

South Lakeland Local Committee – 4th April 2011
Appleby New Fair Traffic Regulation Order
Appendix 1 - Appleby New Fair draft traffic regulation order

THE COUNTY OF CUMBRIA (VARIOUS ROADS, SOUTH LAKELAND AREA)
(APPLEBY HORSE FAIR) (TRAFFIC REGULATION) 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 (3), 47, 51, 52, 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:-

PART 1

GENERAL

1. This Order shall come into operation on >< and may be cited as The County of Cumbria (Various Roads, South Lakeland Area) (Appleby Horse Fair) (Traffic Regulation) Order 20><
2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
 - (1) “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 South Lakeland;
 - (2) “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;
 - (2) “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;
 - (3) “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);
 - (4) “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);

- (5) “junction” means, unless otherwise indicated in this Order, the intersection of the general alignment of the carriageway kerblines of two roads;
- (6) “local authority” means, for the purposes of this Order, a County Council or District Council;
- (7) “motor car” shall mean and include any mechanically propelled vehicle not being a motor cycle 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);
- (8) “motor cycle” and “invalid carriage” have the same meanings respectively as in Section 136 of the Act;
- (9) “motor vehicle” means any class of mechanically propelled vehicle including motor cycles 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;
- (10) “parking disc” in relation to Part VII 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;
- (11) “passenger vehicle” means a motor vehicle (other than a motor cycle, an invalid carriage, goods vehicle or heavy commercial vehicle) as defined in this Order;
- (12) “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 fascia 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

(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;

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

(14) “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;

(15) “The 2002 Regulations” means the Traffic Signs Regulations and General Directions 2002;

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

(17) The Interpretation Act 1978 and any statutory modification or reenactment thereof brought into effect after the date of this Order shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament and as if this Order were an Act of Parliament for the purposes of Section 22 of the Interpretation Act 1978.

3. 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, The Road Traffic Act 1991, or by or under any other enactment.

PART 2

PROHIBITION OF WAITING – BETWEEN 1 APRIL TO 30 JUNE INCLUSIVE ANNUALLY

Prohibition of Waiting

4. Save as provided in Articles 4, 6 and 7 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 at any time in the lengths of road or the sides of road specified in Schedule 1 of this Order between 1 April and 30 June inclusive annually;

Exemptions

5. Nothing in Article 4 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 Article 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).

Provided that this paragraph shall not apply to such lengths or sides of road specified in the said Schedules during such times as loading and unloading restrictions are in force.

6. Nothing in Article 4 shall render it unlawful for a person to cause or permit a vehicle to wait in the lengths or road or sides of road specified therein if the vehicle is:-
- (a) being used for the conveyance of persons, goods or burden to or from any premises situated on or adjacent to those lengths of road;
 - (b) 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) waiting to enable it to be used in connection with the removal of any obstruction to traffic;
 - (d) being used in connection with any building operation or demolition
 - (e) being used in connection with the maintenance, improvement or reconstruction of the highway
 - (f) being used in connection with the laying, erection, alteration or repair in or near the said highway 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) being used for or in connection with mechanical road cleansing or mechanical refuse collection;
 - (h) being used in the service of or employed by the post office for the collection/delivery of postal packets;
 - (i) being used in connection with the removal of furniture; or
 - (j) being used in connection with the removal of a coffin containing the remains of a deceased person.
7. 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 no longer than is necessary to take up or set down passengers.

PART 3

PROHIBITION OF MOTOR VEHICLES (EXCEPT FOR ACCESS) – BETWEEN 1 APRIL AND 30 JUNE INCLUSIVE ANNUALLY

8. Save as provided in Article 9 of this Order, no person shall cause any motor vehicle to proceed along the roads or lengths of road specified in Schedule 2 of this Order between 1 April and 30 June inclusive annually.

Exemptions

9. Nothing in Article 8 of this Order shall apply so as to prevent any person from causing any vehicle to proceed along the road or lengths of road specified therein if the vehicle is being used:-
- (a) for the conveyance of persons, goods or merchandise to or from any premises situated on or adjacent to that length of road; or
 - (b) in connection with any building operation or demolition in or adjacent to that length of road, the removal of any obstruction to traffic in 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 any telegraphic lines or traffic sign;
 - (c) any emergency being dealt with by the Police, Fire or Ambulance Service.

PART 4

SUSPENSION OF EXISTING RESTRICTIONS – BETWEEN 1 APRIL AND 30 JUNE INCLUSIVE ANNUALLY

10. The restrictions specified in Schedule 3 to this Order are hereby suspended to the extent specified therein between 1 April and 30 June inclusive annually.

Dated the >> day of >> 20>>

THE COMMON SEAL OF)

CUMBRIA COUNTY COUNCIL)

was hereunto affixed)

in the presence of:-)

SCHEDULE 1

PROHIBITION OF WAITING **BETWEEN 1 APRIL AND 30 JUNE INCLUSIVE ANNUALLY**

<u>Road Number/Name</u>	<u>Extent of Restriction</u>	<u>Side(s) of Road</u>
C5083 Moorthwaite Lane	From its junction with A683 Hodge Bridge, Barbon to its junction with A683 North of Grange Lodge, Casterton	Both
Loop access road to the south of Cross Hall, Cautley A683	For its full length	Both
U5397 Chapelhouse Lane	From its junction with U5402 at Woodclose Caravan Park, Carnforth to its junction with A683 in Casterton	Both
U5822 Hebblethwaite Hall Lane	From its junction with A683 south of Low Ridding to Hebblethwaite Hall	Both
Loop road to NE of Ghyllas Lodge, Cautley Road A683	For its full length	Both
A684 Loop road NE of New Bridge, Sedbergh	For its full length	Both
U5498	From its junction with A683 at Straight Bridge, to jct iwht A684 at Moss Barn	Both
U5489 Dowbiggin Lane	From its junction with A683 east of Straight Bridge to Dovecote Gill, Dowbiggin	Both
U5823	From its junction with A683 to Burnt Mill, Sedbergh	Both
U5396	From its junction with A65 to its junction with Chapelhouse Lane at Woodclose Caravan Park	Both
A683	From District Boundary at Rawthey Bridge, Ravenstonedale to North East termination of 30mph Speed Limit, Sedbergh	Both
A683	From its junction with A684 at Toll Bar Cottage, Sedbergh to its junction with A65(T) near Devils Bridge, Kirkby Lonsdale	Both
C5084 Wandales Lane	From Flush Brow junction with A683 to County Boundary at Gowery Farm, Kirkby Lonsdale	Both
C5084 Greenber Lane	From its junction with A683 at Casterton playing field to its junction with Flush	Both

	Brow	
U3598	From its junction with C5084 Wandales Lane to its junction with A683 in Casterton	Both
U5395 Gatehead Brow and Collier's Lane	From its junction with C5084 Wandales Lane at Gate Head crossroads to its junction with A683 at Toll Bar Cottage.	Both
C5082 High Road	From its junction with the A683 at Middleton Hall to its junction with Barnrigg, Bardon	Both
U3591Banneriggs Brow	From its junction with Barnrigg, Bardon to its junction with U5394 on Barbon Fell	Both
U5390 Stonedross Lane	From its junction with C5083 south Rosebank, Bardon to its junction with A683 near Kirkby Lonsdale Golf Club	Both
U3592	From its junction with C5082 at Stocks Garth, Bardon to its junction with C5083 South of Rosebank, Bardon	Both
U5382 Lowfields Lane	From its junction with A683 east of Underly Grange, Casterton to High Beck Foot Farm, Casterton	Both
U5390 Scaleber Lane	From its junction with U3582 north of Holly Tree Cottage, Casterton to its junction with A683 Near Kirkby Stephen Golf Club	Both
U5382 Betweenegates Lane	From its junction with A683 north of Blakbeck Bridge to its junction with C5082 south of Applegarth, Middleton	Both
C5080	From C5079 near Rigmaden Fam, Mansergh to its junction with A683 north of Bainsbank Farm, Middleton	Both
U5378 Low Lane	From Hawking Hall, Middleton to its junction with A683 at Middleton House	Both
U5380	From its junction with A683 north of Middleton House to its junction with C5082 at Tossbeck Farm, Middleton	Both
U5379	From its junction with C5082 at High Stockdale Bridge , Middleton to its junction with A683 at Grimes Hill Lodge, Middleton	Both
U5652	From its junction with A683 north of Middlleton Head to High Fellside , Middleton	Both
U5653	From Beckside Hall, Middleton to its junction with A683 south of Station House, Middleton	Both
U5651 Jordan Lane	From Holme Farm, Middleton to its junction with A683 north of Middleton	Both
B6256	From its junction with A683 at Four Lanes End Farm to its junction with A684 at the Black Horse, Killington	Both

U5474	From its junction with B6256 north of The Hill, Marthwaite to its junction with A683 east of Becksides, Marthwaite	Both
A684	From its junction with A683 at Toll Bar Cottage, Sedbergh to Lincolns Inn Bridge Sedbergh	Both
A684	From its junction with A683 Long Lane at Sedbergh School to Holebeck Cattlegrid, Longstone Fell	Both
U5484 Buckbank Lane	From its junction with A683 west of Straight Bridge Sedbergh to Thusgill, Cautley	Both
U5500 Marsh Lane	From its junction with A683 at Bratt Barn to March Gate	Both
U5502	From its junction with A683 at High Becksides to Bluecaster	Both
U5822 loop access road to south of Hebblewaite Hall Lane, Cautley	For its full length	Both
U5382	From Treason Field Farm, Middleton to its junction with A683 North of Blackbeck Bridge	Both
U5496	From its junction with A683 west of Glen View, Borrett to Brigflatts Cottage	Both
A65	From a point 30m south east its junction with the A683 to Caton (the Lancashire boundary) to the junction with the B6254 into Kirkby Lonsdale	Both
Stonehall Lane	For its entire length	Both
U5402 Loop Road near Devil's Bridge	From a point 25m from its junction with the A683 to its junction with the U5397 Chapelhouse Lane	East
U5402 Loop Road near Devil's Bridge	From its junction with the U5397 Chapelhouse Lane to a point 40m north of its junction with the A65	East

SCHEDULE 2

PROHIBITION OF MOTOR VEHICLES, EXCEPT FOR ACCESS BETWEEN 1 APRIL AND 30 JUNE INCLUSIVE ANNUALLY

<u>Road Number/Name</u>	<u>Extent of Restriction and Alternative Route</u>
A683 Loop access road to the south of Cross Hall, Cautley	For its full length <u>Diversion of Road Closure</u> A683 Loop access road to the south of Cross Hall, Cautley A683 - Via A683
U5823 Burntmill access Road	From its junction with A683 to Burntmill. There is no diversion - access as agreed with landowner
A683 Loop road to NE of Ghyllas Lodge, Cautley Road A683	For its full length <u>Diversion of Road Closure</u> Via A683
U5397 Chappelhouse Lane	From its junction with U3597 Near Devil's Bridge, NE for approx 20m <u>There is no diversion available – access as agreed with landowner</u>
A684 Loop road NE of New Bridge, Sedbergh	For its full length <u>Diversion of Road Closure</u> Via A684
U5822 loop access road to south of Hebblewaite Hall Lane, Cautley	For its full length <u>Diversion of Road Closure</u> Via A683
U3484 Buckbank Lane	Entire length from its junction with A683 <u>There is no diversion available - access as agreed with landowner</u>
Stonehall Lane	Entire length from its junction with A683 <u>There is no diversion available - access as agreed with landowner</u>
U5402 Loop Road near Devil's Bridge	From its junction with the A683 near Devil's Bridge, north east for a distance of 20m.

SCHEDULE 3

**SUSPENSION OF EXISTING RESTRICTIONS – BETWEEN 1 APRIL AND 30 JUNE
INCLUSIVE ANNUALLY**

<u>Title of Order</u>	<u>Extent of Suspension</u>
The County of Cumbria (Various Roads South Lakeland Area) (Consolidation of Traffic Regulations) Order 2002	Article 5, Part 1 (Miscellaneous) Schedule 2 “Parking Places At All times, Full Week” which relates to the following: - U5402 (Eastbound), from a point approx. 25m from its junction with the A683 to its junction with the U5397 Chapelhouse Lane;
and	U5402 (Southbound), from its junction with the U5397 Chapelhouse Lane to a point approx. 40m north of its junction with the A65(T).

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