The County of Cornwall (Perranporth) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2009

THE CORNWALL COUNCIL in exercise of its 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 14th day of August 2009 and may be cited as 1.1 "The County of Cornwall (Perranporth) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2009"

1.2	The Traffic Regulation Orders specified in Article 8 to this Order are hereby revoked.						
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 parking place" means any area of highway described in the Eighth Schedule to this Order which is comprised within and indicated by a road marking complying with the Traffic Signs Regulations and General Directions 2002 as appropriate with respect to Article 5 to this Order;					
	2.1.4	"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;					
	2.1.5	" 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;					

- 2.1.6 "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;
- 2.1.7 "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;
- 2.1.8 "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;
2.1.9	"Loading Bay" means any area of highway described in the Seventh Schedule to this Order which is comprised within and indicated by a road marking complying with the Traffic Signs Regulations and General Directions 2002.
2.1.10	"parking bay" means a space in the parking place which is provided for the leaving of a vehicle;
2.1.11	"parking place" means any area of highway which is authorised to be used as a parking place under the provisions of this Order;
2.1.12	"relevant position" has the same meaning as in the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
2.1.13	"taxi" and "taxi rank" have the same meanings respectively as in Regulation 4 of the Traffic Signs Regulations and General Directions 2002;
2.1.14	any reference to a length or lengths of road is a reference to a length or lengths of road in Perranporth.
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	Restrictions 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

3		Restrictions 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, cause or permit any vehicle to wait -				
	3.1.1	at any time in the lengths of road specified in the Second Schedule to this Order.				
	3.1.2	between 1 st March – 31 st October (both dates inclusive) in the lengths of road specified in the Third Schedule to this Order				
	3.1.3	between 9am and 9pm 1 st March – 31 st October (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, cause or permit any vehicle to wait-				

- 3.2.1 between the hours of 9am and 6pm 1st March 31st October (both dates inclusive) in the length of road specified in the Fifth Schedule to this Order -
 - (i) for a longer period than 1 hour; 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.
- 3.2.2 between the hours of 9am and 6pm 1st March 31st October (both dates inclusive) in the length of road specified in the Sixth 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.

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 at any time in the lengths of road specified in the First 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

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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.

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

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.

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 - PARKING PLACES

5 **Disabled Person's Parking Place**

The area of highway specified in the Eighth Schedule to this Order is authorised to be used, subject to the following provisions of this Order, as a parking place on such days and during such hours as are specified in relation to that area of highway in the said schedule.

No vehicle shall be left at any Disabled Person's Parking Place during the permitted hours unless it displays in the relevant position a valid Disabled Persons Badge or is an invalid carriage.

Loading Bays

The areas of highway specified in the Seventh 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 6.2 of this Order, and (ii) on such days and during such hours as is specified in the Schedule to this Order.

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6.2 No person shall cause or permit a vehicle to wait in a parking place specified in the Schedule :-6.2.1 unless it is for the time being engaged in the loading or unloading of goods or merchandise; 6.2.2 unless it is wholly within the limits of the parking place and parallel to the side of the road nearest to the vehicle; 6.2.3 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				
7.				
7.1	Nothing in Articles 5 and 6 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.			
7.2	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 Seventh and Eighth Schedule to this Order.			
7.3	Every vehicle left in a parking place shall stand so that every part of the vehicle is within the limits of the parking place.			
7.4	The driver of a vehicle shall not permit it to wait in the parking place in a position other than that specified in Article 7.3 to this Order;			
7.5	The driver of a vehicle shall not use the parking place -			
7.5.1	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			
7.5.2	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;			
7.6	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.			
7.7	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.

7.8

Where any vehicle is standing in the parking place in contravention of the provision of Article 7.4 of this Order a police constable in uniform or may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.

7.9

Where a police constable in uniform or a traffic warden is of the opinion that any of the provisions contained in Articles 7.4, 7.5, 7.6, 7.7 and 7.8 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

8.

- 8.1 The following Orders are hereby revoked -
 - 8.1.1 The County of Cornwall (Perranporth) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2005
 - 8.1.2 The County of Cornwall (Perranporth) (Various Streets) (Restrictions On Waiting) (Consolidation) Order 2005 (Amendment no.1) Order 2006
 - 8.1.3 The County of Cornwall (Perranporth) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005 (Amendment No.2) (Part 1) Order 2008
 - 8.1.4 The County of Cornwall (Perranporth) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005 (Amendment No.2) (Part 2) Order 2008

GIVEN under the Common Seal of the Council this 3rd day of August 2009

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

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL (PERRANPORTH) (VARIOUS STREETS) (ON-STREET PARKING PLACES AND RESTRICTIONS ON WAITING) (CONSOLIDATION) ORDER 2009

FIRST SCHEDULE

		No loading at any time	
1.	Beach Road (U6074)	(a) (b)	east side from a point 28 metres north of a point opposite its junction with The Gounce for a distance of 90 metres in a north-westerly direction west side from a point 22 metres north of its junction with The Gounce for a distance of 81 metres in a north-westerly direction
		SECO	OND SCHEDULE
		No wa	iting at any time
1.	Beach Lane (U6074)		north-west side from its junction with Beach Road for a distance of 108 metres in a north-easterly direction
2.	Beach Road (U6074)	(a) (b) (i) (ii)	east side from its junction with St Pirans Road in a northerly direction to its junction with Cliff Road west side from its junction with Tywarnhayle Square to a point 8 metres north of its junction with The Gounce from a point 15 metres north of its junction with The Gounce in a northerly direction to its junction with Cliff Road
3.	Boscawen Road (C0177)	(a) (b)	east side from its junction with Liskey Hill to its junction with St Michael's Road north-west side from its junction with Perrancoombe for a distance of 28 metres in a north-easterly direction
4.	Fuller Road (U6074)	(a) (b)	north-east side from its junction with St George's Hill for a distance of 14 metres in a north-westerly direction south-west side from its junction with St George's Hill for a distance of 16 metres in a north-westerly direction
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5. Granny's Lane (U6074)

- (a) both sides
 - from its junction with Liskey Hill for a distance of 45 metres in a westerly direction
- (b) north-west side from its junction with St Michael's Road for a distance of 191 metres in a south-westerly then easterly direction
- (c) south-east side from its junction with St Michael's Road for a distance of 180 metres in a south-westerly then easterly direction.

6.	Liskey Hill (B3284)	(a) (b)	both sides from its junction with Boscawen Road to a point 24 metres east of its junction with Wainsway west side from a point 2 metres north of its south junction with	
			Liskey Hill Crescent to a point 2 metres south of that junction	
7.	Liskey Hill Crescent (Unadopted)		both sides from its south junction with Liskey Hill for a distance of 3 metres in a westerly direction	
8.	Miners Court (U6074)		both sides from the centre of its kerbline junction with St George's Hill for a distance of 22 metres in a south-easterly direction	
9.	New Road (C0049)		south-west side from a point 340 metres north-west of its junction with Mill Road for a distance of 100 metres in a north- westerly direction	
10.	Perrancoombe (C0177)	(a) (i) (ii) (iii) (b)	north-west side from a point 162 metres south-west of its junction with Boscawen Road to a point 53 metres north-east of its junction with Lower Bolenna from its junction with Boscawen Road for a distance of 37 metres in a south-westerly direction from its junction with Lower Bolenna for a distance of 31 metres in a north-easterly direction south-east side from a point 160 metres south-west of its junction with St Michael's Road for a distance of 151 metres in a south- westerly direction	
11.	Ponsmere Road (U6074)	(a) (b)	east side from its junction with St Pirans Road for a distance of 50 metres in a northerly direction west side from its junction with St Pirans Road for a distance of 49 metres in a northerly direction	
12.	St George's Hill (B3285)	(a) (b)	north-west side from its south-west junction with Tywarnhayle Square to a point 15 metres south-west of its junction with Tredinnick Way south-east side from its junction with Boscawen Road to a point 15 metres south-west of a point opposite its junction with Tredinnick Way	
13.	St Michael's Road (U6074)		both sides from its junction with Boscawen Road to a point 12 metres east of its junction with Sunnyside	

14.	St Pirans Road (B3285)	(a) (i) (ii) (iii) (b) (i) (ii)	north-west side from a point 7 metres south-west of its junction with Ponsmere Road to a point 156 metres generally north- east of that junction from a point 34 metres south-west of its junction with Ponsmere Road for a distance of 27 metres in a south- westerly direction from its junction with Beach Lane for a distance of 16 metres in a north-easterly direction south-east side from a point 18 metres south-west of its junction with Station Road to a point 62 metres generally north of that junction from its junction with Boscawen Road to a point 64 metres south-west of its junction with Station Road
15.	Station Road (C0049)	(a) (b)	north-east side from its junction with St Pirans Road for a distance of 14 metres in a south-easterly direction south-west side from its junction with the Northern Spur of Wheal Leisure to its junction with St Pirans Road
16.	The Gounce (U6074)		both sides from its junction with Beach Road for its entire length.
17.	Tredinnick Way (U6074)	(a) (b)	north-east side from its junction with St George's Hill for a distance of 11 metres in a north-westerly direction south-west side from its junction with St George's Hill for a distance of 12 metres in a north-westerly direction
18.	Tywarnhayle Road (U6074)	(a) (b)	north-west side from its junction with St George's Hill for a distance of 17 metres in a north-easterly direction south-east side from its junction with St George's Hill for a distance of 32 metres in a north-easterly direction
19.	Tywarnhayle Square (north		east side
Western Spur) (n/a)			from its junction with the northern spur for a distance of 5 metres in a south easterly direction
20.	Tywarnhayle Square		north side
(northern Spur) (n/a)			from its junction with Beach Road for a distance of 13 metres in a westerly direction
21.	Tywarnhayle Square (south Western Spur)		south-west side
	Unadopted)		from its junction with St George's Hill for a distance of 25 metres in a north-westerly direction

22. Wainsway (U6074)

both sides

from its junction with Liskey Hill for a distance of 3

metres in a southerly direction

THIRD SCHEDULE

No waiting between 01 Mar and 31 Oct

1. Tywarnhayle Road (U6074)

Cliff Road

5.

(a) east side

from a point 32 metres north of its junction with St George's Hill to its junction with Cliff Road

- (b) west side
- (i) from its junction with Cliff Road to a point 17 metres south of its junction with Tregundy Lane
- (ii) from a point 136 metres south of its junction with Tregundy Lane for a distance of 36 metres in a southerly direction

FOURTH SCHEDULE

No waiting 9am-9pm between 01 Mar and 31 Oct 1. Beach Lane south-east side (U6074) from its junction with St Pirans Road for a distance of 91 metres in a north-easterly direction 2. Boscawen Road (a) east side (B3284) (i) from its junction with Liskey Hill for a distance of 52 metres in north-easterly direction (ii) from a point 64 metres north-east of its junction with Liskey Hill for a distance of 6 metres in a north-easterly (iii) from a point 85 metres north-east of its junction with Liskey Hill to its junction with St Pirans Road west side (b) from its junction with St George's Hill for a distance of 5 (i) metres in a southerly direction from a point 21 metres south of its junction with Liskey (ii) Hill (west spur) to a point 9 metres north of that junction 3. **Budnic Estate** west side from its juncton with Budnic Hill for a distance of 4 (U6074) metres in a southerly direction **Budnic Hill** 4. (a) north side from its junction with St Pirans Road to a point 55 metres (B3285) east of its junction with Ramoth Way (b) south side from its junction with Josephs Court to a point 58 metres east of its junction with Budnic Estate

east side

(a)

(U6074)from its junction with Tregundy Lane for a distance of 120 metres in a generally northerly direction (b) north-east side from its junction with Beach Road to a point 165 metres generally north-east of its junction with Tregundy Lane south-west side (c) from its junction with Beach Road to a point 26 metres north-west of its junction with Tywarnhayle Road (d) west side from its junction with Tregundy Lane for a distance of 103 metres in a generally northerly direction 6. Cliff Road (traffic Island) for its entire circumference (U6074) Droskyn Way both sides 1. from its junction with Tregundy Lane for a distance of 18 (U6074) metres in a southerly direction 2. Liskey Hill (a) north side (B3284) from a point 48 metres west of its junction with Wheal Leisure to a point 2 metres south of a point opposite its junction with Liskey Hill Crescent (b) south side from a point 24 metres east of its junction with Wainsway to a point 2 metres north of its junction with Liskey Hill Crescent 3. Liskey Hill (west Spur) both sides (B3284) from its junction with Boscawen Road to its junction with St George's Hill 4. New Road (a) north-east side (C0049) from its junction with Station Road to a point 33 metres south-east of a point opposite its junction with Station Road (Southern Spur) south-west side (b) from its junction with Station Road to a point 104 metres south-east of its junction with Station Road (southern spur) 5. Perrancoombe (a) north-west side from a point 37 metres south-west of its junction with (C0177)Boscawen Road for a distance of 125 metres in a southwesterly direction south-east side (b) from its junction with St Michael's Road for a distance of 160 metres in a south-westerly direction 6. Ponsmere Road (a) east side from a point 50 metres north of its junction with St Pirans (U6074)

(b)

west side

Road in a northerly direction to its termination

Road in a northerly direction to its termination

from a point 49 metres north of its junction with St Pirans

7.	St Pirans Road (B3285)	(a) (b)	east side from a point 62 metres north of its junction with Station Road to its junction with Josephs Court north-west side from its junction with Budnic Hill to a point 156 metres generally north-east of its junction with Ponsmere Road
8.	Station Road (C0049)		south-west side from its northern junction with Wheal Leisure to its junction with Station Road (southern spur)
9.	Station Road (spur Road	(a)	east side
	To Industrial Estate) (U6074)	(i)	from its junction with New Road/Station Road for a
		(ii)	distance of 85 metres in a southerly direction from a point 109 metres south of its junction with New Road/Station Road for a distance of 61 metres in a southerly direction west side from of its junction with New Road/Station Road for a distance of 196 meters in a southerly direction
		(b)	
10.	Station Road/new Road (C0049)		north-east side from a point 14 metres south-east of its junction with St Pirans Road to its junction with New Road
11.	Tregundy Lane (U6074/Unadopted)		both sides from its junction with Tywarnhayle Road for its entire length.
12.	Wainsway (U6074)		both sides from a point 3 metres south of its junction with Liskey Hill to a point 2 metres south of its junction with its south- east spur
13.	•		both sides
	Spur) (U6074)		from its junction with Wainsway for a distance of 3 metres in a south-easterly direction
14.	Wheal Leisure (U6074)		both sides from its junction with Liskey Hill to its junction with Station Road
15.	Wheal Leisure (south-east		both sides
	Spur) (U6074)		from its junction with Wheal Leisure to its junction with Station Road

FIFTH SCHEDULE

Limited Waiting 9am-6pm between 01 Mar and 31 Oct 1 hour no return within 2 hours

1. Cliff Road (U6074)

(a) north side from a point 93 metres generally north of its junction with Tregundy Lane for a distance of 72 metres in an easterly direction

(b) south side

from a point 23 metres north-west of its junction with Tywarnhayle Road for a distance of 28 metres in a westerly direction

SIXTH SCHEDULE

Limited Waiting 9am-6pm between 01 Mar and 31 Oct 30 minutes no return within 1 hour

1. Boscawen Road (B3284)

west side

from a point 9 metres north of its junction with Liskey Hill to a point 5 metres south of its junction with St George's

- 2. St Pirans Road (B3285)
- (a) north-west side
- (i) from a point 16 metres north-east of its junction with Beach Lane to a point 61 metres south-west of its junction with Ponsmere Road
- (ii) from a point 7 metres south-west of its junction with Ponsmere Road for a distance of 27 metres in a southwesterly direction
- (b) south-east side

from a point 18 metres south-west of its junction with Station Road for a distance of 46 metres in a southwesterly direction

SEVENTH SCHEDULE

Loading Bay Mon-Sat 9am-6pm

1. Beach Road (U6074)

west side

from a point 8 metres north of its junction with The Gounce for a distance of 7 metres in a northerly direction

EIGHTH SCHEDULE

Disabled Parking Bay at any time

1. Boscawen Road (B3284)

east side

- (i) from a point 52 metres north-east of its junction with Liskey Hill for a distance of 12 metres in a north-easterly direction
- (ii) from a point 70 metres north-east of its junction with Liskey Hill for a distance of 15 metres in a north-easterly direction