

THE NORTH YORKSHIRE COUNCIL

(PROHIBITION OF VEHICLES IN EXCESS OF 9.9 METRES IN LENGTH EXCEPT FOR ACCESS)
(CASS LANE, LUMBY)
ORDER 2023

The North Yorkshire Council (hereinafter referred to as "the Council") in exercise of their powers under Sections 1(1), 2(1), 2(2) and 3(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") and Part IV of Schedule 9 to the 1984 Act and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

1. Save as provided in article 2 of this Order no person shall except upon the direction or with the permission of a Police Constable in uniform cause or permit any motor vehicle in excess of 9.9 metres in length to proceed along Cass Lane, Lumby as shown in the Schedule below.
2. Nothing in article 1 of this Order shall render it unlawful for any motor vehicle to proceed along the road therein specified if the vehicle is being used:-
 - (a) for fire brigade, police, or ambulance purposes;
 - (b)
 - (i) in connection with any wedding or funeral taking place from or at premises fronting that road;
 - (ii) in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of that road or any part thereof or the laying erection alteration or repair in that road or in land accessible only from that road of any sewer or of any main pipe, cable or apparatus for the supply of gas water or electricity or of any electronic communications network or electronic communications service as defined in Schedule 3A and Section 32 of the Communications Act 2003;
 - (iii) in the service of a Local Authority or Water Authority in pursuance of their statutory powers and duties;
 - (iv) for the purpose of conveying persons goods or merchandise to or from premises or land adjacent to that road,and cannot conveniently be used for such purpose in any other road.
3. The Council are satisfied that for the following reasons, it is requisite that Section 3(1)(b) of the Act should not apply in relation to this Order:-
 - 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
 - b) for preventing damage to the road or to any building on or near the road
 - c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)
 - d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property
4. The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any Order or regulations made or having effect as if made under the Act or by or under any other enactment.
5. This Order shall come into operation on **\$TBC** and may be cited as "The North Yorkshire Council (Prohibition of Vehicles in Excess of 9.9 metres in Length Except for Access) (Cass Lane, Lumby) Order 2023".

SCHEDULE

Location	Street	Side	From	To
Lumby	Cass Lane	Both	Junction of Butts Lane	Whole length to the junction with A162

EXECUTED as a DEED by affixing the Common Seal)
of **THE NORTH YORKSHIRE COUNCIL** on the)
day of 2023 in the presence of:)

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Authorised signatory

DRAFT