

WESTMORLAND AND FURNESS COUNCIL

(ST GEORGES SQUARE, BARROW-IN-FURNESS) (PROHIBITION OF MOTOR VEHICLES, NO WAITING AT ANY TIME & IMPOSITION OF NO ENTRY SYSTEM) EXPERIMENTAL ORDER 2025

Westmorland and Furness Council ("the Council") in exercise of their powers under Sections 9 and 10, and Schedule 9 of the Road Traffic Regulation Act, 1984, ("the Act"), as amended, and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

1. This Order shall come into operation on the 11th day of April 2025 for a period of up to eighteen months and may be cited as Westmorland and Furness Council (St Georges Square, Barrow-in-Furness) (Prohibition of Motor Vehicles) Experimental Order 2025.

PART 1

GENERAL

2. (1) In this Order:-

"authorised taxi/hackney carriage stand" means any area of carriageway which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 7 of the Traffic Signs Regulations and General Directions 2016;

"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;

"Civil Enforcement Officer" shall mean the person or persons duly authorised in writing in that behalf (from time to time) by the Council;

"delivery" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"disabled person's vehicle" has the same meaning as in the Local Authorities Traffic Orders (Exemption for Disabled Persons) (England and Wales) Regulations 1986;

"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"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;

"goods" includes postal packets of any description and;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicle (Excise) Act 1971;

"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;

"junction" means the intersection of notional lines extending along the centre of the carriageways of each of any of the roads forming the junction;

“local bus service” means a public service vehicle used for the provision of a local service not being an excursion or tour;

“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;

“one way street” means a highway in which vehicles are prohibited at all times from proceeding in any other than one direction;

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used;

“parking disc” means a disc issued by the Local Authority complying with the requirements of the British Standard Specifications for Parking Discs (BS4631:1970), coloured orange and capable of showing the quarter hour period during which a period of waiting begins;

“parking place” means any part of a road authorised by this Order to be used as a parking place;

“passenger vehicle” means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than 12 passengers exclusive of the driver;

“relevant position” means

- (a) in relation to a disabled person’s badge
 - (i) in the case of a vehicle fitted with a front windscreen the obverse side facing forwards on the nearside of and immediately behind the windscreen;
 - (ii) in the case of a vehicle not fitted with a front windscreen in a conspicuous position on the vehicle

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

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016;

“security vehicle” means a vehicle duly constructed for the purpose of conveying valuables and registered to a bone fide security firm;

- (2) any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment
- (3) The Interpretation Act 1978 shall apply for the interpretation of this Order as it

- (4) applies for the interpretation of an Act of Parliament and as if for the purpose of Section 38 of that Act this Order were an Act of Parliament and the Order and Byelaws revoked by Article 26 of this Order were Acts of Parliament thereby revoked
3. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any Regulation made or having effect as if made under the Act, or by or under any other enactment.

PART 2

Prohibition of Driving (At all Times) (Motor vehicles) Except for Access

4. 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 motor vehicle to proceed at any time, along the length of road specified in **Schedule 1** to this Order.

PART 3

Prohibition of Waiting At Any Time

5. Save as provided in Article 6 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 at any time in the length of road or the sides of road specified in **Schedule 2** to this Order.
6. (1) Nothing in Article 5 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).
- (2) Nothing in Article 5 of this Order shall render it unlawful for a person to cause or permit a vehicle to wait in the lengths of road or sides of road specified therein if the vehicle is:-
- (a) 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) 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 or sewerage undertaker which is being used in pursuance of statutory powers or duties;
- (c) Waiting to enable it be used in connection with the removal of any obstruction to traffic;

PART 4

IMPOSITION OF A NO ENTRY SYSTEM

7. No person shall, except upon the direction of a Police Constable in uniform or of a Civil Enforcement Officer, enter that road as specified in schedule 3 to this Order.

Dated the twenty-fifth day of March 2025

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

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Authorised signatory.....

SCHEDULE 1

Prohibition of Driving (At all Times) (Motor vehicles) Except for Access

Street Name	Town	Restricted Length
St George's Square	Barrow-in Furness	From its junction with Church Street to its junction with Salthouse Road (A5087).

SCHEDULE 2

Prohibition of Waiting At Any Time

Street Name	Town	Restricted Length
Church Street	Barrow-in Furness	The north-east side from a point 6.3 metres of its junction with Salthouse Road for 5.8 metres in a north-westerly direction

SCHEDULE 3

Imposition of a No Entry System

Street Name	Town	Restricted Length
St George's Square	Barrow-in Furness	Prohibit any motor vehicle proceeding from Salthouse Road (A5087) into St George's Square.