

**The County of Cornwall (Carbis Bay) (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		<b><u>Commencement, Citation and Revocation</u></b>		
1.1		This Order shall come into operation on the 28 <sup>TH</sup> day of October 2005 and may be cited as “The County of Cornwall (Carbis Bay) (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		<b><u>Interpretations</u></b>		
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		“ <b>badges regulations</b> ” means the Disabled Persons (badges for Motor Vehicles) (England) Regulations 2000;	
	2.1.2		“ <b>disabled person’s badge</b> ” has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;	
	2.1.3		“ <b>disabled person’s vehicle</b> ” 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		“ <b>Driver</b> ” 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		“ <b>enactment</b> ” 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		“ <b>invalid carriage</b> ” 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		“ <b>Loading</b> ” and “ <b>Unloading</b> ” 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		“ <b>parking bay</b> ” means a space in the parking place which is provided for the leaving of a vehicle;	

		2.1.9		<b>“parking place”</b> means any area of highway which is authorised to be used as a parking place under the provisions of this Order;
		2.1.10		<b>“relevant position”</b> has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
		2.1.11		<b>“taxi”</b> and <b>“taxi rank”</b> have the same meanings respectively as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002;
		2.1.12		any reference to a length or lengths of road is a reference to a length or lengths of road in Carbis Bay.
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.
<b><u>PART I – RESTRICTIONS ON WAITING AND LOADING</u></b>				
3				<b><u>Restrictions on Waiting, Loading and Unloading of Vehicles in certain roads other than parking places.</u></b>
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.
		3.1.2		between 1 <sup>st</sup> day of May and 30 <sup>th</sup> day of September (both dates inclusive) in the lengths of road specified in the Second Schedule to this Order
		3.1.3		between 9am and 9pm on any day between 1 <sup>st</sup> day of May and 30 <sup>th</sup> day of September (both dates inclusive) in the lengths of road specified in the Third Schedule to this Order
		3.1.4		between 9am and 6pm on any day between 1 <sup>st</sup> day of May and 30 <sup>th</sup> day of September (both dates inclusive) in the lengths of road specified in the Fourth 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		between the hours of 8am and 6pm on any day in the length of road

				specified in the Fifth Schedule to this Order -
				(i) for a longer period than 30 minutes; or
				(ii) if a period of less than 2 hours 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				<b><u>Exemptions from Waiting Restrictions - General</u></b>
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 or her 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.
<b>PART II - REVOCATION OF TRAFFIC REGULATION ORDERS</b>				
5.				
	5.1			The following Orders are hereby revoked -
				The County of Cornwall (Various Streets) (Carbis Bay) (Restrictions on Waiting) Order 2004
				The County of Cornwall (Carbis Bay) (Various Streets) (Restrictions on Waiting) (No.1) Order 2003
				The County of Cornwall (Carbis Bay) (Restrictions on Waiting) (Consolidation) Order 1992
	GIVEN under the Common Seal of the Council this 17 <sup>th</sup> day of October 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  
(CARBIS BAY) (VARIOUS STREETS)  
(RESTRICTIONS ON WAITING)  
(CONSOLIDATION) ORDER 2005

MIN EXEC COMM 26/07/00 AGENDA NO. 8.1 EXD NG

## FIRST SCHEDULE

### No waiting at any time

- |    |                                    |   |
|----|------------------------------------|---|
| 1. | Boskerris Road<br>(U6016)          | <ul style="list-style-type: none"><li>(a) both sides<br/>from its junction with beach Road/Porthrepta Road to the eastern junction of Boskerris Crescent</li><li>(b) north-west side<br/>from its junction with St Ives Road for a distance of 90 metres in a north-easterly direction</li><li>(c) south-east side<br/>from its junction with St Ives Road for a distance of 89 metres in a north-easterly direction</li></ul>  |
| 2. | Count House Lane<br>(Unclassified) | <ul style="list-style-type: none"><li>(a) north-west side<br/>from its junction with St Ives Road for a distance of 21 metres in a south-westerly direction</li><li>(b) south-east side<br/>from its junction with St Ives Road for a distance of 20 metres in a south-westerly direction</li></ul>   |
| 3. | Higher Boskerris<br>(Unclassified) | <ul style="list-style-type: none"><li>(a) north-west side<br/>from its junction with St Ives Road for a distance of 51 metres in a south-westerly direction</li><li>(b) south-east side<br/>from its junction with St Ives Road to a point 13 metres south-west of its junction with the un-named access road leading to Enys Close</li></ul>   |
| 4. | Polmennor Drive<br>(Unclassified)  | <ul style="list-style-type: none"><li>(a) east side<br/>from its junction with St Ives Road for a distance of 15 metres in a southerly direction</li><li>(b) west side<br/>from its junction with St Ives Road for a distance of 17 metres in a southerly direction</li></ul>   |
| 5. | Porthrepta Road<br>(C0324)         | <p>both sides<br/>from its junction with St Ives Road for a distance of 8 metres in a northerly direction</p>   |
| 6. | St Ives Road<br>(A3074)            | <ul style="list-style-type: none"><li>(a) both sides<br/>from a point 14 metres north-west of its junction with Valley Road to a point 26 metres south-east of its junction with Valley Road</li><li>(b) north-east side<br/>from its junction with Richmond Way to a point 314 metres south-east of its junction with Porthrepta Road</li><li>(c) south-west side<ul style="list-style-type: none"><li>(i) from its junction with Polmennor Drive for a distance of 79 metres in a south-easterly direction</li><li>(ii) from a point 59 metres north-west of its junction with Trencrom Lane to a point 89 metres south-east of its junction with the access road leading to Longstone Cemetery</li></ul></li></ul> |

- |    |  |            |  |
|----|--|------------|--|
| 7. | Un-named Access Road<br>Leading To Longstone<br>Cemetery | both sides | from its junction with St Ives Road for a distance of 5 metres in a southerly direction                |
| 8. | Valley Road<br>(Unclassified)                            | (a)        | north side<br>from its junction with St Ives Road for a distance of 29 metres in an easterly direction |
|    |  | (b)        | south side<br>from its junction with St Ives Road for a distance of 10 metres in an easterly direction |

## **SECOND SCHEDULE**

### **No waiting between 01 May and 30 Sep**

- |    |                                |      |   |
|----|--------------------------------|------|---|
| 1. | Richmond Way<br>(Unclassified) | (a)  | east side<br>from its junction with St Ives Road for a distance of 15 metres in a northerly direction                   |
|    |                                | (b)  | west side<br>from its junction with St Ives Road for a distance of 13 metres in a northerly direction                   |
| 2. | St Ives Road<br>(A3074)        | (a)  | north-east side<br>from its junction with Richmond Way to a point 89 metres south-east of its junction with Valley Road |
|    |                                | (b)  | south-west side   |
|    |                                | (i)  | from its junction with Higher Boskerris to a point 74 metres south-east of its junction with Count House Lane           |
|    |                                | (ii) | from its junction with Polmennor Drive for a distance of 125 metres in a north-westerly direction                       |

## **THIRD SCHEDULE**

### **No waiting 9am-9pm between 01 May and 30 Sep**

- |    |                          |     |   |
|----|--------------------------|-----|---|
| 1. | Trencrom Lane<br>(C0324) | (a) | east side<br>from its junction with St Ives Road for a distance of 80 metres in a southerly direction |
|    |                          | (b) | west side<br>from its junction with St Ives Road for a distance of 89 metres in a southerly direction |



#### **FOURTH SCHEDULE**

##### **No waiting 9am-6pm between 01 May and 30 Sep**

- |    |                                 |      |  |
|----|---------------------------------|------|--|
| 1. | Headland Road<br>(Unclassified) | (a)  | north side<br>from its junction with Porthrepta Road for its entire length.                              |
|    |                                 | (b)  | south side<br>from its junction with Porthrepta Road for a distance of 6 metres in an easterly direction |
| 2. | Porthrepta Road<br>(C0324)      |      | both sides<br>for its entire length. .   |
| 3. | St Anta Road<br>(Unclassified)  | (i)  | south side<br>from its junction with Porthrepta Road for a distance of 6 metres in an easterly direction |
|    |                                 | (ii) | from its junction with Porthrepta Road for a distance of 9 metres in an easterly direction               |

#### **FIFTH SCHEDULE**

##### **Limited Waiting 8am-6pm 30 minutes no return within 2 hours**

- |    |                         |  |
|----|-------------------------|--|
| 1. | St.Ives Road<br>(A3074) | south side<br>from a point 79 metres south-east of its junction with Polmennor Drive for a distance of 11 metres in a south-easterly direction |
|----|-------------------------|--|