#### The County of Cornwall (Mevagissey) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005

THE CORNWALL COUNTY COUNCIL in exercise of their powers under Sections 1, 2, 32 and 35 (and Part IV of Schedule 9) to the Road Traffic Regulation Act 1984 (hereinafter referred to as "the Act of 1984") 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 of 1984, hereby make the following Order:-

#### 1 **Commencement, Citation and Revocation**

- This Order shall come into operation on the 15<sup>th</sup> day of September 2005 and may be cited 1.1 as "The County of Cornwall (Mevagissey) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005"
- 1.2 The Traffic Regulation Orders specified in Article 7 to this Order are hereby revoked.

2.1.6

2	<u>Interpretations</u>	
2.1		In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-
	2.1.1	"badges regulations" means the Disabled Persons (badges for Motor Vehicles) (England) Regulations 2000;
	2.1.2	"disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
	2.1.3	"disabled person's vehicle" means a vehicle displaying a disabled person's badge in the circumstances prescribed in Regulations 13, 14,15 or 16 of the Disabled Persons (Badges for Motor Vehicles) Regulations 2000;
	2.1.4	"Driver" in relation to a vehicle left at or waiting in a Parking Place means the person driving the vehicle at the time it was left at or is waiting at the Parking Place;
	2.1.5	"enactment" means any enactment whether public, general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

- or not, constructed or adapted for use for the carriage for one person, being a person suffering from some physical defect or disability; 2.1.7 "Loading" and "Unloading" means the conveyance of goods or
  - merchandise to or from any premises situated on or adjacent to that length of road, to the extent that such goods or merchandise cannot, by reason of size, weight or value, reasonably be conveyed otherwise than by vehicle;

"invalid carriage" means a vehicle, whether mechanically propelled

	2.1.8	"Loading Bay" means any area of highway described in the Sixth Schedule to this Order which is comprised within and indicated by a road marking complying with diagram 1028.3 of the Traffic Signs Regulations and General Directions 2002 and showing the words "Loading Only".
	2.1.9	"parking bay" means a space in the parking place which is provided for the leaving of a vehicle;
	2.1.10	"parking place" means any area of highway which is authorised to be used as a parking place under the provisions of this Order;
	2.1.11	"relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
	2.1.12	"taxi" and "taxi rank" have the same meanings respectively as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002;
	2.1.13	any reference to a length or lengths of road is a reference to a length or lengths of road in Mevagissey.
2.2		any reference to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated or re-enacted by, or as having effect by virtue of, any subsequent enactment;
2.3		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 I – RESTRICTIONS ON WAITING AND LOADING

3		Restriction on Waiting, Loading and Unloading of Vehicles in certain roads other than parking places.
3.1		Save as provided in Article 4 of this Order no person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden, cause or permit any vehicle to wait -
	3.1.1	at any time in the lengths of road specified in the Third Schedule to this Order.
	3.1.2	between 1 <sup>st</sup> day of April to 30 <sup>th</sup> day of September (both dates inclusive) in the lengths of road specified in the Fourth Schedule to this Order

between Monday to Saturday (both days inclusive) 1<sup>st</sup> day of April to 30<sup>th</sup> day of September (both dates inclusive) in the lengths of road specified in the Fifth Schedule to this Order

#### **Exemptions from Waiting Restrictions - General**

Nothing in Article 3 of this Order shall -

render it unlawful to cause or permit any vehicle to wait in any of the lengths of road referred to in that Article for so long as may be necessary to enable

- (a) a person to board or alight from the vehicle;
- (b) a vehicle, if it is in the service of or employed by the Post Office, to be used for the purpose of delivering or collecting postal packets as defined in Section 125 (1) of the Postal Services Act 2000;
- (c) goods to be loaded onto or unloaded from the vehicle, provided that, except as specified in paragraph (b) above, no vehicle shall so wait (i) at any time in the lengths of road specified in the First Schedule to this Order; (ii) between the hours of 11am and 4 pm Monday to Saturday (both days inclusive) in the lengths of road specified in the Second Schedule of this Order
- (d) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any building operation or demolition, the removal of any obstruction to traffic, the maintenance, improvement or reconstruction of the length of road so referred to or the laying, erection, alteration or repair in or near to the said length of road of any sewer or of any main, pipe, cable or apparatus for the provision of gas, water, electricity or telecommunications;
- (e) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in pursuance of statutory powers or duties; or
- (f) the vehicle to take in fuel, oil, water or air from any garage situated on or adjacent to the said length of road;

apply to any vehicle being used for police, fire brigade or ambulance purposes.

apply to any vehicle when the person in control of the vehicle -

- (i) is required by law to stop;
- (ii) is obliged to stop in order to avoid an accident; or
- (iii) is prevented from proceeding by circumstances outside his

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control.

4.5 apply to any vehicle owned by a funeral director or owner of funeral vehicles when in use as part of a funeral cortege or otherwise in

connection with a funeral; or

4.6 apply to any taxi while waiting at a duly authorised taxi rank.

Nothing in Article 3.1 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 any of the lengths of road referred to in the said Article for a period not exceeding 3 hours (not being separated by an interval of less than 1 hour from a previous period of waiting by the same vehicle in the same length of road) provided that such period lies within the period during which the exemption as to loading and unloading specified in paragraph (c) of Article 4.2 of this Order applies.

#### **PART II - PARKING PLACES**

4.7

### 5 <u>Loading</u> Bays

5.1 The areas of highway specified in the Sixth Schedule to this Order are authorised to be used, subject to the following provisions of this

Order, as Loading Bays for the leaving of

(i) such classes of vehicle, in such positions, and for such maximum

period, as are specified in Article 5.2 of this Order, and

(ii) on such days and during such hours as is specified in the

Schedule to this Order.

5.2 No person shall cause or permit a vehicle to wait in a parking place

specified in the Schedule :-

5.2.1 unless it is for the time being engaged in the loading or unloading of

goods or merchandise;

5.2.2 unless it is wholly within the limits of the parking place and parallel to

the side of the road nearest to the vehicle;

5.2.3 for longer than is necessary to enable goods or merchandise to be

loaded onto or unloaded from the vehicle

#### PART III - RESTRICTIONS ON USE OF PARKING PLACES

Nothing in Articles 5 shall restrict the power of the Council, for preventing obstruction of the streets, by Order on the occasion of any public procession, rejoicing or illumination, or when the streets are thronged or liable to be obstructed, to close any parking place.

6.2	The driver of a vehicle shall not permit it to wait in the parking place in a position other than that specified in relation to that parking place in the Tenth Schedule to this Order.
6.3	Every vehicle left in a parking place shall stand so that every part of the vehicle is within the limits of the parking place.
6.4	The driver of a vehicle shall not permit it to wait in the parking place in a position other than that specified in Article 6.3 to this Order;
6.5	The driver of a vehicle shall not use the parking place -
6.5.1	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; or
6.5.2	when for preventing obstruction of the streets the Council by Order made on the occasion of any public procession, rejoicing or illumination, or when the streets are thronged or liable to be obstructed, has closed the parking place and exhibited notice of such closing on or near the parking place;
6.6	The driver of a motor vehicle using the 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 or to depart from the parking place.
6.7	No person shall use a vehicle, while it is in the 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 or her skill or services: provided that nothing in this Article shall prevent the sale of goods from a vehicle if the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
6.8	No person shall use any part of the parking place or any vehicle left in the parking place -
	(a) for sleeping or camping purposes;
	(b) for cooking purposes; or
	(c) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.
6.9	Where any vehicle is standing in the parking place in contravention of the provision of Article 6.3 of this Order a police constable in uniform or a traffic warden may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.

6.10

Where a police constable in uniform or a traffic warden is of the opinion that any of the provisions contained in Articles 6.4, 6.5, 6.6, 6.7, 6.8 and 6.9 of this Order have been contravened or not complied with in respect of a vehicle left in the parking place, he may remove or cause to be removed the vehicle from the parking place and, where it is so removed, shall make such arrangements as may be necessary for the safe custody of the vehicle.

#### PART IV - REVOCATION OF TRAFFIC REGULATION ORDERS

7.

7.1 The following Orders are hereby revoked -

The County of Cornwall (Various Streets, Mevagissey) (Restrictions on Waiting) Order 2004

The County of Cornwall (Lower Well Park, Mevagissey) (Restrictions on Waiting) Order 2003

The County of Cornwall (Mevagissey) (Restrictions on Waiting and Loading) Order 2003

The County of Cornwall (Mevagissey) (Valley Road) (Loading Area) Order 2003

The County of Cornwall (Mevagissey) (Various Streets) (Restrictions on Waiting) Order 2002

The County of Cornwall (Mevagissey) (Prohibition of Waiting) Order 1993

The County of Cornwall (Mevagissey) (Cliff Street and Beach Road) (Prohibition of Waiting) Order 1982

The County of Cornwall (Mevagissey) (Prohibition of Waiting) Order 1981

The County of Cornwall (Mevagissey) (Church Street) (Street Parking Place) Order 1994

The County of Cornwall (Mevagissey) (Prohibition of Waiting) Order 1991

The County of Cornwall (Tregony Hill, Mevagissey) (Seasonal Restrictions on Waiting) Order 1978

The Borough of St.Austell with Fowey (Wesley Court, Mevagissey) (Prohibition of Waiting) Order 1978

The County of Cornwall (Mevagissey) (Prohibition of Waiting) Order 1984

The County of Cornwall (Mevagissey) (Wesley Court) (Prohibition of Waiting) Order 1978

The Borough of St.Austell with Fowey (Oliver's Quay, Mevagissey) (Prohibition of Waiting) (No.2) Order 1973

The County of Cornwall (Mevagissey) (Various Streets) (Prohibition of Waiting) Order 1976

The Borough of St.Austell with Fowey (Pentewan and Church Lane, Mevagissey) (Prohibition and Restriction of Waiting) Order 1973

The Borough of St.Austell with Fowey (Mevagissey) (Various Roads) (Prohibition of Waiting) Order 1973

The Urban District of Saint Austell (Mevagissey) (Prohibition of Waiting) (Amendment) Order 1964

The Urban District of Saint Austell (Mevagissey) (Prohibition of Waiting) Order 1961

The Urban District of Saint Austell (Traffic Regulation) (No.2) Order 1953

GIVEN under the Common Seal of the Council this 5<sup>th</sup> day of September 2005.

THE COMMON SEAL of the Cornwall County Council was hereunto affixed in the presence of

#### **ROAD TRAFFIC REGULATION ACT 1984**

THE COUNTY OF CORNWALL
(MEVAGISSEY) (VARIOUS STREETS) (ON-STREET
PARKING PLACES AND RESTRICTIONS ON
WAITING) (CONSOLIDATION) ORDER 2005

# FIRST SCHEDULE No loading at any time

1. Valley Road (B3273)

(a) both sides

from its junction with unnamed access into Trevarth Estate for a distance of 58 metres along the kerbline in a generally north-westerly direction

(b) north-east side

from a point opposite the centre of its junction with the unnamed access into the Trevarth Estate for a distance of 61 metres in a north-westerly direction

#### SECOND SCHEDULE No loading Mon-Sat 11am-4pm

1. Chapel Square (U6101)

both sides

from its junction with River Street to its junction with Church Street

2. Chapel Street (U6101)

both sides

from its junction with Chapel Square to its junction with

Church Street

3. Church Street (U6101)

both sides

from its junction with Chapel Square to its junction with St Georges Square

4. River Street (B3273)

both sides

- (i) from its junction with Chapel Square to its junction with Fore Street on the south side and the entrance to Market Place on the north
- (ii) from its junction with Chapel Square to its junction with Fore Street on the south side and the entrance to Market Place on the north
- 5. St Georges Square (U6101)

both sides

from its junction with Church Street to its junction with Fore Street

### THIRD SCHEDULE No waiting at any time

1. Beach Road (U6101)

(a) north side

from its junction with Cliff Street for a distance of 29 metres in an easterly direction

(b) south side

from its junction with Cliff Street for a distance of 94 metres in an easterly then southerly direction

2.	Chapel Square (U6101)		both sides from its junction with River Street to its junction with Church Street
3.	Chapel Street (U6101)		both sides from its junction with Chapel Square to its junction with Church Street
4.	Church Lane (U6101)	(a) (i) (ii) (b)	north-east side from its junction with Valley Road for a distance of 212 metres in a south-easterly direction from its junction with Prospect Place for a distance of 116 metres in a north-westerly direction south-west side from its junction with Prospect Place to its junction with Valley Road
5.	Church Street (U6101)		both sides from its junction with St Georges Square to its junction with Prospect Place and Church Lane
6.	Cliff Road (U6101)		both sides from its junction with School Hill and Cliff Street for a distance of 27 metres in a northerly direction
7.	Cliff Street (U6101)	(a) (i) (ii)	east side from its junction with Cliff Road to a point 13 metres south of its junction with Beach Road from a point 55 metres south of its junction with Beach
		(iii) (iv) (v) (b) (i) (ii) (iii)	Road for a distance of 24 metres in a southerly direction from a point 97 metres south of its junction with Beach Road for a distance of 22 metres in a southerly direction from a point 153 metres south of its junction with Beach Road for a distance of 27 metres in a southerly direction from the southern side of its junction with Battery Terrace for a distance of 31 metres in a southerly direction. west side from its junction with School Hill for a distance of 156 metres in a southerly direction including forecourt of garage area, finishing outside property named Andalusia from a point 154 metres south of its junction with Beach Road for a distance of 21 metres in a southerly direction from a point 224 metres south of its junction with Beach Road for a distance of 97 metres in a southerly direction
8.	Du Maurier Court/Wesley Court (U6101)	(iv) (v) (b) (i)	Road for a distance of 24 metres in a southerly direction from a point 97 metres south of its junction with Beach Road for a distance of 22 metres in a southerly direction from a point 153 metres south of its junction with Beach Road for a distance of 27 metres in a southerly direction from the southern side of its junction with Battery Terrace for a distance of 31 metres in a southerly direction. west side from its junction with School Hill for a distance of 156 metres in a southerly direction including forecourt of garage area, finishing outside property named Andalusia from a point 154 metres south of its junction with Beach Road for a distance of 21 metres in a southerly direction from a point 224 metres south of its junction with Beach

9.	Fore Street (C0023)		both sides from its junction with Polkirt Hill to its junction with River Street
10.	Higher Well Park (U6101)		both sides from its junction with Portmellon for a distance of 88 metres in a westerly and northerly direction
11.	Kiln Close (U6101)	(a) (b)	north-west side from its junction with School Hill for a distance of 68 metres in a generally south-westerly direction south-east side from its junction with School Hill for a distance of 68 metres in a south-westerly direction
12.	Lavorrick Orchards (Unclassified)	(a) (b)	north side from its junction with Cliff Road for a distance of 33 metres in a westerly direction south side from its junction with Cliff Road for a distance of 40 metres in a westerly direction
13.	Lower Well Park (U6101)	(a) (b)	north-east side from a point 192 metres north-east of its junction with Higher Well Park for a distance of 27 metres along the kerb line in a north-westerly direction south-west side from a point 169 metres north-east of its junction with Higher Well Park for a distance of 20 metres along the kerb line in a north-westerly direction
14.	Market Square (B3273)		both sides from its junction with Fore Street to its junction with River Street
15.	Oliver's Quay (east Wharf) (U6101)		both sides from its junction with St Georges Square to its junction with The Quay
16.	Penwarne Lane (Unadopted)		north-west side from its junction with Portmellon for a distance of 6 metres in a south-westerly direction
17.	Polkirt Hill (C0023)		both sides from its junction with Fore Street to its junction with Portmellon Road and Higher Well Park
18.	Prospect Place (U6101)		both sides from its junction with Church Street to its junction with School Hill

19. River Street both sides (B3273) from its junction with Market Square to its junction with Chapel Square 20. School Hill both sides from its junction with Prospect Place to its junction with (U6101) Cliff Road and Cliff Street 21. St Georges Square both sides Including The Access To East Wharf (Unclassified) For its entire length. 22. Sunny Corner both sides (U6101) from its junction with Church Square for a distance of 50 metres in a north-westerly direction 23. The Meadow both sides (F7101) from its junction with Fore Street for its entire length including the turning head. Tregony Hill 24. (a) both sides (C0009) from its junction with Fore Street to a point 179 metres east of a point opposite the eastern side of its junction with Lamorak Close (b) north side from its junction with Fore Street to a point 176 metres east of its junction with Lamorak Close 25. Unnamed Access Into north-east side Trevarth Estate (Unadopted) from its junction with Valley Road for a distance of 7 metres in a north-westerly direction 26. north-east side Valley Road (a) (B3273) from its junction with River Street to a point 30 metres north-west of its junction with the road from Valley Road to Church Lane (b) south-west side from its junction with Chapel Square to its junction with (i) unnamed access into Trevarth Estate from a point 76 metres north-west of its junction with the (ii) unnamed access into the Trevarth Estate to a point 30 metres north-west of a point opposite the north-western

Church Lane

(iii)

side of its junction with the road from Valley Road to

from its junction with unnamed access into Trevarth

generally north-westerly direction

Estate for a distance of 63 metres along the kerbline in a

27.	Vicarage Hill (U6101)		both sides from its junction with Prospect Place to its junction with Valley Road		
28.	West Wharf (U6101)		both sides from its junction with Fore Street for a distance of 22 metres in an easterly direction		
FOURTH SCHEDULE  No waiting between 01 Apr and 30 Sep					
1.	Cliff Road (U6101)		south-west side from its junction with Vicarage Hill for a distance of 10 metres in a south-easterly direction		
2.	Higher Lavorrick (U6101)	(a) (b)	north-east side from its junction with Vicarage Hill for a distance of 10 metres in a south-easterly direction south-west side from its junction with Vicarage Hill for a distance of 8 metres in a south-easterly direction		
3.	Penwarne Lane (C0023)		south-east side from its junction with Portmellon for a distance of 4 metres in a westerly direction		
4.	Portmellon Road (C0023)	(a) (b)	east side from a point 208 metres north-east of a point opposite the centre of its junction with Portmellon Park to its junction with Polkirt Hill west side from a point 201 metres north-east of its junction with Portmellon Park to its junction with Penwarne Lane		
5.	Tregoney Hill (C0009)	(a) (b)	north side from a point 112 metres east of its junction with Lamorak Close for a distance of 64 metres in a westerly direction south side from a point 112 metres east of its junction with Lamorak Close for a distance of 67 metres in a westerly direction		
6.	Vicarage Hill (U6101)	(a) (b) (c)	east side from a point 69 metres north-east of its junction with Church Lane to its junction with Cliff Road north-west side from its junction with Church Lane to a point 12 metres south-west of its junction with Cliff Road south side from its junction with Church Lane for a distance of 14 metres in an easterly direction		

## FIFTH SCHEDULE No waiting Mon-Sat between 01 Apr and 30 Sep

Vicarage Hill

south side

(U6101)

from a point 14 metres east of its junction with Church Lane for a distance of 55 metres in a north-easterly

direction

## SIXTH SCHEDULE Loading Bay at any time

1. Valley Road (B3273)

south-west side

from a point 66 metres along the kerbline north-west its junction with the unamed access into Trevarth Estate for a distance of 11 metres in a north-westerly direction