

The County of Cornwall (St Agnes) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2010

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

- 1.1 This Order shall come into operation on the 29th day of April 2010 and may be cited as "The County of Cornwall (St Agnes) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2010"
- 1.2 The Traffic Regulation Orders specified in Article 5 to this Order are hereby revoked and their provisions are consolidated in this Order.

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 place**” means any area of highway which is authorised to be used as a parking place under the provisions of this Order;
- 2.1.10 “**relevant position**” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- 2.1.11 “**taxi**” and “**taxi rank**” 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 St Agnes.
- 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 uniform, 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 the hours of 9am and 6pm, 1st May and 30th September in the lengths of road specified in the Second Schedule to this Order
 - 3.1.3 Between the hours of 9am and 6pm, Monday and Saturday in the lengths of road specified in the Third 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, Monday to Saturday in the length

of road specified in the Fourth Schedule to this Order -

- (i) for a longer period than 1 hour; or
- (ii) if a period of less than 3 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.

3.2.2 between the hours of 9am and 9pm, Monday to Saturday 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 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 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).

PART II - REVOCATION OF TRAFFIC REGULATION ORDERS

5.

5.1 The following Orders are hereby revoked -

5.1.1 The County of Cornwall (St Agnes) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2005

5.1.2 The County of Cornwall (St Agnes) (Various Streets) (Restrictions On Waiting) (Consolidation) Order 2005 (Amendment No.1) Order 2008

5.1.3 The County of Cornwall (St Agnes) (Rosemundy) (Prohibition of Waiting) Order 2005

5.1.4 The County of Cornwall (St Agnes) (Water Lane) (Prohibition of Waiting) Order 2005

GIVEN under the Common Seal of the Council this 26th day of April 2010.

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

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL
(ST AGNES) (VARIOUS STREETS) (ON-STREET
PARKING PLACES AND RESTRICTIONS ON
WAITING) (CONSOLIDATION) ORDER 2010

FIRST SCHEDULE

No waiting at any time

1. Brecon Close (U6073)
 - (a) north side
from its junction with Trevaunance Road for a distance of 17 metres in a westerly direction
 - (b) south side
from its junction with Trevaunance Road for a distance of 16 metres in a westerly direction
2. British Road (B3285)
 - (a) east side
from its junction with Peterville for a distance of 6 metres in a southerly direction
 - (b) north side
 - (i) from its junction with Vicarage Road for a distance of 14 metres in an easterly direction
 - (ii) from a point 55 metres east of its junction with Vicarage Road for a distance of 42 metres in an easterly direction
 - (iii) from a point 184 metres east of its junction with Vicarage Road for a distance of 18 metres in an easterly direction
 - (iv) from a point 141 metres east of its junction with Vicarage Road for a distance of 22 metres in an easterly direction
 - (c) south side
 - (i) from its junction with Vicarage Road for a distance of 16 metres in an easterly direction
 - (ii) from a point 56 metres east of its junction with Vicarage Road for a distance of 43 metres in an easterly direction
 - (d) west side
from its junction with Town Hill for a distance of 8 metres in a southerly direction
3. Churchtown (B3277)
 - (a) east side
from its junction with Town Hill for a distance of 108 metres in a southerly direction
 - (b) north-west side
from its junction with Trevaunance Road for a distance of 36 metres in a south-westerly direction
 - (c) west side
from a point 60 metres south of its junction with Trevaunance Road in a Southerly direction to a point opposite the centre of its junction with Pengarth
4. Class Iii Road Between Goonown And Goonlaze (C0297)
 - (a) north-west side

from its junction with Goonown Road for a distance of 17 metres in a north-easterly direction
 - (b) south-east side
from its junction with Goonown Road for a distance of 15 metres in a north-easterly direction

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| 5. | Goonlaze
(B3285) | <ul style="list-style-type: none">(a) north side
from a point 3 metres east of its junction with Wheal Kitty for a distance of 21 metres in an easterly direction(b) south side
from a point 1 metres east of its junction with Peterville for a distance of 25 metres in an easterly direction |
| 6. | Goonown Road
(C0297) | <ul style="list-style-type: none">(a) both sides
from its junction with Rosemundy for a distance of 34 metres in a southerly direction(b) north-east side<ul style="list-style-type: none">(i) between a point 22 metres north-west of its junction with the Class III road between Goonown and Goonlaze and a point 30 metres south-east of that junction(ii) from its junction with Goonown Lane for a distance of 47 metres in a north-westerly direction(c) south-west side
from its junction with Albany Close for a distance of 56 metres in a south-easterly direction |
| 7. | Pengarth
(U6073) | <ul style="list-style-type: none">(a) north side
from its junction with Churchtown for a distance of 4 metres in an easterly direction(b) south side
from its junction with Vicarage Road for a distance of 5 metres in an easterly direction |
| 8. | Penwinnick Parc
(U6056) | <ul style="list-style-type: none">(a) north side
from its junction with Penwinnick Road for a distance of 16 metres in an easterly direction(b) south side
from its junction with Penwinnick Road for a distance of 14 metres in an easterly direction |
| 9. | Penwinnick Road
(B3277) | <ul style="list-style-type: none">(a) east side
from its junction with Vicarage Road to a point 29 metres south of its junction with Penwinnick Parc(b) west side
from its junction with Goonvrea Road for a distance of 123 metres in a southerly direction |
| 10. | Peterville
(C0297) | <ul style="list-style-type: none">(a) east side
from a point 8 metres north of its junction with Water Lane to a point 13 metres south of that junction(b) north side
from its junction with Wheal Kitty Lane for a distance of 20 metres in a westerly direction(c) north-west side
between its junction with Quay Road and its junction with the un-named access road to the Public House(d) west side |

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| | | (i) | from a point 26 metres north of its junction with Rosemundy for a distance of 9 metres in a northerly direction |
| | | (ii) | from its junction with Rosemundy for a distance of 18 metres in a northerly direction |
| 11. | Polbreen Avenue (U6073) | (a) | north side
from its junction with Vicarage Road for a distance of 47 metres in a westerly direction |
| | | (b) | south side
from its junction with Vicarage Road for a distance of 45 metres in a westerly direction |
| 12. | Polbreen Lane (U6073) | | both sides
from its junction with Vicarage Road for a distance of 3 metres in a westerly direction |
| 13. | Quay Road (U6074) | | both sides
from its junction with Peterville for a distance of 52 metres in a north-westerly direction |
| 14. | Rosemundy (C0297) | (a) | east side |
| | | (i) | from its junction with Peterville for a distance of 47 metres in a southerly direction |
| | | (ii) | from its junction with Goonown Road for a distance of 21 metres in a northerly direction |
| | | (b) | north side |
| | | (i) | from its junction with Vicarage Road for a distance of 6 metres in an easterly direction |
| | | (ii) | from a point opposite its junction with Goonown Road for a distance of 16 metres in a westerly direction |
| | | (c) | northern side
from a point 58 metres east of its junction with Vicarage Road for a distance of 41 metres in an easterly direction |
| | | (d) | north-west side
from a point opposite its junction with Goonown Road for a distance of 27 metres in a north-easterly direction |
| | | (e) | south side |
| | | (i) | from its junction with Goonown Road for a distance of 20 metres in a westerly direction |
| | | (ii) | from a point 58 metres east of its junction with Vicarage Road for a distance of 44 metres in an easterly direction |
| | | (f) | west side
from its junction with Peterville for a distance of 44 metres in a southerly direction |
| 15. | Rosemundy Hill (C0297) | | south side
from its junction with Vicarage Road for a distance of 2 metres in an easterly direction |
| 16. | The Quay | | both sides |

	(U6074)		from a point 8 metres north-east of its junction with Quay Road for a distance of 156 metres in a north-easterly direction
17.	The Unnamed Unadopted Access Road Leading To The Public House (Unadopted)	(a)	north side
			from its junction with Peterville for a distance of 17 metres in a westerly direction
		(b)	south side
			from its junction with Town Hill for a distance of 14 metres in a westerly direction
18.	The Unnamed Unadopted Road Between The Quay And The Coast Path (Unadopted)		both sides
			from its junction with The Quay for a distance of 37 metres in a north-westerly direction
19.	Town Hill (B3285)	(a)	north side
			for its entire length.
		(b)	south side
		(i)	from its junction with Churchtown for a distance of 53 metres in an easterly direction
		(ii)	from a point 74 metres east of its junction with Churchtown to its junction with British Road
20.	Trevaunance Road (C0196)	(a)	east side
			from its junction with Town Hill for a distance of 206 metres in a northerly direction
		(b)	west side
			between its junction with Churchtown and its junction with Brecon Close
21.	Vicarage Road (B3277)	(a)	east side
		(i)	from a point 4 metres north of its junction with Pengarth in a southerly direction to a point 10 metres south of its junction with Rosemundy
		(ii)	from a point 30 metres south of its junction with Rosemundy to its junction with Penwinnick Road
		(b)	west side
		(i)	from a point 25 metres south of its junction with Polbreen Avenue to its junction with Churchtown
		(ii)	between points 69 metres south and 52 metres north of its junction with Polbreen Lane
22.	Water Lane (U6073)	(a)	north side
			from its junction with Rosemundy for a distance of 16 metres in an easterly direction
		(b)	south side
			from its junction with Rosemundy for a distance of 13

metres in an easterly direction

23. West Kitty
(U6073) both sides
from its junction with Trevaunance Road for a distance
of 3 metres in a westerly direction

SECOND SCHEDULE

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

1. Quay Road
(U6074) both sides
from a point 52 metres north-west of its junction with
Peterville to its junction with The Quay
2. Rocky Lane
(U6074) both sides
from its junction with Quay Road for a distance of 221
metres in a south-westerly direction
3. The Quay
(U6074) south-east side
from its junction with Quay Road for a distance of 8
metres in a north-easterly direction

THIRD SCHEDULE

No waiting Mon-Sat 9am-6pm

1. British Road
(B3285) south side
from a point 14 metres west of its junction with Castle
Meadows to a point 61 metres east of that junction
2. Castle Meadows
(U6073) both sides
from its junction with British Road for a distance of 15
metres in a southerly direction
3. Goonvrea Road
(C0196) (a) north-west side
from its junction with Vicarage Road for a distance of
116 metres in a south-westerly direction
(b) south-east side
from its junction with Penwinnick Road for a distance of
116 metres in a south-westerly direction
4. Kemp's Close
(U6073) both sides
from its junction with Polbreen Avenue for a distance of
4 metres in a northerly direction
5. Pengarth
(U6073) (a) north side
from a point 4 metres east of its junction with
Churchtown for a distance of 34 metres in an easterly
direction

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| | | (b) | south side
from a point 5 metres east of its junction with Vicarage Road for a distance of 36 metres in an easterly direction |
| 6. | Polbreen Avenue (U6073) | (a) | north side
from a point 47 metres west of its junction with Vicarage Road to its junction with Trelawny Road |
| | | (b) | south side
from a point 45 metres west of its junction with Vicarage Road to a point opposite the centre of its junction with Trelawney Road |
| 7. | Polbreen Lane (U6073) | (a) | north side
from a point 3 metres west of its junction with Vicarage Road for a distance of 78 metres in a westerly direction |
| | | (b) | south side
from a point 3 metres west of its junction with Vicarage Road for a distance of 75 metres in a westerly direction |
| 8. | Rosemundy (C0297) | (a) | north side
from a point 6 metres east of its junction with Vicarage Road for a distance of 29 metres in an easterly direction |
| | | (b) | south side
from a point 2 metres east of its junction with Vicarage Road for a distance of 33 metres in an easterly direction |
| 9. | Trelawny Road (U6073) | (a) | north-east side
from its junction with Polbreen Avenue for a distance of 8 metres in a north-westerly direction |
| | | (b) | south-west side
from its junction with Polbreen Avenue for a distance of 12 metres in a north-westerly direction |

FOURTH SCHEDULE

Limited Waiting Mon-Sat 9am-6pm 1 hour no return within 3 hours

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| 1. | Peterville (B3285) | north side
from its junction with Quay Road for a distance of 18 metres in an easterly direction |
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FIFTH SCHEDULE

Limited Waiting Mon-Sat 9am-9pm 30 minutes no return within 1 hour

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| 1. | Churchtown (B3277) | west side
from a point 36 metres south-west of its junction with Trevaunance Road for a distance of 18 metres in a southerly direction |
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2. Vicarage Road
(B3277)
- (a) east side
from a point 10 metres south of its junction with
Rosemundy for a distance of 20 metres in a southerly
direction
 - (b) west side
from a point 25 metres south of its junction with Polbreen
Avenue for a distance of 12 metres in a southerly
direction