

**The County of Cornwall (Penzance) (Market Jew Street)
(Restrictions on Waiting) (Experimental) (Modification) Order 2020**

THE CORNWALL COUNCIL (hereinafter referred to as "the Council") in exercise of its powers under Sections 9 and 10 of 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 makes the following Order:-

1. This Order shall operate during the period from the 19th day of November 2020 to the 2nd day of March 2022 (both dates inclusive) and may be cited as "The County of Cornwall (Penzance) (Market Jew Street) (Restrictions on Waiting) (Experimental) (Modification) Order 2020".
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.
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.
4. In so far as any provision of this Order conflicts with any provision of any Order previously made or having effect as if it were previously made under the Act of 1984 and which imposes a restriction or prohibition on vehicles or grants an exemption from such restriction or prohibition then that provision of this Order shall prevail.
5. The Head of Highways and Infrastructure at Cornwall Council, or a person authorised by him, may modify or suspend the operation of this Order or any provision of it, if it appears to him essential:
 - i. in the interests of the expeditious, convenient and safe movement of traffic;
 - ii. in the interests of providing suitable and adequate on-street parking facilities; or
 - iii. for preserving or improving the amenities of the area through which any road affected by the order runs.
6. The County of Cornwall (Penzance) (Market Jew Street) (Restrictions on Waiting) (Experimental) Order 2020 is hereby deleted.
7. The County of Cornwall (Penzance) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2010 shall have effect as though:

After Article 2.1.22 the following new Article was inserted:

2.1.23 **“Permit holders parking place”** means any area of highway described in the Forty-Third Schedule to this Order which is comprised within and indicated by a road marking complying with the Traffic Signs Regulations and General Directions 2016;

In the opening paragraph of Article 3 the words ‘parking places’ were deleted and replaced with the words ‘the parking places specified in Part II – Parking Places’.

After Article 3.1.13 the following was inserted:

3.1.14 between 11am and 4pm on any day in the lengths of road specified in the Forty-First Schedule to this Order;

Article 3.2.15 was deleted and replaced with the following:

3.2.15 between the hours of 4pm and 11am on any day in the length of road specified in the Thirty-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.

In Article 4.2(c) after the words ‘Second Schedule to this Order’ the following was inserted:

; (iii) between the hours of 11am and 4pm in the lengths of road specified in the Fortieth Schedule to this Order

In Article 7.1 the words ‘and Thirty-Third’ were deleted and replaced with the words ‘, Thirty-Third and Forty-Second’.

After Article 7.2.3 the following new Articles were inserted:

7A **Permit Holders’ Parking Places**

7A.1 The area of highway specified in the Forty-Third 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.

7A.2 The parking place may be used, subject to the provisions of this Order, for the leaving during the chargeable hours of such vehicles as display in the manner specified in Article 7A.3, a valid

permit issued in respect of that vehicle and relating to that parking place.

- 7A.3 (1) At all times during which a vehicle is left in a Parking Place during the operative hours the driver thereof shall either cause to be displayed on the vehicle in the manner specified in paragraph (2) of this Article a permit issued in respect of vehicle and relating to that Parking Place or ensure the vehicle has a valid permit held electronically by the Council.
- (2) The permit referred to in paragraph (1) of this Article shall be displayed -
- (a) In the case of a vehicle fitted with a front windscreen, immediately behind the windscreen so that all the particulars of the Permit are clearly visible to a person outside the vehicle; or
 - (b) In the case of a vehicle not fitted with a front windscreen, in a conspicuous position on the front or nearside of the vehicle so that all the particulars of the Permit are clearly visible to a person outside the vehicle.

7A.4 The charges in connection with the issue of a permit, which may be changed at the discretion of the Council, shall be £25 per annum per permit.

In Article 8.1 after the word '7' the words 'and 7A' were inserted.

In Article 9.1 after the words 'medical practitioner' the words 'and anyone authorised to collect or deliver controlled drugs using pharmacy owned vehicles' were inserted.

After Article 9.3 the following new Article was inserted:

- 9.3a Upon receipt of an application duly made under the foregoing provisions of this Article, and of a remittance for the appropriate charge specified in Article 9.4, the Council shall issue to the applicant a permit for the leaving during the chargeable hours in the parking place specified in the Forty-Third Schedule of each vehicle specified in the application as they are satisfied is used by a person authorised to collect or deliver controlled drugs and medical supplies for distribution to care homes to the extent that the need for special parking arrangements is justified and to whom no suitable alternative parking facility is available within a reasonable distance.

In Article 9.4 the words 'and Twenty-Sixth' were deleted and replaced with the words ' , Twenty-Sixth and Forty-Third'.

After Article 10.3.1 the following new Article was inserted:

10.3.1a The vehicle in respect of which the permit was issued ceasing to be used by an authorised person as specified in Article 9.3a

Article 12.1 (header) was deleted and replaced with the following:

12.1 A permit shall either be held electronically by the council, or be in writing and shall include the following particulars:-

In Article 12.1.3, the words 'and Twenty-Sixth' were deleted and replaced with the words ' , Twenty-Sixth and Forty-Third'.

In the First Schedule relating to No loading at any time:

Paragraph 2(b) was deleted and replaced with the following:

- | | |
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| 2. Market Jew Street
(C0730/U6006) | (b) south-east side |
| | (i) from its junction with Market Place (spur road to Market Jew Street) to a point 1 metre north-east of the north-eastern boundary of No 119 |
| | (ii) from the south-western boundary of No 113 to a point 4 metres north-east of the north-eastern boundary of No 109 |
| | (iii) from a point 10 metres south-west of the north-eastern boundary of No 104 to a point 4 metres south-west of the south-western boundary of No 99 |
| | (iv) from a point 2 metres north-east of the north-eastern boundary of No 95 to the south-western boundary of No 90 |
| | (v) from a point 8 metres south-west of the north-eastern boundary of No 88 to a point 3 metres north of the north-eastern boundary of No 83 |
| | (vi) from a point 7 metres south-west of the south-western boundary of No 77 to its junction with Station Road |

In the Third Schedule relating to No waiting at any time:

Paragraph 79(b) was deleted and replaced with the following:

- | | |
|--|---|
| 79. Market Jew Street
(C0730/U6006) | (b) south-east side |
| | (i) from its junction with Market Place (spur road to Market Jew Street) to a point 1 metre north-east of the north-eastern boundary of No 119 |
| | (ii) from the south-western boundary of No 113 to a point 4 metres north-east of the north-eastern boundary of No 109 |
| | (iii) from a point 10 metres south-west of the north-eastern boundary of No 104 to a point 4 metres south-west of the south-western boundary of No 99 |
| | (iv) from a point 2 metres north-east of the north-eastern boundary of No 95 to the south-western boundary of No 90 |
| | (v) from a point 8 metres south-west of the north-eastern boundary of No 88 to a point 3 metres north of the north-eastern boundary of No 83 |
| | (vi) from a point 7 metres south-west of the south-western boundary of No 77 to its junction with Station Road |

In the Twenty-Second Schedule relating to Loading bay 7am-6pm:

Paragraph 2(b) was deleted.

In the Thirty-Sixth Schedule relating to Limited waiting 9am-6pm 30 minutes no return within 1 hour:

The restriction was deleted and replaced with the following:

Limited waiting 4pm-11am 30 minutes no return in 1 hour

The paragraph relating to Market Jew Street was deleted and replaced with the following:

- | | |
|------------------------------|--|
| Market Jew Street
(U6006) | south-east side |
| | (i) from a point 4 metres north-east of the north-eastern boundary of No 109 to a point 10 metres south-west of the north-eastern boundary of No 104 |

- (ii) from a point 4 metres south-west of the south-western boundary of No 99 to the north-eastern boundary of No 99
- (iii) from the south-western boundary of No 90 to a point 8 metres south-west of the north-eastern boundary of No 88

The following new Schedules were inserted:

FORTIETH SCHEDULE
No loading 11am-4pm

Market Jew Street
(U6006)

- south-east side
- (i) from a point 1 metre north-east of the north-eastern boundary of No 119 to the south-western boundary of No 113
- (ii) from a point 4 metres north-east of the north-eastern boundary of No 109 to a point 10 metres south-west of the north-eastern boundary of No 104
- (iii) from the north-eastern boundary of No 99 to a point 2 metres north-east of the north-eastern boundary of No 95
- (iv) from the south-western boundary of No 90 to a point 8 metres south-west of the north-eastern boundary of No 88
- (v) from a point 3 metres north of the north-eastern boundary of No 83 to a point 7 metres south-west of the south-western boundary of No 77

FORTY-FIRST SCHEDULE
No waiting 11am-4pm

Market Jew Street
(U6006)

- south-east side
- (i) from a point 1 metre north-east of the north-eastern boundary of No 119 to the south-western boundary of No 113
- (ii) from a point 4 metres north-east of the north-eastern boundary of No 109 to a point 10 metres south-west of the north-eastern boundary of No 104

- (iii) from the north-eastern boundary of No 99 to a point 2 metres north-east of the north-eastern boundary of No 95
- (iv) from the south-western boundary of No 90 to a point 8 metres south-west of the north-eastern boundary of No 88
- (v) from a point 3 metres north of the north-eastern boundary of No 83 to a point 7 metres south-west of the south-western boundary of No 77

FORTY-SECOND SCHEDULE

Loading bay 4pm-11am

Market Jew Street
(U6006)

- south-east side
- (i) from a point 1 metre north-east of the north-eastern boundary of No 119 to the south-western boundary of No 113
 - (ii) from the north-eastern boundary of No 99 to a point 2 metres north-east of the north-eastern boundary of No 95
 - (iii) from a point 3 metres north of the north-eastern boundary of No 83 to a point 7 metres south-west of the south-western boundary of No 77

FORTY-THIRD SCHEDULE

Permit holders parking place 11am-4pm

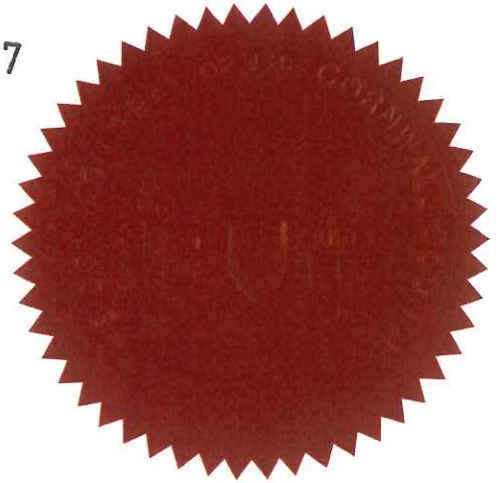
Market Jew Street
(U6006)

south-east side
from a point 4 metres south-west of the south-western boundary of No 99 to the north-eastern boundary of No 99

Given under the Common Seal of the Council this 29th day of October 2020.

060347

Signed as a Deed by
The Cornwall Council
whose Common Seal
was hereunto affixed
in the presence of:



Authorised Officer

A handwritten signature in black ink, appearing to read "Vanessa Davis", written over a horizontal line.

Vanessa Davis - Lawyer
Cornwall Legal Services
CORNWALL COUNCIL

Certified to be a true copy

A handwritten signature in black ink, appearing to read "A.J. Archer", written in a cursive style.

Andrew Archer

ROAD TRAFFIC REGULATIONS ACT 1984

THE COUNTY OF CORNWALL
(PENZANCE) (MARKET JEW STREET)
(RESTRICTIONS ON WAITING) (EXPERIMENTAL)
(MODIFICATION) ORDER 2020