

THE COUNTY OF CORNWALL (CARBIS BAY) (HENDRAS PARK)
(RESTRICTIONS ON WAITING) ORDER 2006

THE CORNWALL COUNTY COUNCIL in exercise of its powers under Sections 1 and 2 of 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. This Order shall come into force on the 26th day of April 2007 and may be cited as "The County of Cornwall (Carbis Bay) (Hendras Parc) (Restrictions on Waiting) Order 2006"
2. In this Order:-
 - (a) 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;
 - (b) "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;
 - (c) "taxi" and "taxi rank" have the same meanings respectively as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002;
 - (d) "relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
 - (e) "disabled person's badge" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;
 - (f) any reference to a length or lengths of road is a reference to a length or lengths of road in Carbis Bay.
3. Save as provided in Articles 4 or 5 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 at any time as specified in the Schedule to this Order;
4. Nothing in Article 3 of this Order shall -
 - (a) 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 -
 - (i) to enable a person to board or alight from the vehicle;
 - (ii) to enable goods to be loaded onto or unloaded from the vehicle,
 - (iii) to enable the 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;
 - (iv) to enable 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;

(v) to enable 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

(vi) to enable the vehicle to take in fuel, oil, water or air from any garage situated on or adjacent to the said length of road;

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

(c) 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.

(d) 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

(e) apply to any taxi while waiting at a duly authorised taxi rank.

5. Nothing in Article 3 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)
6. 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.

GIVEN under the Common Seal of the Council this 16th day of April 2007.

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

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL (CARBIS BAY)
(HENDRAS PARC) (RESTRICTIONS ON WAITING)
ORDER 2006

Min Exec Comm 26/07/00 Agenda No. 8.1 EXD ET

FIRST SCHEDULE

No waiting at any time

1. Hendras Parc
(U6016)
 - (a) north side
from its junction with Porthrepta Road for a distance of
33 metres in a westerly direction
 - (b) south side
from its junction with Porthrepta Road for a distance of
36 metres in a westerly direction