

**The County of Cornwall (Roche) (Various Streets) (Restrictions on Waiting) (Consolidation)
Order 2005**

THE CORNWALL COUNTY COUNCIL in exercise of their powers under Sections 1 and 2 (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

1.1 This Order shall come into operation on the 25th day of August 2005 and may be cited as “The County of Cornwall (Roche) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2005”

1.2 The Traffic Regulation Orders specified in Article 5 to this Order are hereby revoked.

2 Interpretations

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;

2.1.6 “**invalid carriage**” means a vehicle, whether mechanically propelled 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;

- 2.1.8 “**parking bay**” means a space in the parking place which is provided for the leaving of a vehicle;
- 2.1.9 “**Parking Permit**” means a parking permit issued by the Council or its local agent or authority;
- 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 Roche.
- 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 of 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 First Schedule to this Order.
- 3.2 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-

3.2.1 on any day in the lengths of road specified in the Second Schedule to this Order -

- (i) for a longer period than 30 minutes; or
- (ii) if a period of less than 1 hour has elapsed since the termination during the said hours of the last period of waiting (if any) of the vehicle in that length of road.

4 **Exemptions from Waiting Restrictions - General**

4.1 Nothing in Article 3 of this Order shall -

4.2 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,

(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;

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

4.4 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 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.
- 4.7 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)
- 4.8 Nothing in Article 3.2 of this Order shall apply to any disabled person's vehicle which displays in the relevant position a disabled person's badge or to an invalid carriage.

PART II - REVOCATION OF TRAFFIC REGULATION ORDERS

5.

- 5.1 The following Orders are hereby revoked -
- The County of Cornwall (Roche) (Prohibition of Waiting) Order 1977
- The County of Cornwall (Roche) (Restriction on Waiting) Order 2000
- The County of Cornwall (Roche) (Fore Street) (Restrictions on Waiting) Order 2003
- The County of Cornwall (Roche) (Various Streets) (Restrictions on Waiting) Order 2003

GIVEN under the Common Seal of the Council this 15th day of August 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
(ROCHE) (VARIOUS STREETS) (RESTRICTIONS
ON WAITING) (CONSOLIDATION) ORDER 2005

FIRST SCHEDULE
No waiting at any time

1. Chapel Road (U6114)
 - (a) north side
from its junction with Victoria Road for a distance of 48 metres in an easterly direction
 - (b) south side
from its junction with Victoria Road for a distance of 52 metres in an easterly direction

2. Edgcumbe Road (B3274)
 - (a) north-east side
from its junction with Victoria Road for a distance of 30 metres in a north-westerly direction
 - (b) west side
 - (i) from a point 40 metres north of the junction with Harmony Road for a distance of 10 metres in a northerly direction
 - (ii) from a point 59 metres north of its junction with Harmony Road for a distance of 28 metres in a northerly direction

3. Fore Street (B3274)
 - (a) east side
from a point 72 metres south of its junction with Chapel Road for a distance of 5 metres in a southerly direction
 - (b) west side
from its junction with Harmony Road for a distance of 23 metres in a southerly direction

4. Harmony Road (C0065)
 - (a) north side
from its junction with Fore Street for a distance of 48 metres in a westerly direction
 - (b) south side
from its junction with Fore Street for a distance of 40 metres in a westerly direction

5. Victoria Road (B3274)
 - (a) east side
 - (i) from its junction with Chapel Road for a distance of 17 metres in a north-easterly direction
 - (ii) from its junction with Chapel Road for a distance of 29 metres in a southerly direction
 - (iii) from a point 42m metres south of its junction with Chapel Road for a distance of 30 metres in a southerly direction
 - (b) west side
 - (i) from its junction with Harmony Road for a distance of 31 metres in a northerly direction
 - (ii) from its junction with Edgcumbe Road for a distance of 49 metres in a north-easterly direction

SECOND SCHEDULE

Limited Waiting 30 minutes no return within 1 hour

1. Edgcumbe Road
(B3274) west side
from a point 50 metres north of the junction with
Harmony Road for a distance of 9 metres in a northerly
direction

2. Victoria Road
(B3274)
 - (a) east side
from a point 29 metres south-west of its junction with
Chapel Road for a distance of 13 metres in a southerly
direction
 - (b) west side
from a point 31 metres north of its junction with Harmony
Road for a distance of 9 metres in a northerly direction