

The County of Cornwall (Polperro) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2016

THE CORNWALL COUNCIL in exercise of its 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 Commencement, Citation and Revocation

- 1.1 This Order shall come into operation on the 25th day of May 2016 and may be cited as "The County of Cornwall (Polperro) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2016".
- 1.2 The Traffic Regulation Order specified in Article 5 to this Order is 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 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 "**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;
- 2.1.5 "**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;
- 2.1.6 "**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;

2.1.7 “**relevant position**” has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

2.1.8 any reference to a length or lengths of road is a reference to a length or lengths of road in Polperro.

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 Restriction of 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.

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, 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;

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 control; or

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.

4.6 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.

PART II - REVOCATION OF TRAFFIC REGULATION ORDERS

5.

5.1 The following Order is hereby revoked -

The County of Cornwall (Polperro) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2005.

FIRST SCHEDULE
No loading at any time

1. The Coombes turning area (Unclassified) both sides for its entire length including the turning head

SECOND SCHEDULE
No waiting at any time

1. A 387 (A0387)
 - (a) north-west side from its junction with Longcoombe Lane for a distance of 90 metres in a north-easterly direction
 - (b) south-east side from its junction with Longcoombe Lane for a distance of 88 metres in a north-easterly direction
2. Big Green (U6147) both sides from its junction with Fore Street to its junction with Landaviddy Lane/Lansallos Street
3. Brackenside (Unadopted) both sides from its junction with Landaviddy Lane for its entire length including the turning head.
4. Fore Street (U6147) both sides from its junction with The Coombes to its junction with Talland Hill
5. Kellow Hill (U6147)
 - (a) east side from its junction with Langreek Road for a distance of 17 metres in a generally north-westerly direction
 - (b) west side from its junction with Langreek Road for a distance of 18 metres in a generally north-westerly direction
6. Landaviddy Lane (U6147) both sides from the west side of its junction with Brackenside to its junction with Lansallos Street
7. Langreek Road (C0013) both sides from its junction with Longcoombe Lane/The Coombes to a point 2 metres west of its junction with the unnamed eastern access to Hillsvievw

- | | | |
|-----|--|--|
| 8. | Lansallos Street
(U6147) | both sides
from its junction with Landaviddy Lane to its
junction with Quay Road |
| 9. | Link Road From Big
Green To The Warren
(U6147) | both sides
from its junction with Big Green to its junction
with The Warren |
| 10. | Little Green
(U6147) | both sides
from its junction with Link road from Big Green to
The Warren for its entire length |
| 11. | Little Laney
(U6147) | both sides
from its junction with Lansallos Street for its
entire length. |
| 12. | Mill Hill
(U6147) | both sides
from its junction with The Coombes to its
junction with Landaviddy Lane |
| 13. | Quay Road
(U6147) | both sides
from its junction with Lansallos Street for its
entire length |
| 14. | Roman Bridge
(U6147) | both sides
from its junction with The Warren to its junction
with Quay Road |
| 15. | Talland Hill
(U6147) | both sides
from its junction with Brentfields to its junction
with Fore Street |
| 16. | The Coombes
(C0013) | both sides
from its junction with A 387/Langreek Road to its
junction with Fore Street |
| 17. | The Coombes turning
area
(Unclassified) | both sides
for its entire length including the turning head |
| 18. | The Warren
(U6147) | both sides
from its junction with Fore Street/Talland Hill for
its entire length |

GIVEN under the Common Seal of the Council this 20th day of May 2016.

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

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL (POLPERRO)
(VARIOUS STREETS) (RESTRICTIONS ON WAITING)
(CONSOLIDATION) ORDER 2016

MIN CORNWALL COUNTY COUNCIL 10/10/00 RESOLUTION C/658 EXH HW