

The County of Cornwall (West Cornwall) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2024

THE CORNWALL COUNCIL in exercise of its powers under Sections 1, 32, 35, 45, 46 and 49 of (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 makes the following Order:

1 Commencement and Citation

- 1.1 This Order shall come into force on the 2nd day of April 2024 and may be cited as “The County of Cornwall (West Cornwall) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2024”.

2 Interpretation

- 2.1 Unless expressly stated to the contrary, any reference in this Order to:

- (a) 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;
- (b) a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order; and
- (c) any reference to a length or lengths of road, is a reference to a length or lengths of road in Cornwall.

- 2.2 In this Order and on the Map Schedules, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“00:00 to 00:00” means all day [24 hours];

“ambulance” has the same meaning as in Schedule 2 of the Vehicle Excise and Registration Act 1994;

“badges regulations” means The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“booklet” means a booklet containing 10 daily visitor permits issued by the Council for use in a residents’ parking place;

“bus” has the same meaning as in Schedule 1 of The Traffic Signs Regulations and General Directions 2016;

“business operator” means any person, company, or other organisation that can satisfy the Council that it operates a business or organisation from premises which are located within a catchment area;

“campervan” and **“motor home”** mean a motor car constructed or adapted for use as a mobile place of sleeping accommodation;

“carriageway” means a way constituting or comprised in a highway, being a way over which the public has right of way for the passage of vehicles;

“catchment area” in relation to an application for a resident’s permit, means the boundary of a zone identified in the Map Schedules to this Order, the properties within which qualify to apply for a permit for a named parking place or places – plans showing the boundaries of all catchment areas are annexed to this Order in the Catchment Area Schedule;

“chargeable hours” means the periods identified in the Map Schedules for which the use of a parking place requires a permit;

“charitable organisation” means any organisation that is registered with the Charity Commission for England and Wales that can satisfy the Council that it operates from premises which are located within a catchment area;

“Civil Enforcement Officer” has the same meaning as in Section 76 of the Traffic Management Act 2004;

“the Council” means the Cornwall Council;

“delivering” and **“collecting”** in relation to any goods, includes checking the goods for the purpose of their delivery or collection;

“disabled person” and **“disabled person’s badge”** have the same meanings as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000;

“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;

“doctor’s parking place” means any area of highway intended for the waiting of doctor’s permit holders’ vehicles;

“doctor’s permit” means a parking permit issued by the Council or its local agent to a registered medical practitioner for a doctor’s parking place;

“driver” in relation to a vehicle left at or waiting in a parking place means the person in charge of the vehicle at the time it was left at or is waiting at the parking place;

“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;

“footway” means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only;

“goods” means goods of any kind whether animate or inanimate and includes postal packets of any description;

“invalid carriage” means a vehicle, whether mechanically propelled or not, constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability;

“loading” and **“unloading”** means the conveyance of goods or merchandise to or from any premises situated on or adjacent to that length of road;

“maintenance” means any activity relating to the repair or preservation of the highway or utilities being carried out by an authorised person;

“Map Schedules” means the plans, including their keys, annexed to this Order, which identify the lengths of road or sides of any lengths of road to which the prohibitions, restrictions and designations contained within this Order apply, as well as any time periods applicable to these and, except where provided for under any provision of this Order, are to be read in addition to and not in derogation of each other;

“motor car” has the same meaning as in Section 136 of the Act of 1984 and for the purposes of this Order is not a campervan or motor home;

“motor cycle” and **“motor vehicle”** have the same meanings as in Section 136 of the Act of 1984;

“named parking place” in respect of residents’ parking places includes all residents’ parking places with the same name or number;

“parking disc” has the same meaning as in The Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) (Regulations) 2000;

“parking permit” means a parking permit issued by the Council or its local agent for a permit holder’s parking place;

“parking place” means any area of highway authorised to be used as a place where vehicles may wait under the provisions of this Order;

“passenger/light goods vehicle” means a motor vehicle (other than a motor cycle or invalid carriage) which is constructed solely for the carriage of passengers and their effects and adapted to carry not more than eight passengers exclusive of the driver and not drawing a trailer, or a motor vehicle which is constructed or adapted to carry goods or a burden of any description and whose carrying capacity does not exceed 3,500 kilograms;

“pedal cycle” has the same meaning as defined in Schedule 1 of The Traffic Signs Regulations and General Directions 2016;

“pedestrian zone” and **“pedestrian and cycle zone”** have the same meanings respectively as in Schedule 1 of The Traffic Signs Regulations and General Directions 2016;

“permit” means a permit issued by the Council or its local agent under the provisions of this Order, regardless of the type of permit;

“permit holder” means any person, company or organisation to whom any type of permit has been issued under the provisions of this Order;

“permit holder’s parking place” means any area of highway intended for the waiting of permit holders’ vehicles, excluding resident’s or doctor’s permit holders;

“professional care organisation” means an organisation regulated by the Care Quality Commission providing care at a dwelling in a catchment area;

“registered medical practitioner” has the same meaning as “fully registered person” as defined in Section 55 of the Medical Act 1983;

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

“replacement permit” means a replacement permit issued to any person, company or organisation under the provisions of this Order;

“resident” means a person whose usual residence is within a catchment area, but does not include the landlord of a property if they do not ordinarily reside at that property;

“resident disabled person’s permit” means a resident’s permit issued to a disabled person who is a resident;

“resident’s permit” means a parking permit issued by the Council or its local agent under the provisions of this Order to a resident or eligible person or company or organisation for a residents’ parking place or zone;

“residents’ parking place” means any area of highway intended for the waiting of resident’s permit holders’ vehicles including those areas within a residents’ parking zone which have no road markings, but excluding those areas marked by traffic signs indicating that the waiting of vehicles is prohibited or designated for other purposes, and distinguishable from other residents’ parking places by a number or name;

“residents’ parking zone” means a residents’ parking place in the form of a zonal area;

“restricted parking zone” has the same meaning as in Schedule 1 of The Traffic Signs Regulations and General Directions 2016, and, when used on the Map Schedules to describe a zonal area, identifies any lengths of road or sides of any length of road within the zone as No Waiting, except for those areas encompassed within signed bays;

“road” means the full width including the carriageway and any footway or verge of any length of highway or of any other road to which the public has access and includes bridges over which a road passes;

“shared” in the key on a Map Schedule refers to a length of road or side of a length of road over which multiple restrictions, prohibitions and/or designations are present which should be read in addition to, and not in derogation of, each other, and where the specified periods shown for each on that Map Schedule overlap, such shall operate concurrently;

“**taxi**” and “**taxi rank**” have the same meanings respectively as in Schedule 1 of The Traffic Signs Regulations and General Directions 2016;

“**traffic sign**” means a sign of any size, colour or type prescribed or authorised under, or having effect as though prescribed or authorised under, Section 64 of the Act of 1984;

“**trailer**” has the same meaning as defined in Section 136 of the Act 1984;

“**verge**” means any area between the edge of the carriageway and the highway boundary, excluding the footway; and

“**visitor permit**” means a ‘single use’ daily parking permit issued by the Council or its local agent under the provisions of this Order for a residents’ parking place.

3 Errors

- 3.1 In the event that this Order contains errors which render any provisions of it void or unenforceable, all other provisions of this Order shall continue to have effect.

PART I – RESTRICTIONS ON WAITING

4 Restrictions on Waiting, Loading and Unloading of vehicles other than in Parking Places

4.1 No Loading At Any Time

Save as provided in Article 5, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to be loaded or unloaded at any time on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Loading At Any Time.

4.2 No Loading During Specified Periods

Save as provided in Article 5, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to be loaded or unloaded on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Loading, during the periods specified on those plans.

4.3 No Waiting At Any Time

Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Waiting At Any Time.

4.4 **No Waiting During Specified Periods**

Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Waiting, during the periods specified on those plans.

4.5 **No Waiting on Verge or Footway**

Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on the verge or footway on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Waiting on Verge or Footway.

4.6 **No Waiting on Verge**

Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on the verge on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Waiting on Verge.

4.7 **No Waiting on Footway**

Save as provided in Articles 5 and 6, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait at any time on the footway on any of the lengths of road or sides of any length of road identified on the Map Schedules as No Waiting on Footway.

4.8 **Police Vehicles Only**

Save as provided in Article 5, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle other than an operational police vehicle, or a vehicle authorised by the police authority to be used by civilian operators operating under the instructions of that authority, to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Police Vehicles Only.

5 General Exemptions to restrictions on Waiting, Loading and Unloading of vehicles other than in Parking Places

5.1 Nothing in Articles 4.1 to 4.8 shall:-

- (a) apply to any vehicle being used for ambulance, fire brigade, coastguard or police purposes;
- (b) apply to any vehicle which -
 - (i) is prevented from proceeding by circumstances beyond the driver's control;
 - (ii) is required by law to wait; or
 - (iii) has to wait in order to avoid a collision which may result in injury or damage to persons or property;
- (c) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with the pursuance of statutory powers or duties;
- (d) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable a person to board or alight from the vehicle;
- (e) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein where prior written permission has been given by the Head of Highways and Infrastructure at Cornwall Council, or a person authorised by them;
- (f) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle, if it is in the service of or employed by a Universal Service Provider, to be used for the purpose of delivering or collecting postal packets as defined in Section 65(1) of the Postal Services Act 2011;
- (g) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with 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 on land adjacent to the said length of road, of any sewer or of any main, pipe, cable or apparatus for the provision of gas, water, electricity, any communications apparatus as defined within the Communications Act 2003, or the maintenance of traffic signals and the equipment associated with the operation of the traffic signals; or

- (h) render it unlawful to wait 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.

5.2 Except during any period when a No Loading restriction is operating concurrently on the same length or side of length of road, nothing in Articles 4.3 to 4.8 shall:-

- (a) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable 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;
- (b) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle to be used for loading or unloading, if such goods or merchandise cannot, by reason of size, weight, quantity or value, reasonably be conveyed otherwise than by vehicle;
- (c) apply to any taxi waiting at a duly authorised taxi rank;
- (d) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle to take in fuel, oil, water or air from any garage situated on or adjacent to the said length of road or sides of road where the restriction is in operation; or
- (e) apply to any vehicle operated or controlled by a funeral director when in use as part of a funeral cortege or otherwise in connection with a funeral.

6 Disabled Persons Exemptions to restrictions on waiting

- 6.1 Except during any period when a No Loading restriction is operating concurrently on the same length or side of length of road, nothing in Articles 4.3 to 4.7 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 is being used for the conveyance of a disabled person, to wait on any of the lengths of road or sides of any length of road referred to in the said Articles when a prohibition on waiting applies for:-
- (a) a period not exceeding 3 hours (not being separated by an interval of less than 1 hour from a previous period of waiting, if any, by the same vehicle in the same length of road), if the period of the prohibition on waiting exceeds 3 hours, and the vehicle is displaying 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; or
 - (b) the whole period of the prohibition, if the period of the prohibition on waiting does not exceed 3 hours.

PART II – ON-STREET PARKING PLACES

7 Parking Places

- 7.1 The areas of highway identified in Articles 7.3 to 7.13 are designated as Parking Places subject to any conditions contained within this Order.
- 7.2 (a) Nothing in Article 7.1 shall restrict the power of the Council or a police officer to suspend the use of a parking place or any part thereof when it is reasonably necessary:-
- (i) for the purpose of facilitating the movement of traffic or promoting its safety;
 - (ii) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of the gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe, cable or apparatus for the provision of gas, water, electricity or telecommunications, or the placing, maintenance or removal of any traffic sign;
 - (iii) for the convenience of occupiers of premises adjacent to the parking place on any occasion for the removal of furniture to or from an office or dwelling adjacent to the parking place from or to a depository or another office or dwelling;
 - (iv) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or

(v) for the convenience of occupiers or premises adjacent to the parking place at times of weddings, funerals, or on other special occasions.

(b) Any duly authorised person or police constable suspending the use of a parking place or any part thereof in accordance with the provisions of this Article shall thereupon place or cause to be placed in or adjacent to the parking place or as the case may be that part thereof, the use of which is suspended, a traffic sign indicating that waiting by vehicles is prohibited.

7.3 Free Parking Places (Limited Waiting)

Save as provided in Articles 9 and 10, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Free parking place, during the periods specified on those plans, unless:-

(a) the vehicle waits for no longer than the maximum period of waiting shown on those plans; and

(b) the vehicle has not returned within the no return period stated on those plans following a previous period of waiting, if any.

7.4 Bus Parking Places/Limited Waiting for Buses

Save as provided in Articles 9 and 10, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Bus parking place, during the periods specified on those plans, unless:-

(a) the vehicle is a bus;

(b) where a maximum period of waiting is shown on those plans the vehicle waits for no longer than this period; and

(c) where a no return period is stated on those plans the vehicle has not returned within this period following a previous period of waiting, if any.

7.5 Motor Cycle Parking Places/Limited Waiting for Motor Cycles

Save as provided in Articles 9 and 10, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or

permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Solo motorcycle parking place, during the periods specified on those plans, unless:-

- (a) the vehicle is a motor cycle;
- (b) where a maximum period of waiting is shown on those plans the vehicle waits for no longer than this period; and
- (c) where a no return period is stated on those plans the vehicle has not returned within this period following a previous period of waiting, if any.

7.6 Parking Place for Motor Cars and Motor Cycles

Save as provided in Articles 9 and 10, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Free parking place (cars & motorcycles only), during the periods specified on those plans, unless:-

- (a) the vehicle is a motor car or motor cycle;
- (b) where a maximum period of waiting is shown on those plans the vehicle waits for no longer than this period; and
- (c) where a no return period is stated on those plans the vehicle has not returned within this period following a previous period of waiting, if any.

7.7 Pedal Cycle Parking Places

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle other than a pedal cycle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Pedal cycle parking place, during the periods specified on those plans.

7.8 Disabled Persons Parking Places

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as Disabled persons' badge holders parking place, during the periods specified on those plans, unless:-

- (a) that vehicle is being used for the conveyance of a disabled person and has displayed in the relevant position a disabled person's badge;
- (b) where a maximum period of waiting is shown on those plans the vehicle waits for no longer than this period and the disabled person's disc is set to show the time of arrival; and
- (c) the vehicle has not returned within the no return period stated on those plans following a previous period of waiting, if any.

7.9 Ambulance Parking Places

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as an Ambulance parking place (no waiting), during the periods specified on those plans, unless:-

- (a) the vehicle is an ambulance; or
- (b) the vehicle is used by the Local Authority or a registered charitable organisation for the carriage of disabled persons.

7.10 Loading Bays

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait in a loading bay on any of the lengths of road or sides of any length of road identified on the Map Schedules as Loading place, during the periods specified on those plans, unless:-

- (a) it is for the time being engaged in loading or unloading and such goods or merchandise cannot, by reason of size, weight, quantity or value, reasonably be conveyed otherwise than by vehicle.

7.11 Doctor's Parking Places

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as a Doctor's parking place, during the periods specified on those plans unless:-

- (a) the vehicle has a valid permit for that place;
- (b) the permit is displayed in accordance with Article 8.3; and

- (c) the vehicle is being used by a registered medical practitioner.

7.12 Permit Holders Parking Places

Save as provided in Article 9, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as a Permit holders parking place during the periods specified on those plans unless:-

- (a) the vehicle has a valid permit for that place; and
- (b) the permit is displayed in accordance with Article 8.3.

7.13 Residents' Parking Places and Zones

(a) Save as provided in Articles 9 and 10, no person shall, except upon the direction or with the permission of a police officer in uniform, cause or permit any vehicle to wait on any of the lengths of road or sides of any length of road identified on the Map Schedules as a Resident permit holders parking place, during the periods (the chargeable hours) specified on those plans unless:-

- (i) the vehicle has a valid permit for that named parking place and, if a resident disabled person's permit, is displaying in the relevant position a valid disabled person's badge;
- (ii) the vehicle is a passenger/light goods vehicle or motor cycle; and
- (iii) the permit is displayed in accordance with Article 8.3.

(b) In so far as any other restriction, prohibition or designation conflicts with a designated Resident permit holders parking place, then the other provision shall prevail for the extent of the conflict.

(c) Except where provided by Article 7.13(b), any Resident permit holders parking place restriction shall be read in addition to, and not in derogation of any other prohibition or restriction, and both shall operate concurrently during its chargeable hours.

8 Provisions applying to On-Street Parking Places

8.1 General Provisions applying to all Parking Places

- (a) Parking places designated in this Order may be used subject to the following provisions:
 - (i) any vehicle left in a parking place shall stand so that every part of the vehicle is wholly within the limits of that Parking Place;

- (ii) no person shall leave any vehicle in a Parking Place so as to unreasonably prevent access to any premises adjoining the road, or prevent the use of the road by any other persons, or be a nuisance;
- (iii) the driver of a vehicle shall not use a parking place 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 or bay and exhibited notice of such closing on or near the parking place or bay;
- (iv) 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 or bay;
- (v) save as provided in Article 9.5, 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 their skills 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; and
- (vi) no person shall use any part of the parking place or any vehicle left in the parking place or bay for sleeping or camping purposes, cooking purposes, or for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

8.2 Contraventions of Provisions applying to parking places

- (a) Where a police officer in uniform or a Civil Enforcement Officer is of the opinion that any of the provisions contained within Article 8.1 of this Order have been contravened or not complied with in respect of a vehicle left in the parking place, they 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.
- (b) In addition, where any vehicle is standing in a parking place in contravention of the provision listed in Article 8.1(a)(i) of this Order a police officer in uniform or a Civil Enforcement Officer may alter or

cause to be altered the position of the vehicle so that its position shall comply with that provision.

8.3 Display of Permits

- (a) Where any permit has been issued solely electronically in line with Article 15 it is not required to be displayed on the vehicle.
- (b) Where any permit has been issued in writing it shall be displayed:
 - (i) in the case of a vehicle fitted with a front windscreen, immediately behind the windscreen on the nearside so that all the particulars of the permit are clearly visible to a person outside the vehicle; or
 - (ii) 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.
- (c) Where a permit has been displayed on a vehicle in accordance with the provisions of this Order, no person, other than the driver of that vehicle, shall remove the permit from the vehicle, unless authorised to do so by the driver.

9 General Exemptions to restrictions on On-Street Parking Places

9.1 Nothing in Articles 7.3 to 7.13 shall:-

- (a) apply to any vehicle being used for ambulance, fire brigade, coastguard or police purposes;
- (b) apply to any vehicle which -
 - (i) is prevented from proceeding by circumstances beyond the driver's control;
 - (ii) is required by law to wait; or
 - (iii) has to wait in order to avoid a collision which may result in injury or damage to persons or property;
- (c) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with the pursuance of statutory powers or duties; or

- (d) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with 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 on land adjacent to the said length of road, of any sewer or of any main, pipe, cable or apparatus for the provision of gas, water, electricity, any communications apparatus as defined within the Communications Act 2003, or the maintenance of traffic signals and the equipment associated with the operation of the traffic signals.

9.2 Nothing in Articles 7.3 to 7.9 and 7.11 to 7.13 shall:-

- (a) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of road referred to therein for so long as may be necessary to enable 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;
- (b) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle, if it is in the service of or employed by a Universal Service Provider, to be used for the purpose of delivering or collecting postal packets as defined in Section 65(1) of the Postal Services Act 2011; or

9.3 Nothing in Articles 7.3 and 7.13 shall: -

- (a) apply to any taxi waiting at a duly authorised taxi rank;
- (b) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle to be used for loading or unloading, if such goods or merchandise cannot, by reason of size, weight, quantity or value, reasonably be conveyed otherwise than by vehicle;
- (c) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable the vehicle to take in fuel, oil, water or air from any garage situated on or adjacent to the said length of road or sides of road where the restriction is in operation; or

- (d) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein where prior written permission has been given by the Head of Highways and Infrastructure at Cornwall Council, or a person authorised by them.
 - (e) render it unlawful to cause or permit any motor vehicle to wait on any of the lengths or sides of roads referred to therein for so long as may be necessary to enable a person to board or alight from the vehicle.
- 9.4 Nothing in Articles 7.3, 7.10 and 7.13 shall apply to any vehicle operated or controlled by a funeral director when in use as part of a funeral cortege or otherwise in connection with a funeral.
- 9.5 Nothing in Articles 7.3, 7.13 and 8.1(a)(v) shall render it unlawful to cause or permit any motor vehicle to wait on any lengths of road or sides of any length of road for so long as may be necessary to enable the vehicle to be used in connection with the sale of goods from it by a person who is licensed by the Council or to whom the Council has granted consent to sell goods from a stationary pitch situated within a Parking Place.

10 Exemptions for Disabled People to Parking Place restrictions

- 10.1 Nothing in Articles 7.3 to 7.6 shall render it unlawful for a disabled person's vehicle which, being of a class permitted to wait, displays in the relevant position a disabled person's badge and is being used for the conveyance of a disabled person, to wait on any of the lengths of road or sides of any length of road:-
- (a) for longer than the maximum period of waiting referred to in those Articles; or
 - (b) during the specified no return period referred to in those Articles, following a previous period of waiting.
- 10.2 Nothing in Article 7.13 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 is being used for the conveyance of a disabled person, to wait on any of the lengths of road or sides of any length 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, if any, by the same vehicle in the same length of road), if the vehicle is displaying 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).

PART III – DOCTORS’, RESIDENTS’ AND PERMIT PARKING PLACES

11 Application for and issue of permits

11.1 Any applicant eligible to apply for any permit under any provisions listed in paragraphs (a) to (c) may apply to the Council for the issue of such type of permit permitted by those provisions and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied and shall be accompanied by a remittance for such charge as specified in Article 12 of this Order as is appropriate in respect of each permit for which an application is being made.

- (a) In respect of a resident’s permit valid in a named residents’ parking place:
 - (i) any resident or charitable organisation may apply only for the issue of a permit valid for a single vehicle;
 - (ii) any business operator may apply for the issue of a business permit valid for up to a maximum of 3 vehicles;
 - (iii) any disabled resident, who holds a valid disabled person’s badge, may apply for the issue of a resident disabled person’s permit, valid in any vehicle when accompanied by the relevant disabled person’s badge;
 - (iv) any resident may apply for the issue of visitor permits valid for a named residents’ parking place;
 - (v) any professional care organisation may apply for the issue of a visitor permit valid in a named residents’ parking place; and
 - (vi) any resident that requires continual regular care, not provided by a professional care organisation, may apply for the issue of a transferable informal carers permit, for use in a named residents’ parking place by a carer/s who does not live within the catchment area for that same place.

- (b) In respect of a doctor’s permit valid in a doctor’s parking place any registered medical practitioner operating within Cornwall may apply for the issuing of a doctor’s permit for a single vehicle, valid in any doctor’s parking place.

- (c) In respect of a parking permit valid in a permit parking place anyone authorised to:-
 - (i) carry out maintenance; or

- (ii) collect or deliver controlled drugs using pharmacy owned vehicles,
may apply for a parking permit for a single vehicle, valid in one or more permit parking places.

- 11.2 The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit made to them as they may reasonably require to verify any particulars or information given to them, or in respect of any permit issued by them as they may reasonably require to verify that the permit is valid.
- 11.3 Upon receipt of a valid and complete application duly made under the foregoing provisions of this Article, and of a remittance for the appropriate charge, the Council shall issue to the applicant a permit valid during the chargeable hours of specified parking places or zones of a type specified in Articles 7.11 to 7.13 and which are identifiable in the Map Schedules to this Order for each vehicle specified in the application as they are satisfied is used by:-
- (a) a registered medical practitioner who is liable to be called, of necessity, to emergencies away from the surgery or consulting room shown on such application 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;
 - (b) a person authorised to carry out maintenance 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;
 - (c) 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; or
 - (d) an eligible resident, business operator, charitable organisation or professional care organisation.
- 11.4 Subject to Article 11.3 of this Order, with respect to residents' parking places:

- (a) the Council shall not issue a permit which would be valid for use in more than one named parking place;
- (b) the Council shall not issue a permit to any applicant which would be valid for use in any parking place other than the place for which they have applied for a permit;
- (c) a maximum of 1 resident's permit and 100 daily visitor permits per annum shall be issued to a dwelling, the postal address of which is located within the catchment area for residents' parking places NQ1, SS3, SS4 and TZ2, as identified in the Map Schedules to this Order;
- (d) a maximum of 2 resident's permits and 200 daily visitor permits per annum shall be issued to a dwelling, the postal address of which is located within the catchment area for any residents' parking place not specified in Article 11.4(c), as identified in the Map Schedules to this Order; and
- (e) a maximum of 1 resident's permit shall be issued to a business operator or charitable organisation that operates from an address which is located within the catchment area for any residents' parking place, as identified in the Map Schedules to this Order.

11.5 Without prejudice to the provisions of Article 14, where the Council has issued any permit for a vehicle in respect of a parking place, the Council shall not issue any further permits relating to that vehicle which would be valid during the period of validity of any other permit issued in respect of that vehicle under the provisions of this Order.

12 Charges for permits

12.1 The charge in connection with the issue of a permit for a residents' parking place shall be as follows:

Permit Type	Charge (£)
Resident's first permit (annual)	£53.00
Resident's second permit (annual)	£79.50
Resident disabled person's permit (annual)	£0.00 (no charge)
Business permit (1 vehicle) (annual)	£106.00

Business permit (3 vehicles) (annual)	£159.00
Charitable organisation permit (annual)	£10.50
Visitor permit (single electronic daily session)	£1.10
Visitor permit (booklet of 10 daily visitor permits)	£11.00
Informal Carer's Permit (Annual)	£0.00 (no charge)
Visitor Permit issued to a Professional Care Organisation (Annual)	£0.00 (no charge)
First replacement permit	50% of the cost of a new permit
Subsequent replacement permits	Full cost of a new permit

12.2 The charge in connection with the issue of a permit, which is not of a type listed in Article 12.1, shall be £25 per annum per permit.

13 Surrender, withdrawal and validity of permits

13.1 A permit holder may surrender a permit to the Council at any time and shall surrender a permit to the Council on the occurrence of any one of the events set out in Article 13.3 of this Order.

13.2 The Council may, by notice in writing served on the permit holder by sending the same by the recorded delivery service to the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that any one of the events set out in paragraphs (a) or (c) of Article 13.3 have occurred and the permit holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

13.3 The events referred to in the provisions of Articles 13.1 and 13.2 are:

- (a) the vehicle in respect of which the permit was issued ceasing to be used by a medical practitioner or authorised person as specified in Article 11.3;
- (b) the withdrawal of such permit by the Council under Article 13.2;
- (c) the revocation of the designation of the parking place in respect of which the permit was issued;
- (d) the issue of a replacement permit by the Council under the provisions of Article 14; and
- (e) the permit ceasing to be valid pursuant to the provisions of Article 13.4.

13.4 Without prejudice to the provisions of Article 15, a permit shall cease to be valid at the expiration of the period specified thereon (which shall not exceed a period of 12 months from the beginning of the month during which it first became valid) or on the occurrence of any one of the events set out in paragraphs (a) to (d) of Article 13.3 whichever is earlier.

13.5 Where a permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the permit shall cease to be valid and the Council shall, by notice in writing served on the person to whom such permit was issued by sending the same by the recorded delivery service to that person at the address shown by them on the application for the permit or at any other address believed to be that person's place of abode, require that person to surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.

14 Application for and issue of a replacement permit

14.1 If a permit issued in writing is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the permit has become altered by fading or otherwise, the permit shall become invalid and the holder shall surrender it to the Council and may subsequently apply to the Council for the issue to them of a replacement permit so marked.

14.2 If a permit issued in writing is lost or destroyed, the permit holder may apply to the Council for the issue to them of a replacement permit and the Council, upon being satisfied as to such loss or destruction, shall render the lost or destroyed permit invalid and issue a replacement permit so marked.

14.3 The provisions of this Order shall apply to a replacement permit and an application for a replacement permit as if it were a permit, or, as the case may be, an application thereof.

15 Form of permit

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

- (a) the registration mark of the vehicle in respect of which the permit has been issued;
- (b) the period during which, subject to the provisions of Article 13.4, the permit shall remain valid;
- (c) the location of the parking place to which the permit relates, as identified in the Map Schedules to this Order.;
- (d) an indication that the permit has been issued by the Council;
- (e) the hours during which the vehicle in respect of which the permit has been issued may be left in the parking place; and
- (f) an indication that the charge appropriate to the period during which the permit shall remain valid has been paid to the Council.

16 Refund of charge paid in respect of a permit

16.1 A permit holder who surrenders a permit, which is not a resident's permit, to the Council before the permit becomes valid shall be entitled to a refund of the charge paid in respect of the issue thereof.

16.2 A permit holder who surrenders a permit, which is not a resident's permit, to the Council after the permit has become valid shall be entitled to a refund of part of the charge paid in respect of the issue thereof calculated in accordance with the provisions of Article 16.3.

16.3 The part of the charge which is refundable under the provisions of Article 16.2 shall be calculated in respect of each complete month of the period of validity specified on the permit which remains unexpired at the time when the permit is surrendered to the Council.

- 16.4 A permit holder who surrenders a resident's permit to the Council whether before or after the permit becomes valid shall not be entitled to a refund, either in full or part, of the charge paid in respect of the issue thereof.

PART IV - REVOCATION OF TRAFFIC ORDERS

17 Traffic Orders to be revoked

- 17.1 The following Orders, along with any subsequent enactments which amended or applied any provisions of these Orders, are hereby revoked:

The County of Cornwall (Various Streets) (Disabled Persons Street Parking Place) Order 2009;

The County of Cornwall (Carbis Bay) (Various Streets) (Restrictions on Waiting) (Consolidation) Order 2005;

The County of Cornwall (Hayle) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2008;

The County of Cornwall (Kerrier) (Rural Settlements) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2010;

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

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

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

The County of Cornwall (St Just) (Various Streets) (On-Street Parking Places and Restrictions on Waiting) (Consolidation) Order 2006; and

The County of Cornwall (St Ives) (Residents' Parking Places) (Part 1) Order 2018.

Given under the Common Seal of the Cornwall Council this 19th day of March 2024.

ANNEXED SCHEDULES

MAP SCHEDULES

CATCHMENT AREA SCHEDULE

The Common Seal of
THE CORNWALL COUNCIL
was hereunto affixed
in the presence of:



Authorised Officer

S. Cathorne
SARA CATHORNE

070969

Certified to be a true copy

Holley King

Holley King

ROAD TRAFFIC REGULATION ACT 1984

THE COUNTY OF CORNWALL (WEST CORNWALL)
(ON-STREET PARKING PLACES AND RESTRICTIONS ON WAITING)
(CONSOLIDATION) ORDER 2024

INFRA23-117