance, improvement or reconstruction of the said length of road, or of any laying erection, alteration or repair in or adjacent to the said length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telecommunications Act, 1984;
- (3) Nothing in Article 46 of this Order shall render it unlawful to cause or permit any vehicle to wait in any case where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident, or is prevented from proceeding by circumstances outside his control
- (4) Nothing in Article 46 of this Order shall apply to anything done upon the direction or with the permission of a police constable in uniform.
- (5) Notwithstanding any exemption contained in the proceeding paragraphs of this Article, the person in control of a vehicle waiting during the prescribed hours in the said lengths of road shall move the vehicle on the instructions of a police constable in uniform whenever such moving may be reasonably necessary for the purpose of preventing obstruction.

PART IX

WEIGHT RESTRICTIONS

18 Tonnes

49. Save as provided in Article 50, no person shall cause a heavy commercial vehicle, the maximum gross weight of which exceeds 18 tonnes, to proceed along the lengths of road specified in Schedule 32 to this Order.

Exemptions

50. Nothing in Article 49 inclusive of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the lengths of road referred to therein, if the vehicle is being used:-
- (a) for or in connection with the conveyance of goods or burden to or from any premises situated on or adjacent to those lengths of road;
 - (b) in connection with the carrying out on any land within the control area of any of the following operations, namely: -
 - (i) building, industrial or demolition operations;
 - (ii) the removal of obstructions to traffic;
 - (iii) the maintenance, improvement, or reconstruction of any road; and
 - (iv) the laying erection, alteration, or repair in, or in land adjacent to, any road, of any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any telegraphic line or traffic signs;
 - (c) for fire brigade, police or ambulance purposes;
 - (d) in the service of a Local Authority or water authority in pursuance of statutory powers or duties;
 - (e) for or in connection with mechanical road cleansing or mechanical refuse collection;

- (f) for the purposes of agriculture in connection with land adjacent to the said lengths of road or for the conveyance of haulage of timber felled on that land.

7.5 Tonnes

51. Save as provided in Article 52 of this Order, no person shall cause a heavy commercial vehicle, the maximum gross weight of which exceeds 7.5 tonnes, to proceed along the lengths of road specified in Schedule 33 to this Order.

Exemptions

52. Nothing in Article 51 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the lengths of road referred to therein, if the vehicle is being used:-
- (a) for or in connection with the conveyance of persons, goods, or burden to or from any premises situated on or adjacent to those lengths of road;
 - (b) in connection with the carrying out on any land within the control area of any of the following operations, namely: -
 - (i) building, industrial or demolition operations;
 - (v) the removal of obstructions to traffic;
 - (vi) the maintenance, improvement, or reconstruction of any road; and
 - (vii) the laying erection, alteration, or repair in, or in land adjacent to, any road, of any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any telegraphic line or traffic signs;
 - (c) for fire brigade, police or ambulance purposes;
 - (d) in the service of a Local Authority or water authority in pursuance of statutory powers or duties;
 - (e) for or in connection with mechanical road cleansing or mechanical refuse collection;
 - (f) for the purposes of agriculture in connection with land adjacent to the said lengths of road or for the conveyance of haulage of timber felled on that land;
 - (g) is being used for the purpose of gaining access for garaging or mechanical servicing at any premises owned by the vehicle owner situated on, or adjacent to, the lengths of road specified in the said Schedule;
 - (h) is being used to provide access to or from premises on or adjacent to the other lengths of road which can only reasonably be reached from the restricted length of road as other accesses are unsuitable;
 - (i) is adapted to carry more than 8 passengers and is: -
 - (i) a stage carriage, a scheduled express carriage, a school bus, a works bus or a private excursion bus;
 - (ii) being used to provide access to or from premises on, or adjacent to the said length of road;
 - (iii) being used to provide access to or from premises on or adjacent to other lengths of road which can only be reached from the restricted length of road;
 - (iv) being used to provide a local bus service.
 - (j) is being used to enable a person to board or alight from the vehicle or to enable goods or merchandise to be loaded onto or unloaded from the vehicle.

3 Tonnes

- 52A. Save as provided in Article 52B of this Order, no person shall cause any motor vehicle, the maximum gross weight of which exceeds 3 tonnes, to proceed along the lengths of road specified in Schedule 33A to this Order.
- 52B. Nothing Article 52A to this Order shall apply so as to prevent any person from causing any such vehicle to proceed in the lengths of road referred to therein, if the vehicle is being used:-
- (a) for or in connection with the conveyance of goods or burden to or from any premises situated on or adjacent to those lengths of road;
 - (b) in connection with the carrying out on any land within the control area of any of the following operations, namely: -
 - (i) building, industrial or demolition operations;
 - (ii) the removal of obstructions to traffic;
 - (iii) the maintenance, improvement or reconstruction of any road; and
 - (iv) the laying erection, alteration, or repair in, or in land adjacent to, any road, of any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any telegraphic line or traffic signs;
 - (c) for fire brigade, police, or ambulance purposes;
 - (d) in the service of a Local Authority or water authority in pursuance of statutory powers or duties.

5 Tonnes

53. Save as provided in Article 54 of this Order, no person shall cause any motor vehicle, the unladen weight of which exceeds 5 tonnes, to proceed along the roads or lengths of road specified in Schedule 34 to this Order.

Exemptions

54. Nothing in Article 53 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the lengths of road referred to therein, if the vehicle is being used: -
- (a) for or in connection with the conveyance of goods or burden to or from any premises situated on or adjacent to those lengths of road;
 - (b) in connection with the carrying out on any land within the control area of any of the following operations, namely: -
 - (i) building, industrial or demolition operations;
 - (v) the removal of obstructions to traffic;
 - (vi) the maintenance, improvement, or reconstruction of any road; and
 - (vii) the laying erection, alteration, or repair in, or in land adjacent to, any road, of any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any telegraphic line or traffic signs;
 - (c) for fire brigade, police, or ambulance purposes;
 - (d) in the service of a Local Authority or water authority in pursuance of statutory powers or duties.

10 Tonnes

- 54A. No person shall cause any motor vehicle, the unladen weight of which exceeds 5 tonnes, to proceed along the roads or lengths of road specified in Schedule 34A to this Order.

18 Tonnes – Except for Access, Permit Holders and Vehicles Carrying Livestock

55. For the purposes of this Part of the Order: -

"Permit" means a permit issued under the provisions of Article 58 of this Order and;

"Permit Holder" means a person to whom a permit has been so issued;

"Heavy Goods Vehicle" means a motor vehicle constructed or adapted for use for the carriage of goods or burden of any description, or a trailer so constructed or adapted;

"Maximum Gross Weight" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986 (as amended);

"Owner" in relation to a motor vehicle means the person by whom such vehicle is kept and used;

"The Zone of Exemption" means the zone the boundary of which is: -

- (i) The parishes of Brough, Brough Sowerby, Hartley, Nateby, Mallerstang, Wharton, Kirkby Stephen, Waitby, Soulby, Crosby Garrett and Ravenstonedale;
- (ii) That part of Musgrave Parish south of the A66 trunk road;
- (iii) That part of Stainmore Parish west of a line between the point at which its boundary with Brough Parish crosses the A66 trunk road (near Angill House) and a point on its boundary with Brough Sowerby Parish 200m east of Tewfitt Mires;
- (iv) That part of Kaber Parish west of a line joining the public footpath crossing of River Belah (south of New Hall), and the point where the boundary with Winton Parish crosses the Great Stowgill;
- (v) That part of Winton Parish between the point where its boundary with Kaber Parish crosses the Great Stowgill, and the point where the boundaries of Winton and Hartley Parishes meet North Yorkshire (near Nine Standards Rigg);
- (vi) That part of Orton Parish south of a line from the B6260 road crossing of the River Lune (north of Tebay), via a point on the B6261 road 200m south of its junction with the C3070 road (near Fawcett Mill), and a point on the C3072 road 300m south of the C3070 road (near Raisbeck), to the point where the boundaries of Orton, Ravenstonedale and Crosby Garrett meet (near Sunbiggin Tarn);
- (vii) That part of Tebay Parish east of a line along the B6260 and the A685 roads between the B6260 crossing of the River Lune (north of Tebay) and the A685 junction with unclassified road U3781 (in Tebay) and continuing to meet the boundary of the parish with the Parish of Orton on Uldale Head.

56. Save as provided in Articles 57 and 58 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a Civil enforcement officer, cause or permit any heavy goods vehicle the maximum gross weight of which exceeds 18 tonnes to proceed in any part of the length of road specified in Schedule 35 to this Order and identified by The Traffic Signs Regulations and General Directions 2016 Schedule 3, Part 2 with the authorised variant "Except for Access, Permit Holders and Vehicles Carrying Livestock".

Exemptions

57. (1) Nothing in Article 56 of this Order shall apply so as to prevent any person from causing or permitting any such vehicle to proceed in any part of the length of road specified in Schedule 35 to this Order if the vehicle is: -
- (a) Being used for or in connection with the conveyance of goods or burden to or from any premises, or to enable merchandise to be loaded or unloaded to or from any premises, situated on or adjacent to that length of road or located within the Zone of Exemption;

- (b) Being used in connection with the carrying out on, or on premises situated on or adjacent to, that length of road of any of the following operations, namely: -
 - (i) Building, industrial or demolition operations;
 - (ii) The removal of obstructions to traffic;
 - (iii) The maintenance, improvement, or reconstruction of the said road;
 - (iv) The laying, erection, alteration, or repair in, or on land adjacent to, that length of road of any sewer or of any main pipe or apparatus for the supply of water, gas or electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act, 1984;
- (c) Being used for Fire Brigade, Police or Ambulance purposes;
- (d) Being used in the service of a local authority or a water or sewage undertaker in pursuance to statutory powers or duties.
- (e) Being used for the conveyance of livestock, being sheep, pigs, goats, cattle, poultry, or equine: -
 - (i) to or from any premises situated on or adjacent to that length of road or to other lengths of road which can only be reached from the restricted length of road or to any other destination; or
 - (ii) in order that the said vehicle may wait for as long as is necessary to rest the said livestock if the journey time is lengthy so that the maximum transportation times for the animals is not breached.
- (f) Adapted to carry more than 8 passengers and is: -
 - (i) A stage carriage, a scheduled express carriage, a school bus, a works bus, or a private excursion bus;
 - (ii) Being used to provide access to or from premises on, or adjacent to the said Length of road;
 - (iii) Being used to provide access to or from premises on or adjacent to other lengths of road which can only be reached from the restricted length of road;
 - (iv) Being used to provide a local bus service.
- (2) Providing that nothing in Article 57(a) above shall apply unless the driver of such a vehicle can produce written evidence of the purpose detailed in the said Article, either by way of a Delivery Note or by other means, if requested to do so by a Police Constable in uniform or by a Civil enforcement officer.

58. (1) Any owner of a goods vehicle the maximum gross weight of which exceeds 18 tonnes normally garaged or kept at premises situated within the Zone of Exemption who wishes to proceed in the length of road specified in Schedule 35 to this Order for a purpose other than any of those specified in Article 35 of this Order shall be entitled to receive from the Council a Permit indicating that the vehicle is exempt from the provisions of Article 56 , and any application by such owner for a permit shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (2) Any person who in connection with premises (in this paragraph of this Article referred to as "the said premises") situated within the Zone of Exemption wishes a goods vehicle the maximum gross weight of which exceeds 18 tonnes to proceed in the length of road specified in Schedule 35 to this Order for one of the following purposes namely: -
- (a) The conveyance of persons, goods, or burden to or from the said premises; or
 - (b) The laying, erection, alteration, or repair on any road within the Zone of Exemption or in any land adjacent thereto of any sewer of any main pipe or apparatus for the supply of

water, gas, or electricity or of any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act, 1984

- (c) building, industrial or demolition operations;
- (d) Proceeding from/to the said premises to/from any other place;

shall be entitled to receive from the Council a permit indicating that the vehicle is exempt from the provisions of Article 56 of this Order solely for the purpose of gaining access to the said premises and any application by such owner for a permit shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

- (3) Any person other than an owner or person defined in paragraphs (1) and (2) of this Article may apply to the Council for a permit indicating that a goods vehicle the maximum gross weight of which exceeds 18 tonnes is exempt from the provisions of Article 56 and any such applicant for a permit shall give any particulars and information required by the Council and the Council may reconsider such application and determine it as they see fit.
- (4) The Council may require an applicant for a permit to produce to an officer of the Council such evidence in respect of the application as the Council may reasonably require to verify any particulars or information given.
- (5) Where the Council is satisfied that the provision of paragraph (1) of this Article are complied with in relation to an application made under that paragraph, the Council shall issue the applicant therefor one permit stating that a vehicle displaying the permit in accordance with the terms of this Part of this Order is exempt from the provisions of Article 56 and subject to the terms of this Order the effect of such permit when displayed
 - (a) on the vehicle the registration mark of which is specified on the permit, or
 - (b) on a vehicle owned by the operator whose licence number is stated on the permit

shall be to exempt such vehicle from the provisions of Article 56 of this Order provided that, subject to the provisions of Article 60 of this Order, the Council shall not issue a permit in respect of any such vehicle which would be valid for any period to which any other permit issued in respect of that vehicle under this Order extends.

- (6) (a) Where the Council is satisfied that the provisions of paragraph (2) of this Article are complied with in relation to an application made under that paragraph they shall issue to the applicant therefor one permit stating that a vehicle displaying the permit in accordance with the terms of this Order is exempt from the provision of Article 56 of this Order solely for the purpose of gaining access to premises within the Zone of Exemption and the effect of such permit when displayed in accordance with the terms of this Order on a vehicle owned by or being used by or on behalf of the applicant for the permit shall be to exempt such vehicle from the provisions of Article 56 of this Order only during such time as such vehicle is proceeding in the length of road specified in Schedule 35 to this Order for one of the purposes specified in paragraph (2) of this Article.
 - (b) Providing that nothing in the preceding paragraph of this Article shall apply unless the driver of such a vehicle can produce written evidence of the purpose detailed in the said Article, either by way of a Delivery Note or by other means, if requested to do so by a Police Constable in uniform or by a Civil enforcement officer.
- (7) Where the Council decide to grant a permit under paragraph (3) of this Article it may grant a permit either of the type referred to in paragraph (5) or of the type referred to in paragraph (6) of this Article.

- 59. (1) A permit holder may surrender the permit to the Council at any time and shall surrender the permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for a permit, or at any other address believed to be that persons

residence or place of business, withdraw a permit if it appears to the Council that any one of the events set out in paragraph (3) of this Article has occurred and the permit holder shall surrender the permit to the Council within 48 hours of receipt of the said notice.

- (3) The events referred to in the foregoing paragraphs of this Article are: -
- (a) In the case of a permit issued under Article 58 (5) or (6) that the permit holder has ceased to be the owner of the vehicle in respect of which the permit was issued;
 - (b) In the case of a permit issued under Article 58 (5), (6) or (7) that any vehicle in respect of which the permit was issued has ceased to be used for or in connection with any purpose for which the permit was granted;
 - (c) The issue of a duplicate permit by the Council under the provisions of Article 60 of this Order in respect of that vehicle;
 - (d) The expiry of the period for which the permit was issued;
 - (e) The permit has been displayed on a vehicle other than the vehicle in respect of which it was issued.
- (4) A permit shall cease to be valid on the occurrence of any one of the events set out in paragraph (3) of this Article.

60. (1) If the permit is mutilated or defaced or the figures of particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the Council for the issue to him of a duplicate.
- (2) If the permit is lost or destroyed the permit holder may apply to the Council for the issue to him of a duplicate.
- (3) The provisions of this Order shall apply to a duplicate permit and to the application for such a permit in the same way as they apply to the original permit and to the original application for a permit.

61. (1) A permit issued under Article 58 (5) shall be in writing and shall include the following particulars: -
- (a) The registration mark of the vehicle in respect of which it is issued or alternatively the licence number of the operator of the vehicle.
 - (b) The period during which, subject to the provisions of Article 59 (4) of this Order, it shall remain valid.
 - (c) An authentication that it has been issued by the Council.
 - (d) The name of the owner of the vehicle in respect of which it is issued.
- (2) A permit issued under Article 58 (6) shall be in writing and shall include the following particulars:
- (a) The name of the applicant for the permit being the permit holder;
 - (b) The period during which, subject to the provisions of Article 59 (4) of this Order, it shall remain valid;
 - (c) An authentication that it has been issued by the Council;
- (3) A permit issued under Article 58 (7) shall be in writing and shall include such particulars as the Council may decide.

62. At all times during which a vehicle in respect of which a permit is in force is proceeding along the length of road specified in Schedule 35 to this Order the permit shall be displayed on the left or nearside of the front windscreen of the vehicle so that all the particulars referred to in Article 61 of this order are readily visible from the front of the vehicle.

63. Where a permit has been displayed on a vehicle in accordance with the provisions of Article 62 of this Order no person shall remove this permit from the vehicle unless authorised to do so by the driver or the owner of the vehicle.

33 Tonnes

- 63A. No person shall cause any motor vehicle, the unladen weight of which exceeds 33 tonnes, to proceed along the roads or lengths of road specified in Schedule 35A to this Order.

PART X

ONE-WAY TRAFFIC RESTRICTIONS

64. No person shall cause or permit any vehicle to proceed along the lengths of road or sides of road specified in Schedule 36 to this Order, other than in the directions specified therein.

PART XI

PROHIBITION OF RIGHT-HAND TURN

65. No person shall cause or permit any vehicle to make a right hand turn at the locations or on the lengths of road specified in Schedule 37 to this Order, unless that vehicle is a vehicle being used for police, fire brigade or ambulance purposes.

PART XII

WIDTH RESTRICTIONS

2.0m meters/6'6" Width Restriction

66. Save as provided in Article 67 of this Order, no person shall cause or permit any vehicle the width of which, inclusive of any load on the vehicle, exceeds 2.0 metres (6 feet 6 inches) to proceed, at any time, in the lengths of road specified in Schedule 38 to this Order.

Exemptions

67. Nothing in Article 66 of this Order shall apply so as to prevent any person from causing any vehicle to proceed in the lengths of road specified in that Article if the vehicle is being used: -
- (a) for police, fire brigade or ambulance purposes;
 - (b) for the conveyance of persons, good or merchandise to or from any premises situated on or adjacent to the length of road;
 - (c) for the purpose of agriculture in connection with land adjacent to the length of road or for the conveyance or haulage of timber felled upon that land;
 - (d) in connection with any building operation or demolition in or adjacent to the length of road, the removal of any obstruction to traffic in the length of road, the maintenance, improvement, or reconstruction of the length of road of any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any telegraphic line as defined Schedule 2 to the Telecommunications Act, 1984 or
 - (e) in the service of a local authority in pursuance of its statutory powers or duties.

PART XIII

PROVISION OF LOADING AREAS

68. Save as provided in Articles 69 to this Order, no person shall cause or permit any vehicle to wait between the hours of 8.00 am and 6.00 pm on a Monday to Saturday inclusive, in the lengths of road or sides of road specified in Schedule 39 to this Order EXCEPT for the purpose of loading or unloading.

Exemptions

69. (1) Nothing in Article 67 to 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 therein if the vehicle is: -
- (a) being used by statutory undertakers or their contractors in connection with any building operation or demolition, the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, or repair in or near the said parking place 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;
 - (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; or
 - (c) being used for police, fire brigade or ambulance purposes, or a vehicle (other than a passenger vehicle) in the service of a local authority or water authority which is being used in pursuance of statutory powers or duties.
- (2) Nothing in Article 67 to this Order shall apply to a public service vehicle which is waiting in the length of road specified as item 2 of Schedule 39.

PART XIII A

SUPPLEMENTARY PROVISIONS

Indication of Parking Places and Signage

- 69A. (1) It is hereby declared that (for the avoidance of doubt) that the Council shall (in its sole discretion) have the power to carry out the following actions, namely: -
- (i) to cause the limits of each and any parking place designated by this Order to be indicated on the carriageway by placing and maintaining thereon traffic signs of any size colour and type prescribed or authorised under Section 64 of the 1984 Act;
 - (ii) to place and maintain on or in the vicinity of each such parking place, traffic signs of any size colour and type prescribed or authorised under Section 64 of the 1984 Act indicating that such parking place may be used during the prescribed hours for the leaving of vehicles only as specified in this Order; and
 - (iii) to carry out such work as is reasonably required for the purposes of the satisfactory operation of these designated parking places.

Powers to Suspend Use of Parking Places

- (2) Any civil enforcement officer or other person duly authorised by the Council may suspend the use of any parking place or any part thereof whenever he or she considers such suspension reasonably necessary as follows: -
- (i) for the purpose of facilitating the movement of traffic or promoting its safety;

- (ii) for the erection maintenance or removal of any traffic sign adjacent to that parking place;
 - (iii) for the purpose of any building operation, demolition, or excavation in or adjacent to any parking place or the maintenance improvement or reconstruction of any such parking place or the laying erection alteration removal or repair in or adjacent to the designated parking place of any sewer or of any main pipe or apparatus for the supply of gas water or electricity or of any telegraphic line or traffic sign;
 - (iv) for the cleansing of gullies in or adjacent to that parking place;
 - (v) for the convenience of occupiers of premises adjacent or close by to any parking place on any occasion of the removal of furniture from one dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository, or on the occasion of works being carried out to or within any such premises;
 - (vi) on any occasion of any public procession rejoicing or illumination, or where the streets are thronged or liable to be obstructed.
- (3) Without prejudice to the generality of any other statutory provision, a Police Constable in uniform may suspend for not longer than 24 hours the use of any parking place or any part thereof designated by this Part of this Order whenever he or she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.

Traffic Signs and Cones

- (4) (i) Any person, civil enforcement officer in uniform, Police Officer in uniform, or other authorised person who causes the suspension of the use of any parking place or any part thereof in accordance with Articles 81(2) and 81(3) of this Order, shall thereupon place or cause to be placed in or adjacent to that designated parking place or the part thereof, the use of which is suspended, a traffic sign or cone indicating that waiting by motor vehicles is prohibited.
- (ii) No person shall cause or permit a motor vehicle to be left in any part of a parking place so long as during such period there is in or adjacent to that designated parking place a traffic sign or cone placed in pursuance the preceding Articles of this Order.

Powers to remove vehicles in Parking Places

- (5) (i) It is hereby declared for the avoidance of doubt and in pursuance of statutory powers in that behalf, if any vehicle is left in a position other than in accordance with the forgoing provisions of this Order, then a Police Constable in uniform, a civil enforcement officer in uniform or other person authorised by the Council in that behalf: -
 - (a) may alter or cause to be altered, the position of the vehicle so that its position is in accordance with the said provisions; or
 - (b) may alter or cause to be altered, the position of the vehicle or remove or arrange for the removal of the vehicle to a secure place in the manner and on the basis set out in this Article.
- (ii) Any person or persons altering, or causing the alteration of, the position of any vehicle by virtue of paragraph (1) (i) or (1)(ii) of this Article, may do so by towing or driving the vehicle or in such other manner as he or she or they may think reasonably necessary to enable the position of the vehicle to be altered or the vehicle to be removed.
- (iii) Any person or persons removing or arranging for the removal of any vehicle by virtue of paragraph (1) (i) or (1)(ii) of this Article shall make such arrangements as he/she or others

considers to be reasonably necessary for the safety of the vehicle in the place to which it is removed.

- (6) No person shall, except with the permission of a Police Constable in uniform, civil enforcement officer in uniform or other person duly authorised by the Council in that behalf, drive or permit to be driven any vehicle in a parking place for any purpose other than the purpose of leaving that vehicle in the parking place in accordance with the provisions of this Order or for the purposes of departing from the parking place.

PART XIV

REVOCATION OF EXISTING ORDERS

- 70. The Orders specified in Schedule 40 to this Order are hereby revoked in their entirety unless otherwise specified therein, and to the extent that the provisions of this Order are inconsistent with, or incompatible with, the provisions of any other Order, Byelaws or enactment relating to traffic regulation in the Eden District of Cumbria not specifically referred to in the said Schedule, the provisions of this Order shall prevail for all purposes.

Dated the >< day of >< 20><

THE COMMON SEAL OF)

CUMBRIA COUNTY COUNCIL)

was hereunto affixed)

in the presence of: -)

.....

Authorised Signatory