

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

THE CORNWALL COUNCIL in exercise of their 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 26th day of June 2009 and may be cited as “The County of Cornwall (Threemilestone) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2009”
- 1.2 The Traffic Regulation Orders specified in Article 7 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 parking place**” means any area of highway described in the Fourth 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 “**parking bay**” means a space in the parking place which is provided for the leaving of a vehicle;
 - 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 Threemilestone.
- 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 8am and 6pm Monday – Friday (both days inclusive) in the lengths of road specified in the Second 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 8am and 6pm Monday – Friday (both days inclusive) in the length of road specified in the Third Schedule to this Order -
 - (i) for a longer period than 1 hour; or
 - (ii) if a period of less than 4 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

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)

- 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 – PARKING PLACES

5 Disabled Person's Parking Place

- 5.1 The area of highway specified in the Fourth 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.
- 5.2 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.

PART III – RESTRICTIONS ON USE OF PARKING PLACES

- 6.
- 6.1 Nothing in Article 5 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.
- 6.2 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 Fourth Schedule to this Order.
- 6.3 Every vehicle left in a parking place shall stand so that every part of the vehicle is within the limits of the parking place.
- 6.4 The driver of a vehicle shall not permit it to wait in the parking place in a position other than that specified in Article 6.3 to this Order;
- 6.5 The driver of a vehicle shall not use the parking place -
- 6.5.1 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
- 6.5.2 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;

- 6.6 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.
- 6.7 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.
- 6.8 Where any vehicle is standing in the parking place in contravention of the provision of Article 6.4 of this Order a police constable in uniform or a traffic warden may alter or cause to be altered the position of the vehicle so that its position shall comply with that provision.
- 6.9 Where a police constable in uniform or a traffic warden is of the opinion that any of the provisions contained in Articles 6.4, 6.5, 6.6, 6.7 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

7.

7.1

The following Orders are hereby revoked -

The County of Cornwall (Threemilestone) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005

The County of Cornwall (Threemilestone) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005 (Amendment No.1) Order 2007

The County of Cornwall (Threemilestone) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005 (Amendment No.3) Order 2008

The County of Cornwall (Threemilestone) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2005 (Amendment No.4) Order 2008

GIVEN under the Common Seal of the Council this 15th day of June 2009.

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

ROAD TRAFFIC REGULATION ACT 1984

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

FIRST SCHEDULE

No waiting at any time

- | | | |
|----|---|--|
| 1. | Access Road To No's 1 -
10 Polstain Crescent
(U6071) | both sides

from its junction with Polstain Crescent for a distance of
12 metres in an easterly direction |
| 2. | Access Road To No's 12 -
22 Polstain Crescent
(U6071) | both sides

from its junction with Polstain Crescent for a distance of
22 metres in an easterly direction |
| 3. | Chyvelah Road
(C0724) | (a) north side
(i) From its junction with the un-named Class III Road
between Chyvelah Road and the A390 for a distance of
17 metres in an easterly direction
(ii) From a point 45 metres east of its junction with the un-
named Class III Road between Chyvelah Road and the
A390 for a distance of 21 metres in an easterly direction
(iii) from a point 133 metres east of its junction with
Tregavethan View for a distance of 53 metres in an
easterly direction
(b) south side
(i) From its junction with the un-named Class III Road
between Chacewater and Chyvelah Road to a point 13
metres east of its junction with Wheal Jane Meadows
(ii) from a point 93 metres east of a point opposite the
centre of its junction with Tregavethan View in an
easterly direction (including the roundabout) to its
junction with Hugus Road
(c) south-east side
from its junction with Hugus Road for a distance of 9
metres in a north-easterly direction (including the
roundabout) |
| 4. | Curlew Park Industrial
Estate (eastern Arm)
(U6072) | (a) north side
(i) from a point 55 metres east of its junction with
Threemilestone Industrial Estate to its termination
(ii) from its junction with Threemilestone Industrial Estate for
a distance of 54 metres in an easterly direction
(b) south side
for its entire length. |
| 5. | Curlew Park Industrial
Estate (northern Arm)
(U6072) | both sides

From its junction with the un-named Class III Road
between Chacewater and Chyvelah Road to its junction
with Threemilestone Industrial Estate for its entire length |
| 6. | Hugus Road
(C0290) | both sides
from its junction with Chyvelah Road to a point 5 metres
south of its junction with Victoria Gardens |

- | | | | |
|-----|--|-----|---|
| 7. | Melville Road
(U6072) | | both sides
from its junction with Pengelly Way for a distance of 15 metres in a westerly direction |
| 8. | Pendeen Road
(U6071) | | both sides
from its junction with Polstain Road for a distance of 13 metres in a south-westerly direction |
| 9. | Pengelly Way
(U6072) | (a) | both sides
from its junction with Hugus Road in an easterly direction to a point 33 metres north of its junction with Melville Road |
| | | (b) | west side
from a point 7 metres north of its junction with Melville Road to a point 12 metres south of that junction |
| 10. | Polstain Crescent
(U6071) | (a) | north-west side
from a point 15 metres east of its junction with Polstain Road for a distance of 20 metres in a north-easterly direction |
| | | (b) | south-east side
from a point 15 metres east of its junction with Polstain Road for a distance of 34 metres in a north-easterly direction |
| 11. | Polstain Crescent (main Carriageway)
(U6071) | | both sides

from a point 19 metres south of the centre of its junction with the access road to no's 12 to 22 for a distance of 32 metres in a northerly direction |
| 12. | Polstain Road
(U6071) | | both sides
from a point 20 metres north of its junction with Pendeen Road to a point 31 metres south-east of that junction |
| 13. | Southern Access Road To Car Park And Surgery
(U6072) | | west side

from its junction with pengelly Way for a distance of 5 metres in a northerly direction |
| 14. | The Access Road Leading To Wickes Building Supplies Ltd
(U6076) | (a) | east side

from its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 11 metres in a northerly direction |
| | | (b) | west side
from its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 10 metres in a northerly direction |
| 15. | The Access Road Leading To Woodbine Business Park | | both sides |

	(unclassified)		In a southerly direction for its entire length
16.	The Access Road To The Carpark From Hugus Road (U6072)		both sides from its junction with Hugus Road in a westerly direction for its entire length.
17.	The Unclassified Access Road To The Rear Of The Oaktree Inn (U6076)	(a)	north-east side from its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 15 metres in a north-westerly direction
		(b)	south-west side from its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 4 metres in a north-westerly direction
18.	The Un-named Access Road Leading To British Telecom (Unclassified)		both sides from its junction with Threemilestone Industrial Estate spinal road for a distance of 15 metres in a westerly direction
19.	The Un-named Access Road To Threemilestone Retail Park (U6076)	(a)	east side From its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 8 metres in a northerly direction
		(b)	west side From its junction with the un-named Class III Road between Chacewater and Chyvelah Road for a distance of 11 metres in a northerly direction
20.	The Un-named Class Iii Road Between Chacewater And Chyvelah Road (C0723)	(a)	north side from its junction with the un-named Class III Road between Chyvelah Road and the A390 to a point 89 metres west of its junction with the access Road to Threemilestone Retail Park
		(b)	south side from its junction with Chyvelah Road to a point 350 metres west of its junction with Curlew Park Industrial Estate
21.	The Un-named Class Iii Road Between Chyvelah Road And The A390 (C0723)		both sides for its entire length.

- | | | | |
|-----|---|------|---|
| 22. | The Un-named Unadopted Access Road Leading To Unit 8 In Threemilestone Industrial Estate (Unadopted) | (a) | east side |
| | | | from its junction with the western arm of Threemilestone Industrial Estate leading to units 12 and 13 for a distance of 16 metres in a northerly direction |
| | | (b) | west side
from its junction with the western arm of Threemilestone Industrial Estate leading to units 12 and 13 for a distance of 18 metres in a northerly direction |
| 23. | Threemilestone Industrial Estate (eastern Arm Leading From The Southern Terminal Of The Spinal Road) (unclassified) | | both sides |
| | | | from its junction with the Threemilestone Industrial Estate spinal road for its entire length. |
| 24. | Threemilestone Industrial Estate (north-western Arm Leading To Units 42a And 42b) (Unclassified) | | north-east side |
| | | | from its junction with the western arm leading to units 12 and 13 for a distance of 63 metres in a north-westerly direction |
| 25. | Threemilestone Industrial Estate (north-western Arm Leading To Units 42a And 42b)) (Unclassified) | (a) | north-east side |
| | | | from a point 85 metres north-west of its junction with the western arm of Threemilestone Industrial Estate leading to units 12 and 13 to its termination |
| | | (b) | south-west side
from its junction with the western arm of Threemilestone Industrial Estate leading to units 12 and 13 for its entire length. |
| 26. | Threemilestone Industrial Estate (south-western Arm Leading To Units 28 To 32) (unclassified) | (a) | north-west side |
| | | (i) | from its junction with Threemilestone Industrial Estate spinal road for a distance of 9 metres in a south-westerly direction |
| | | (ii) | from a point 9 metres south-west of its junction with Threemilestone Industrial Estate spinal road to its termination |
| | | (b) | south-east side
from its junction with Threemilestone Industrial Estate spinal road for its entire length |

27.	Threemilestone Industrial Estate (western Arm Leading To Cornwall Council's Lander House) (unclassified)		both sides	from its junction with the Threemilestone Industrial Estate spinal road in a westerly then northerly direction for its entire length.
28.	Threemilestone Industrial Estate (western Arm Leading To Units 12 And 13) (Unclassified)	(a)	north side	
		(i)		from its junction with Curlew Park Industrial Estate for a distance of 57 metres in a westerly direction
		(ii)		from a point 9 metres east of its junction with the north-western arm of Threemilestone Industrial Estate leading to units 42a and 42b to its termination
		(b)	south side	
		(i)		from its junction with the Threemilestone Industrial Estate spinal road for a distance of 170 metres in a westerly direction
		(ii)		from a point 222 metres west of its junction with the Threemilestone Industrial Estate spinal road to its termination
29.	Threemilestone Industrial Estate (western Arm Leading To Units 37 And 38) (unclassified)	(a)	north side	from its junction with Threemilestone Industrial Estate spinal road for its entire length.
		(b)	south side	
		(i)		from a point 120 metres west of its junction with Threemilestone Industrial Estate spinal road to its termination
		(ii)		from its junction with Threemilestone Industrial Estate spinal road for a distance of 39 metres in a westerly direction
30.	Threemilestone Industrial Estate Spinal Road (U6072)	(a)	east side	
		(i)		from its junction with Curlew park Industrial Estate for a distance of 308 metres in a southerly direction
		(ii)		from a point 357 metres south of its junction with Curlew Park Industrial Estate in a southerly direction to its termination at Truro Business Park
		(b)	west side	from its junction with Curlew Park Industrial Estate in a southerly direction to its termination at Truro Business Park
31.	Unclassified Road To Richard Lander School (Unclassified)		both sides	from its junction with the southern side of the A390 between Tresawls Roundabout and Threemilestone

- | | | |
|-----|------------------------------------|--|
| | | Roundabout for its entire length |
| 32. | Victoria Gardens
(Unclassified) | both sides
from its junction with Hugus Road for a distance of 12 metres in an easterly direction |
| 33. | Wheal Jane Meadows
(U6072) | both sides
from its junction with Chyvelah Road for a distance of 3 metres in a southerly direction |

SECOND SCHEDULE

No waiting Mon-Fri 8am-6pm

- | | | |
|----|--|--|
| 1. | Melville Road
(U6072) | both sides
from a point 15 metres west of its junction with Pengelly Way for its entire length |
| 2. | Pengelly Way
(U6072) | (a) east side
from a point 107 metres south-west of its junction with Hugus Road in a southerly direction to its termination.
(b) west side
from a point 12 metres south of its junction with Melville Road in a southerly direction to its termination |
| 3. | Pengelly Way (eastern Spur)
(U6072) | both sides

from its junction with Pengelly Way in a easterly direction to its termination |

THIRD SCHEDULE

Limited Waiting Mon-Fri 8am-6pm 1 hour no return within 4 hours

- | | | |
|----|---|--|
| 1. | Car Park Adjacent To
Pengelly Way And Hugus
Road
(U6072) | (a) east side
(i) from its junction with the unclassified access road to Hugus Road for a distance of 17 metres in a northerly direction
(ii) from a point 2 metres north of its junction with Pengelly Way for a distance of 18 metres in a northerly direction
(b) west side
from a point 24 metres north of its junction with Pengelly Way for a distance of 19 metres in a northerly direction |
|----|---|--|

FOURTH SCHEDULE

Disabled Parking Bay at any time

- | | |
|---|---|
| Car Park Adjacent To
Pengelly Way And Hugus
Road
(U6072) | (a) east side
from a point 17 metres north of the unclassified access road to Hugus Road for a distance of 2.5 metres in a |
|---|---|

northerly direction and having a width throughout of 4.9 metres

(b) west side

from a point 43 metres north of its junction with Pengelly Way for a distance of 3 metres in a northerly direction and having a width throughout of 4.9 metres

2. Polstain Villas
(U6071)

east side

from a point 40 metres south east of its junction with Polstain Road for a distance of 2.7 metres in a south-easterly direction and having a width of 4.5 metres throughout