

WESTMORLAND AND FURNESS COUNCIL

(VARIOUS ROADS, SOUTH LAKELAND AREA)  
(TRAFFIC REGULATION) ORDER 2024

1. Westmorland and Furness Council hereby give notice that on 30 April 2024 it made the above Order under Sections 1(1) and 2(1) to (4), 32, 35, 35A, 47, 49 and 64 of the Road Traffic Regulation Act 1984.
2. The Order will come into operation on 13 May 2024 and its effect will be to: -
  - i) Introduce “No Waiting At Any Time” restrictions on parts of the following roads: -  
Birch Street, Windermere;  
A65 Bentinck Drive, Kirkby Lonsdale;  
U5527, U5528 and B5343 at Dungeon Ghyll, Great Langdale;  
B5343 near Elterwater;  
A591 Ambleside, alongside Jenkin’s Field; and  
U5532 (Steps End Road), Pelter Bridge.
  - ii) Introduce a “Police Parking Bays” on parts of the following roads: -  
A6 Shap Road, Kendal; and  
A591 between its junctions with Benfield and Greenhead Fold, Grasmere  
Nb: The Bays are solely for use by any vehicle being used for Police purposes.
  - iii) Removing the “No Waiting, 8.00 am – 7.00 pm, Full Week” restrictions on the U5527 Great Langdale, the U5528 Great Langdale and the B5343 Great Langdale; and
  - iv) Removing the “No Waiting At Any Time” restrictions on the A591 Lake Road (south of Waterhead the northbound cycle bypass pull-in), and on the U5532 Steps End Road, Pelter Bridge.

PLEASE REFER TO THE DOCUMENTS ON DEPOSIT AND ON THE COUNCIL'S WEB-SITE FOR FULL DETAILS.

3. Full details of the Order, together with plans showing the lengths of road concerned, and a statement of the Council's reasons for making make the Order, may be: -
  - (i) viewed on the Council’s website using the following link: -;  
<https://www.westmorlandandfurness.gov.uk/parking-streets-and-transport/streets-roads-and-pavements/road-maintenance-closures-and-improvements/proposed-traffic-regulation-orders-tros>
  - (ii) on deposit at County Offices, Kendal, LA9 4RQ; and
  - (ii) at the offices of the undersigned; and
  - (iii) may otherwise be obtained by emailing  
TROconsultation@westmorlandandfurness.gov.uk
4. If you wish to question the validity of the Order or of any provision contained in it on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984 or on the grounds that any requirement of that Act or any instrument made there under has not been complied with in relation to the Order, you may within six weeks of 30 April 2024 apply to the High Court for this purpose.

Chief Legal Officer, Westmorland and Furness, South Lakeland House, Lowther Street,  
Kendal, LA9 4DQ

Dated 9 May 2024

WESTMORLAND AND FURNESS COUNCIL

(VARIOUS ROADS, SOUTH LAKELAND AREA)  
(TRAFFIC REGULATION) ORDER 2024

Westmorland and Furness Council, in exercise of its powers under Sections 1(1) and 2(1) to (4), 32, 35, 35A, 47, 49 and 64 and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on >< and may be cited as Westmorland and Furness Council (Various Roads, South Lakeland Area) (Traffic Regulation) Order 20><

ARRANGEMENT OF ARTICLES

Article(s)

Parts

Part I - General

- 1 – 3 Citation, Commencement, Interpretation etc.

Part II – Prohibition of Waiting

- 4 No Waiting At Any Time, 7 days a week  
5 – 6 Exemptions

Part III – Police Parking Bays

- 7 Police Parking Bay for use solely by any vehicle being used for Police purposes

Part IV – Revocations

- 8 Extent of Orders to be revoked.

## **PART I**

### **GENERAL**

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
- (1) “delivering” and or “collecting” in relation to any goods includes checking the goods for the purpose of their delivery or collection;
  - (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;
  - (3) “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;
  - (4) “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);
  - (5) “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);
  - (6) “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;
  - (7) “junction” means, unless otherwise indicated in this Order, the intersection of the general alignment of the carriageway kerblines boundaries of two roads;
  - (8) “local authority” means, for the purposes of this Order, Westmorland and Furness Council;

- (9) “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);
- (10) “motor cycle” and “invalid carriage” have the same meanings respectively as in Section 136 of the Act;
- (11) “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;
- (12) “owner” in relation to a vehicle means the person by whom such vehicle is kept and used;
- (13) “civil enforcement officer” shall mean the person or persons duly authorised in writing in that behalf (from time to time) by the County Council;
- (14) “parking disc” in relation to the exemptions at Article 5 of this Order, 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;
- (15) “passenger vehicle” means a motor vehicle (other than a motor cycle, an invalid carriage, goods vehicle or heavy commercial vehicle);
- (16) “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;

- (17) "police vehicle means" any motor vehicle being used for police purposes.
- (18) "quarter hour period" means:in relation to Part VII 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;
- (19) "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;
- (20) "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
- (21) "road" means the full width of the highway including the carriageway and footway;
- (22) "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;
- (23) "the 1991 Act" means the Road Traffic Act 1991;
- (24) "The 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016;

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 II

### PROHIBITION OF WAITING

4. Save as provided in Articles 5 and 6 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;

#### Exemptions

5. (1) 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 Schedule during such times as loading and unloading restrictions are in force.
- (2) 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) 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 therefrom, or are being delivered or while postal packets are being collected from the premises or posting boxes adjacent to the parking place in which the vehicle is waiting, or, is in use in connection with the serving 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 depository;

(h) 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.

6. 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 III**

#### **POLICE PARKING BAYS**

7. No person shall, except at the direction of a Police Constable in uniform cause or permit any vehicle to stop or remain at rest, at any time, on any day, in the police parking bay specified in **Schedule 2** of this Order unless that vehicle is a Police Vehicle waiting in pursuance of statutory powers and duties.

**PART IV**  
**REVOCATIONS**

8. The Orders specified in **Schedule 3** to this Order are hereby revoked to the extent 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 South Lakeland area of Westmorland and Furness not specifically referred to in the said Schedule, the provisions of this Order shall prevail for all purposes.
9. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the 30<sup>th</sup> day of April 2024

THE COMMON SEAL OF )  
**WESTMORLAND AND FURNESS COUNCIL** )  
was hereunto affixed )  
in the presence of:- )

Authorised signatory.....



## SCHEDULE 1 – NO WAITING AT ANY TIME

### AMBLESIDE

STREET NAME/ NUMBER	RESTRICTION	SIDE OF STREET	RESTRICTED LENGTH
A591	NWAAT	Both	From a point 280m north of its junction with private access road leading to Horseshoe Cottage and Wansfell Holme for a length of 435m in a south-easterly direction.

## SCHEDULE 1 – NO WAITING AT ANY TIME

### WINDERMERE/BOWNESS

<b>STREET NAME/ NUMBER</b>	<b>RESTRICTION</b>	<b>SIDE OF STREET</b>	<b>RESTRICTED LENGTH</b>
Birch Street	NWAAT	South-east	From the centre of its junction with Crescent Road in a north easterly direction for a distance of 37m.

## SCHEDULE 1 – NO WAITING AT ANY TIME

### MISCELLANEOUS

<b>TOWN/ VILLAGE</b>	<b>STREET NAME/ NUMBER</b>	<b>RESTRICTION</b>	<b>SIDE OF STREET</b>	<b>RESTRICTED LENGTH</b>
Kirkby Lonsdale	A65 Bentinck Drive	NWAAT	Both	From the eastern side of its southernmost junction with the U5402 for a distance of 525m in a westerly direction
Great Langdale	U5528	NWAAT	Both	From its junction with the B5343 for a distance of 60m in a northerly direction
Great Langdale	U5527	NWAAT	Both	From its junction with the B5343 in a southerly direction to the cattle grid near Wall End Farm
Great Langdale	B5343	NWAAT	South	From its junction with the U5527 to the eastern side of Rossett New Bridge
Great Langdale	B5343	NWAAT	North	From its junction with the U5527 to the eastern side of Stickle Ghyll Bridge
Great Langdale	B5343	NWAAT	South	From a point 52m east of the eastern side of Rossett New Bridge to the eastern side of Stickle Ghyll Bridge
Elterwater	B5343	NWAAT	Both	From a point 120m west of its junction with the U5525 for a distance of 55m in a north-westerly direction
Pelter Bridge	U5532 Steps End Road	NWAAT	Both	From U5532/02 Under Loughrigg Road for a distance of 308m in a westerly direction

## SCHEDULE 2 – POLICE PARKING BAYS

TOWN/ VILLAGE	STREET NAME/NUMBER	RESTRICTION	SIDE OF STREET	RESTRICTED LENGTH
Kendal	A6 Shap Road	No Stopping (Except for Police Vehicles)	North- west	From a point 8.5m south- west of the centre of its junction with A6 Shap Road, Fell View lay-by, in a south-westerly direction for distance of 10m
Grasmere	A591	No Stopping (Except for Police Vehicles)	South- west	From a point 24m north- west of the centre of its junction with U5521, in a north-westerly direction for distance of 13m

## SCHEDULE 3      REVOCATIONS

### 1. Title of Order

THE COUNTY OF CUMBRIA (VARIOUS ROADS, SOUTH LAKELAND AREA) (CONSOLIDATION OF TRAFFIC REGULATIONS) ORDER 2023

#### Extent of Revocation

The following entries in Schedule 56 Part 1 – Miscellaneous, No Waiting 8.00 am – 7.00 pm, Full Week, were revoked in their entirety:-

TOWN/VILLAGE	STREET NAME/NUMBER	RESTRICTION	SIDE OF STREET	RESTRICTED LENGTH
Great Langdale	U5528	NW	Both	From its junction with the B5343 to a point 60m in a northerly direction
Great Langdale	B5343	NW	Both	From its junction with the U5527 to a point 90m in an easterly direction.
Great Langdale	U5527	NW	Both	From its junction with the B5343 to a point in a southerly direction to the cattle grid near Wall End Farm, approximately 640m.

### 2. Title of Order

THE COUNTY OF CUMBRIA (VARIOUS ROADS, AMBLESIDE) (CONSOLIDATION OF TRAFFIC REGULATIONS) ORDER 2023

#### Extent of Revocation

The following entries in Schedule 6 No Waiting At Any Time, were revoked in their entirety: -

ROAD NO.	STREET NAME	TYPE	SIDE OF ROAD	FROM	TO
A591	Lake Road (south of Waterhead, the northbound	NWAAT	West	From a point 23m north of the centre of the private access to Stagshaw.	Northwards for a distance of 73m (to include the whole of the

	cycle bypass pull-in)				cycle bypass pull-in)
U5532	Steps End Road	NWAAT	North	From a point 20m west of its junction with the U5532/02 Under Loughrigg Road	For a distance of 8m in westerly direction
U5532	Steps End Road	NWAAT	North	From a point 58m west of its junction with the U5532/02 Under Loughrigg Road	For a distance of 169m in westerly direction
U5532	Steps End Road	NWAAT	South	From its junction with the U5532/02 Under Loughrigg Road	For a distance of 230m in a westerly direction.

# WESTMORLAND AND FURNESS COUNCIL

## (VARIOUS ROADS, SOUTH LAKELAND AREA)

### (TRAFFIC REGULATION) ORDER 2024

#### Statement of Reasons

(As amended by South Lakeland Locality Board decision of 25 January 2024)

Westmorland and Furness Council (“the Council”) proposes to make the above Order, for the following reasons in Section 1(1) Road Traffic Regulation Act 1984:

- a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or
- c) for facilitating the passage on the roads or any other roads of any class of traffic (including pedestrians)

#### **A6 Shap Road and A591 Grasmere – Proposed “No Stopping” (Except for Police) Restrictions**

Alongside Cumbria Constabulary and Cumbria Road Safety Partnership, the Council seeks to reduce the total number of people killed or seriously injured in collisions in the Westmorland and Furness area year on year. Cumbria Constabulary requested we install parking areas suitable for mobile safety cameras in Kendal and Grasmere to gather data and provide evidence for enforcement due to community speeding concerns raised leading the Police to believe there is likelihood of danger arising. A risk review by the Council, to national guidelines, has shown that the locations chosen could be used for parking at any time by members of the public or businesses to park nearby local amenities. This would lead to the the mobile safety camera operations team being unable to perform their duty in reducing the likelihood of danger arising from increased vehicles speeds beyond the posted speed limit.

We therefore we propose a permanent Traffic Regulation Order (TRO) to prohibit stopping except for Police Vehicles (including those directed by the Police) to ensure the parking bays are available for the mobile safety camera operations team as shown on the following plans:

- VO2.001.A6
- VO2.002.GRA

## **Birch Street, Windermere – Proposed “No Waiting At Any Time” Restrictions**

## **Bentinck Drive Kirkby Lonsdale – Proposed “No Waiting At Any Time” Restrictions**

## **The Lakes, Various – Proposed “No Waiting At Any Time” Restrictions**

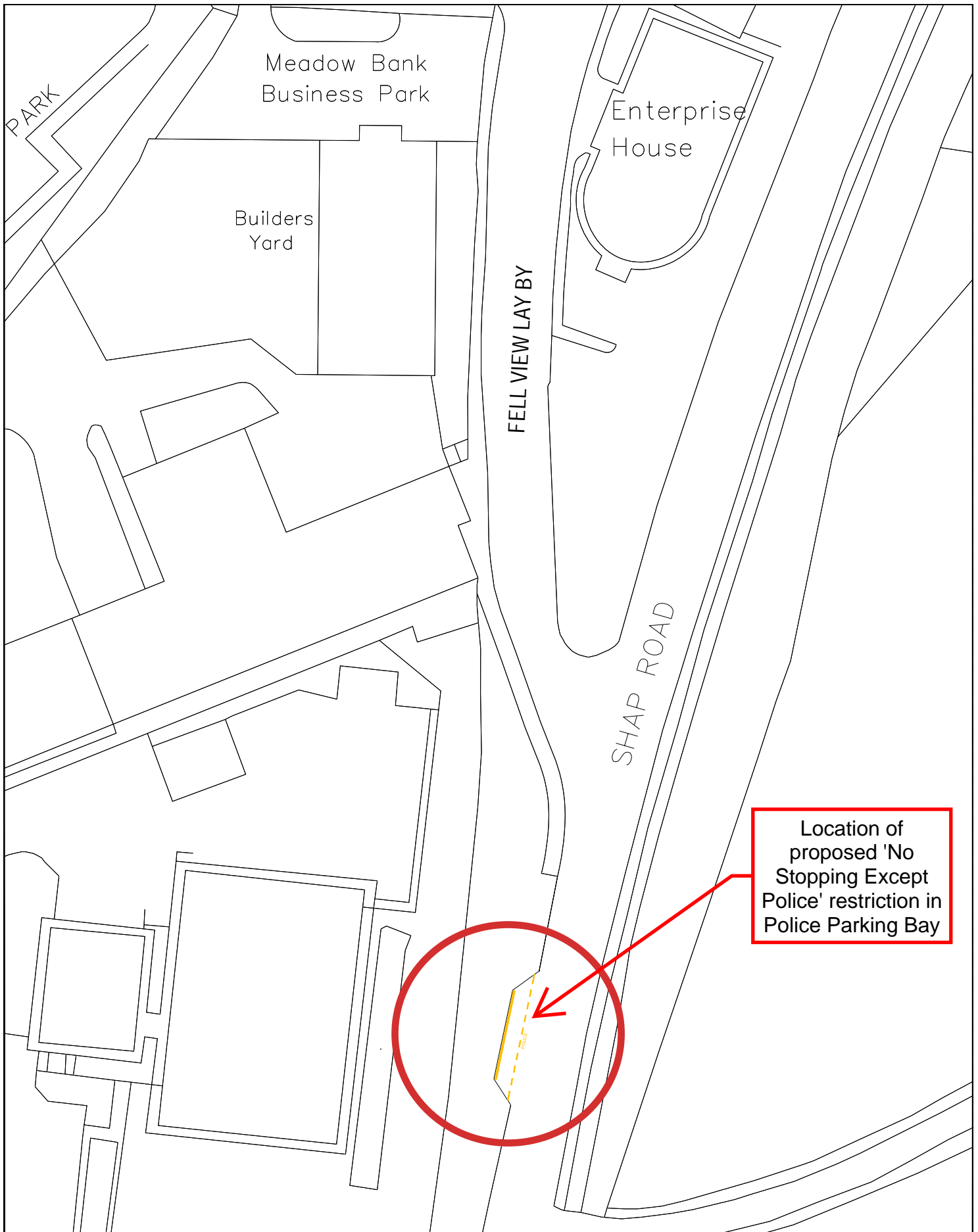
Due to the likelihood of danger to the public, caused by inconsiderate parking causing an obstruction to road users and emergency service vehicles, Westmorland and Furness Council has proposed a Traffic Regulation Order (TRO) to the effect of which is to prohibit any vehicle to wait at any time, on any day along those locations shown on the following plans:

- VO2.003.BIR Birch Street
- VO2.004. KLO Bentinck Drive
- VO2.005.LAK.1 Great Langdale
- VO2.005.LAK.2 Great Langdale
- VO2.005.LAK.3 Elterwater
- VO2.005.LAK.4 Ambleside
- VO2.005.LAK.5 Pelter Bridge

### *South Lakeland Locality Board Decision (Minute 48 refers): -*

RESOLVED: that having taken into account the representations which were received during the statutory consultation and advertisement and having also taken into consideration the matters contained in Section 122 (2) of the Road Traffic Regulation Act 1984, which are more specifically referred to at paragraph 8.1 of this report, that the “Westmorland and Furness Council (Various Roads, South Lakeland Area (Traffic Regulation) Order 20><” be brought into operation as advertised.



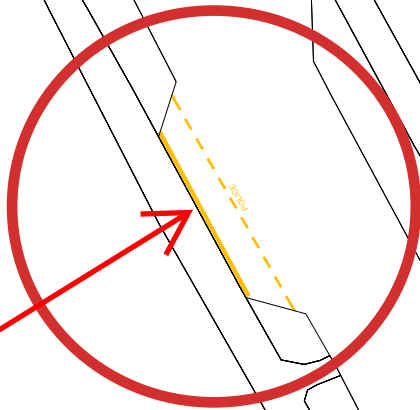


# Smithy Bridge

## A591

## GREENHEAD FOLD

## BENFIELD



Location of proposed 'No Stopping Except Police' restriction in Police Parking Bay



**Westmorland  
& Furness  
Council**

Proposed Restrictions on  
A591, Grasmere

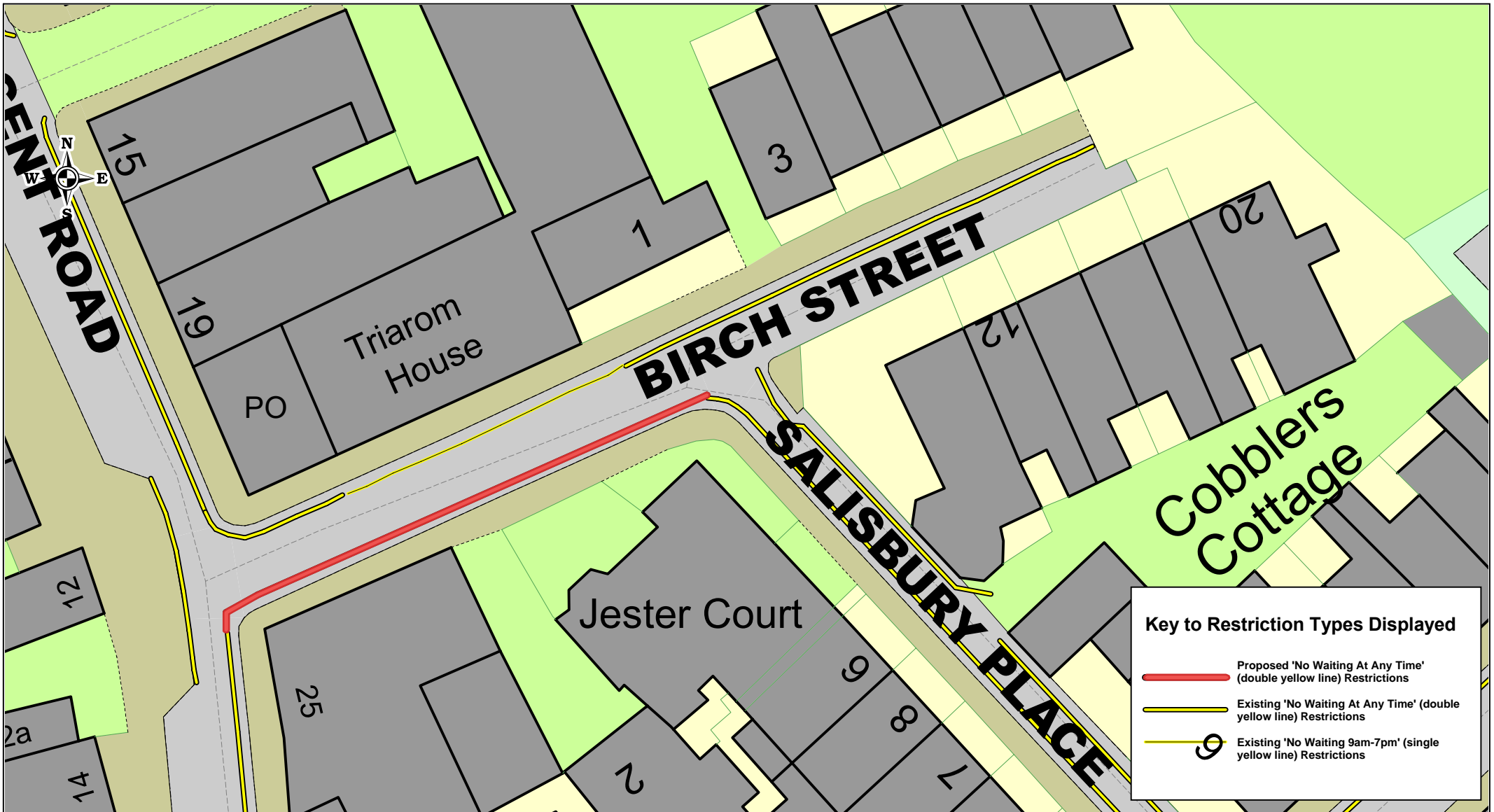
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Drawing No. VO2.002.GRA




Drawn by JT

Scale NTS

Date October 23



**Key to Restriction Types Displayed**

-  Proposed 'No Waiting At Any Time' (double yellow line) Restrictions
-  Existing 'No Waiting At Any Time' (double yellow line) Restrictions
-  Existing 'No Waiting 9am-7pm' (single yellow line) Restrictions



**Proposed Restrictions on U5745, Birch Street, Windermere**

SCALE	<b>1 : 350</b>
DATE	<b>13/09/2023</b>
DRAWING No.	<b>VO2.003.BIR</b>
DRAWN BY	<b>JT</b>

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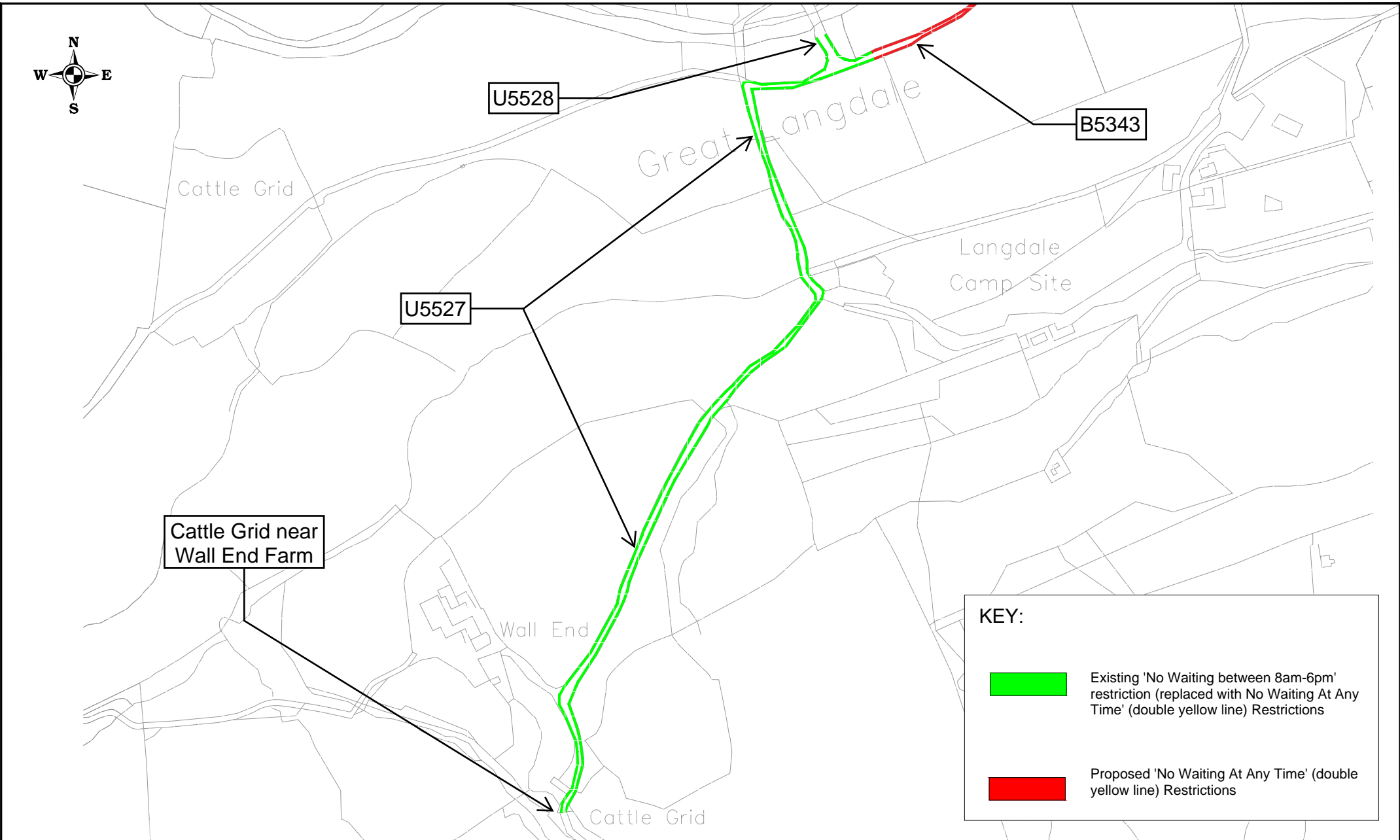
**Key to Restriction Types Displayed**

- Existing 'No Waiting At Any Time' (double yellow line) Restrictions
- Proposed 'No Waiting At Any Time' (double yellow line) Restrictions





**Proposed Restrictions on A65 Bentnick Drive, Kirkby Lonsdale**

SCALE	<b>1 : 1750</b>
DATE	<b>14/09/2023</b>
DRAWING No.	<b>VO2.004.KLO</b>
DRAWN BY	<b>JT</b>
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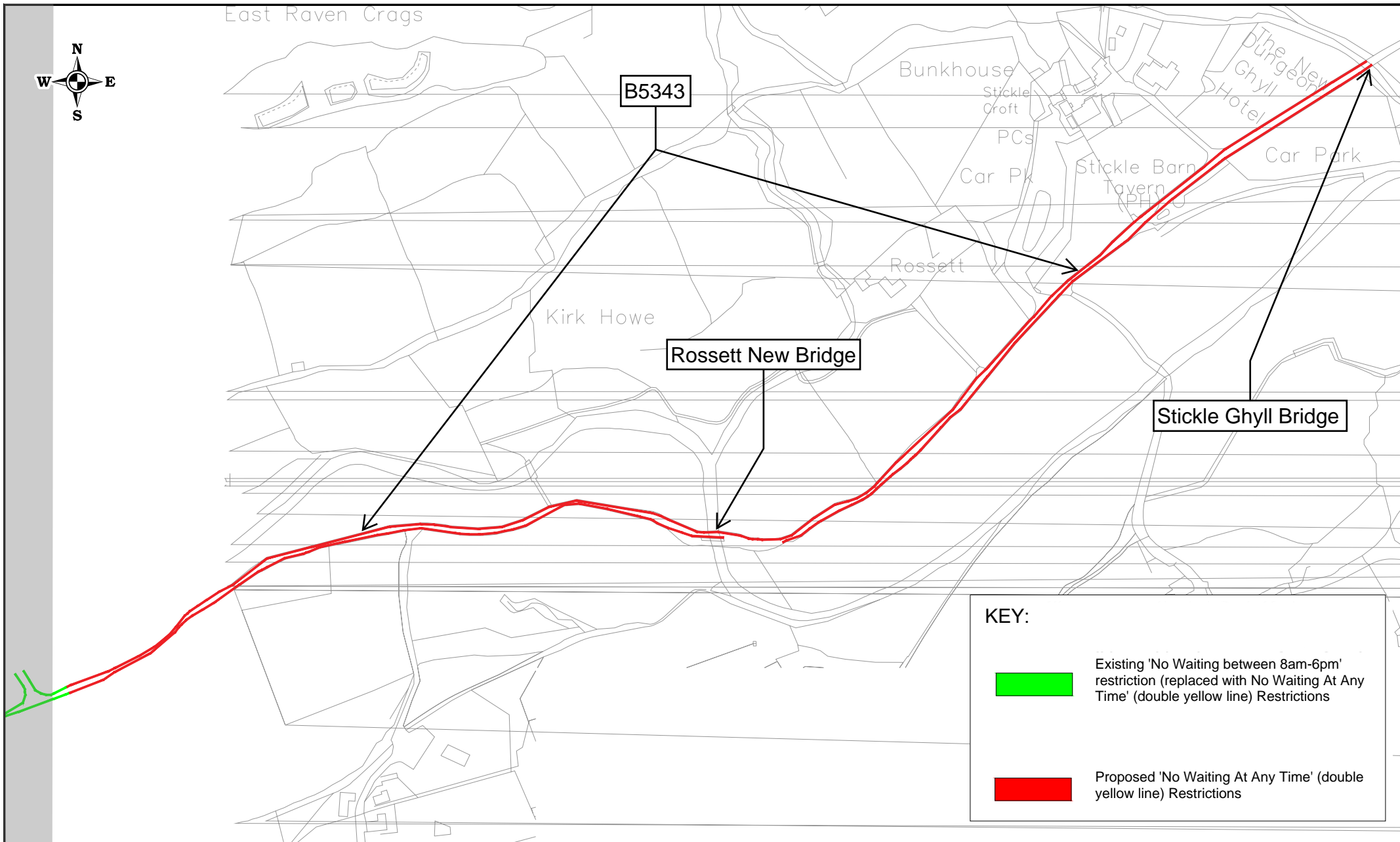


**KEY:**

-  Existing 'No Waiting between 8am-6pm' restriction (replaced with No Waiting At Any Time' (double yellow line) Restrictions
-  Proposed 'No Waiting At Any Time' (double yellow line) Restrictions



East Raven Craggs



**Westmorland  
& Furness  
Council**

South Lakeland House, Lowther St, Kendal LA9 4DQ

### Proposed Restrictions on B5343, Great Langdale

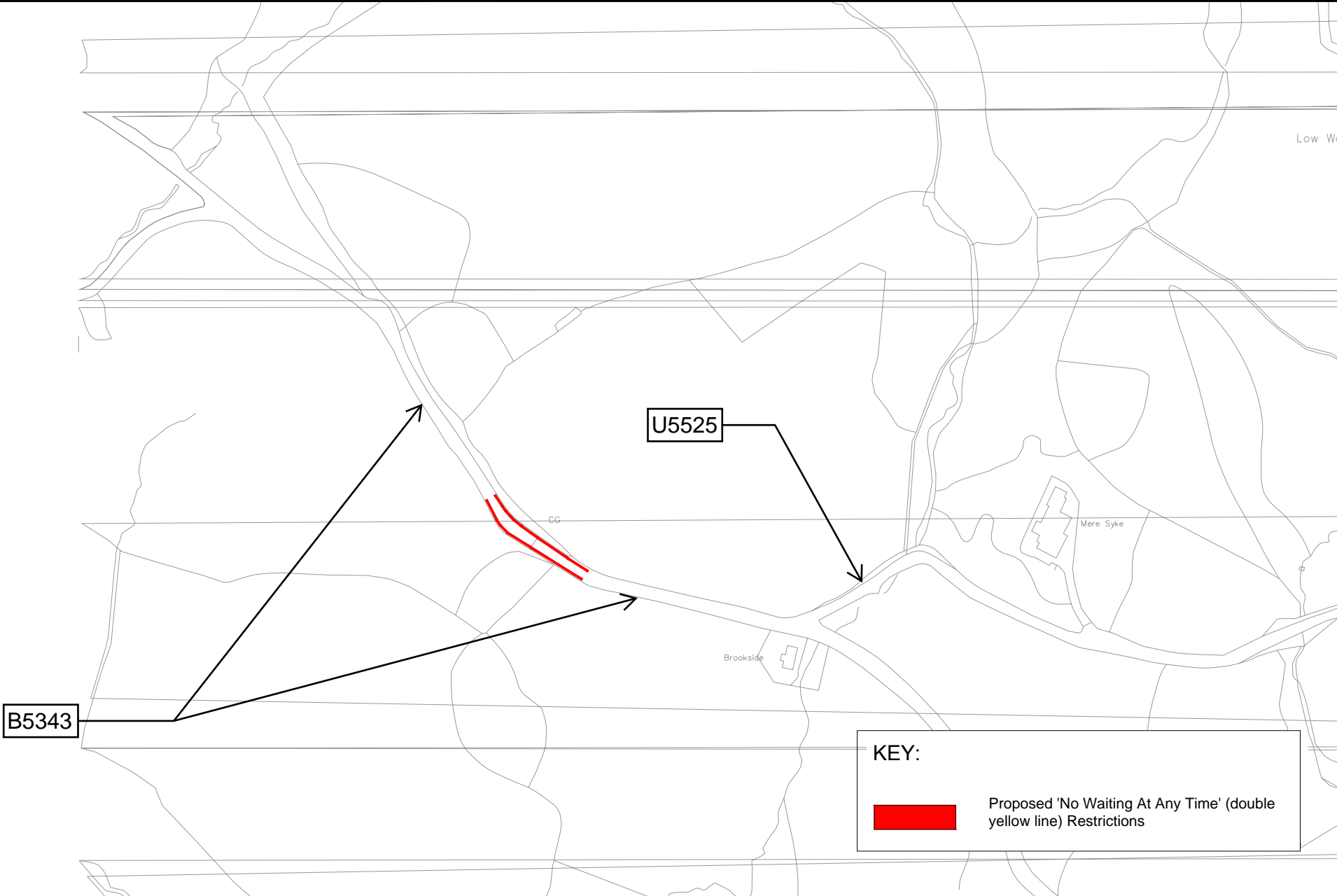
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Drawing No. VO2.005.LAK.2

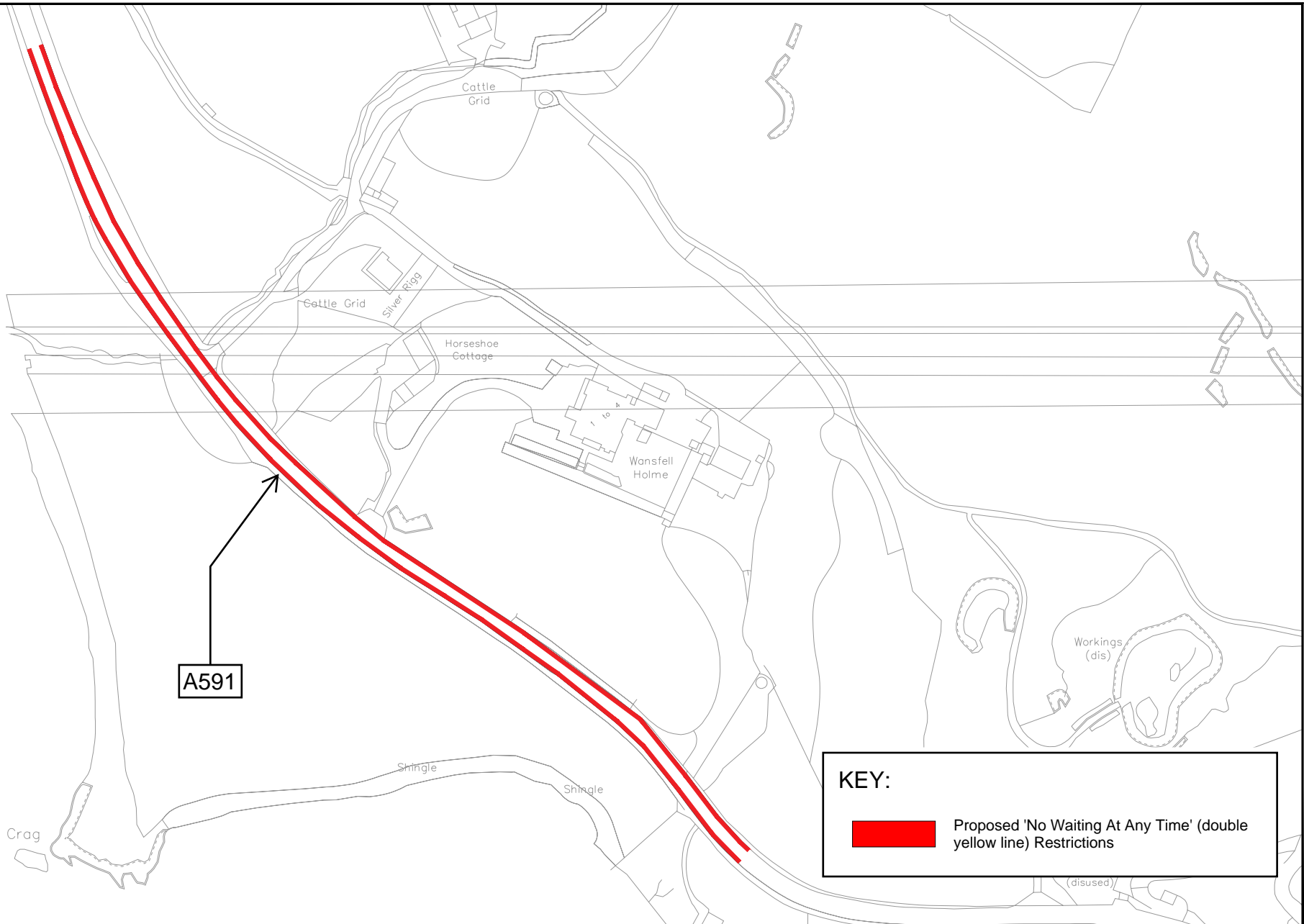
Drawn by JT

Scale NTS

Date July 2022



### Proposed Restrictions on B5343, Great Langdale



**Westmorland  
& Furness  
Council**

South Lakeland House, Lowther St, Kendal LA9 4DQ

### Proposed Restrictions on A591 near Jenkin's Field, Ambleside

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Drawing No. VO2.005.LAK.4

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Scale NTS

Date July 2022





**Westmorland  
& Furness  
Council**

**Proposed Restrictions on  
U5532 at Pelter Bridge**

SCALE	<b>1 : 1500</b>
DATE	<b>07/09/2023</b>
DRAWING No.	<b>VO2.005.LAK.5</b>
DRAWN BY	<b>JT</b>

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