

**The County of Cornwall (Whitsand Bay)
(Clearway) (Revocation) Order 2019**

Cornwall Council in exercise of its powers under Section 1 (and part IV of Schedule 9) of the Road Traffic Act 1984, 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 come into force on the 14th day of August 2020 and may be cited as "The County of Cornwall (Whitsand Bay) (Clearway) (Revocation) Order 2019".
2. In this Order:
 - a) "bus" has the same meaning as in Regulation 2 of The Traffic Signs Regulations and General Directions 2016;
 - b) "carriageway" means the way constituting or comprised in a highway being a way (other than a cycle track) over which the public have the right of way for the passage of vehicles;
 - c) "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;
 - d) "lay-by" means any area of carriageway intended for the waiting of vehicles and bounded partly by a line of the type shown in diagram 1010 in Schedule 11 Part 4 to the Traffic Signs Regulations and General Directions 2016 and partly by the outer edge of that carriageway on the same side of the road as that on which the lines are laid;
 - e) "local service" has the meaning given in Section 2 of the Transport Act 1985;
 - f) "main carriageway" means any carriageway used primarily by through traffic, but excludes any lay-by;
 - g) "verge" means any part of a road which is not carriageway.
3. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by an subsequent enactment;

4. Save as provided in Article 5 of this order no person shall, except upon direction or with the permission of a police constable in uniform, cause or permit any vehicle to wait on the main carriageway in any of the lengths of road specified in the Schedule to this Order.
5. Nothing in Article 4 of this Order shall apply:
 - a) So as to prevent a vehicle from waiting on the main carriageway referred to in that article for so long as may be necessary to enable the vehicle to be used in connection with:
 - i) Any building operation or demolition;
 - ii) The removal of any obstruction to traffic;
 - iii) The maintenance, improvement or reconstruction of the road comprising or including that carriageway; or
 - iv) The laying, erection, alteration or repair in or near such road of any sewer or of any main, pipe, cable or apparatus for the provision of gas, water, electricity or telecommunications;
 - b) To a vehicle being used for police, fire brigade or ambulance purposes;
 - c) To a vehicle being used in pursuance of statutory powers or duties;
 - d) To enable the 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) Postal Services Act 2000;
 - e) To a vehicle waiting on the main carriageway referred to in that article while any gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged is open or closed, if it is not reasonably practicable for the vehicle to wait otherwise than on that carriageway; or
 - f) To a vehicle waiting 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 their control;
 - g) To a bus being used in the provision of a local service.

6. No person shall cause or permit any vehicle to wait on any verge or lay-by immediately adjacent to the main carriageway comprised in the lengths of road specified in the Schedule to this Order for the purpose of selling goods from that vehicle unless the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected.
7. "The County of Cornwall (Whitsand Bay) (Clearway) Order 1990" is hereby revoked.

SCHEDULE
Clearway at any time

Tregantle to Cawsand

- | | | |
|----|-------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Donkey Lane
(U6151) | from its junction with Military Road at Tregonhawke for a distance of 16 metres in a north-easterly direction |
| 2. | Forder Hill
(U6151) | from its junction with Forder Lane for a distance of 19 metres in a north-westerly direction |
| 3. | Forder Lane
(C0123) | from its junction with Rame Lane to a point 36 metres west of the west side of its junction with St Andrew's Place |
| 4. | Military Road
(C0004/U6151) | (i) from a point 11 metres south-west of its junction with the B3247 opposite Tregantle car park to a point 3 metres south-east of its junction with the unnamed track leading to The Nook, Freathy
(ii) from a point 1 metre south-east of the south-eastern boundary of Kingswood, Freathy to a point 9 metres south of its junction with Trehill Lane |
| 5. | Rame Lane
(C0123) | from a point 23 metres north of the southern boundary of Cross Park, Rame to its junction with Forder Lane |
| 6. | Road from Radford Lane to Military Road
(U6151) | from its junction with Military Road for a distance of 10 metres in a north-westerly direction |
| 7. | Road from Radford Lane to Military Road
(south-west spur)
(U6151) | from its junction with Military Road for a distance of 20 metres in an easterly direction |
| 8. | Trehill Lane
(C0004) | for its entire length including its bifurcated junction with Rame Lane |

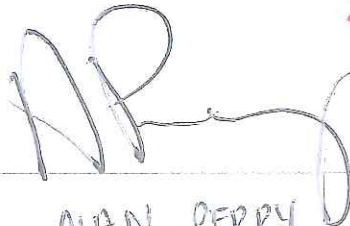
GIVEN under the Common Seal of the Council this ^{5th} day of August 2020.

059862

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



Authorised Officer


ALAN PERRY

Senior Lawyer
Cornwall Legal Services
Cornwall Council

Certified to be a true copy



Andrew Archer

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL (WHITSAND BAY)
(CLEARWAY) (REVOCATION) ORDER 2019