

Please send on
22/3/13.

22
Designated Area
mp

**CITY OF COVENTRY (ANSTY ROAD) (RESIDENTS PARKING ZONE) (EXPERIMENTAL)
ORDER 2013**

The Council of the City of Coventry (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 9, 10 and Parts III and VI of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), as amended 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:

PART I

CITATION AND INTERPRETATION

Citation

1. This Order shall come into operation on the **5th April 2013** (for a period not exceeding eighteen (18) months) and may be cited as the City of Coventry (Ansty Road) (Residents Parking Zone) (Experimental) Order 2013.
 - 1.1 The City of Coventry (Ansty Road)(Residents Parking Zone) (Experimental) Order 2013 Plans ("the Plans") are incorporated into this Order
2. The City of Coventry (North East Area) (Permitted Parking Area and Special Parking Area) (Waiting Restrictions, Loading Restrictions, Loading Areas and Street Parking Places) Consolidation Order 2005 (as amended), shall be read as modified by this Experimental Order for the duration of this Experimental Order
3. The City of Coventry (Red Route) (Various Roads) Order 2009 as amended by the City of Coventry (Red Route) (Various Roads) Order 2009 (Variation 1) Order 2011 shall be read as modified by this Experimental Order for the duration of this Experimental Order

Interpretation

4 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

"Ansty Road Residents Parking Zone" means the area comprising the roads specified on the Plans;

"ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994;

"authorised officer" means the Director of City Services & Development of the Council or any other officer of the Council from time to time designated by the Council;

"authorised parking place" means any parking place on a road authorised or designated by this Order;

"bus" has the same meaning as in Regulation 22 of the 2002 Regulations

"business" means any lawful trade, profession or employment and shall include a registered charity, and statutory undertaking;

"business premises" means premises where business takes place;

"carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;

"City of Coventry" in relation to this Order means the City of Coventry as designated by the Road Traffic (Permitted Parking Area and Special Parking Area)(City of Coventry) Order 2005

"Civil Enforcement Officer" shall have the meaning assigned by Section 76 of the Traffic Management Act 2004.

"disabled person's badge" has the same meaning as in the Local Authorities Traffic Orders (Exceptions for Disabled Persons) (England) Regulations 2000;

"disabled person's vehicle" has the same meaning as in Section 142 of the 1984 Act;

"dispensation certificate" – means a certificate duly issued on behalf of the Council permitting a vehicle to wait in specified circumstances on a length or lengths of roads within the red route where waiting or stopping of that vehicle would otherwise be prohibited

"driver", in relation to a vehicle waiting in parking place or on a road or length of road, means the person driving the vehicle at the time it was left in that parking place or road or length of road;

"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 and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;

"goods" means goods or burden of any description and includes postal packets of any description, and "delivering" and "collecting" in relation to any goods includes checking the goods for the purpose of their delivery or collection;

"hackney carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847, Section 6 of the Metropolitan Carriages Act 1869, or any similar enactment;

"household" means a house or flat which has its own address. In the case of sub-divided properties the establishment of an individual address is subject to any appropriate planning consent having been obtained for the sub-division of the property;

"licensed taxi" has the same meaning as in section 13 (3) of the Transport Act 1985;

"loading" means the loading or unloading of goods to or from a vehicle;

"motorcycle" and "invalid carriage" have the same meanings as in Section 136 of the Act of 1984;

"no loading road" means any of the sides or lengths of roads specified on the Plans where loading is prohibited provided that the expression "no loading road" shall not include any parking place;

"no loading hours" means in relation to any no loading road the hours during which loading and unloading is restricted as specified on the Plans;

"owner", in relation to a vehicle means the person by whom the vehicle is kept. In determining who was the owner at any time it shall be presumed that the owner was the person named in the vehicle registration document as the registered keeper of that vehicle or the person who has the use of the vehicle in the course of his / her employment and who is entitled to use such a vehicle as though he / she were the registered keeper thereof;

"parking disc" has the same meaning as in the Local Authorities Traffic Orders (Exceptions for Disabled Persons) (England) Regulations 2000;

"parking place" means a road or length of road, which is provided for the waiting of vehicles and specified on the Plans;

"pedal cycle" has the same meaning ascribed to it as in Section 142 Road Traffic Act 1988

"penalty charge" has the same meaning as in Section 82(1) of the Act of 1991.

"penalty charge notice" means a notice issued or served by a parking attendant pursuant to the provisions of section 66 of the Act of 1991;

"permit" means a permit issued under the provisions of Articles 49 to 53 or 54;

"permit holder" means a person to whom a permit has been issued;

"permitted hours" means the periods specified for each parking place on the Plans attached to this Order during which waiting by vehicles of a specific class is permitted;

"permitted parking place" means a parking place at which vehicles are permitted to wait under the provision of this order;

"permitted vehicle" means a passenger vehicle, goods vehicle, invalid carriage or motor cycle;

"premises" includes land and buildings;

"principal place of residence" means a place where the applicant for a parking permit stays overnight for at least four nights per week during a period of at least 10 months per year

'private hire vehicle' means a vehicle licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 or any similar enactment

"prohibited hours" means in relation to any prohibited road the hours during which waiting or loading is prohibited as specified on the Plans;

"prohibited road" means any of the sides or lengths of roads specified on the Plans where waiting is prohibited provided that the expression "prohibited road" shall not include any parking place;

"red route" means the areas of the road enclosed within the shading on the plans in this Order;

"red route bus clearway" means a part of the red route indicated by a continuous red line 300mm wide at the edge of carriageway;

"red route bus stand" means a part of the red route bounded by the broken yellow lines comprised in the road marking in diagram 1025.1, 1025.4 in schedule 6 to the Traffic Signs Regulations and General Directions 2002 on which the words "bus stand" are marked;

"red route bus stop" means a part of the red route bounded by the broken yellow lines comprised in the road marking in diagram 1025.1, 1025.3 or 1025.4 in schedule 6 to the Traffic Signs Regulations and General Directions 2002 on which the words "bus stop" are marked;

"relevant position" in respect of: -

(a) a disabled person's badge and parking disc has the same meaning as in the Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and

(b) a residents or visitors permit and other pass means exhibited on the windscreen, dashboard or fascia of the vehicle or where the vehicle does not have a windscreen, dashboard or fascia in a conspicuous position on the vehicle so that the whole of the information on the front of the ticket or permit is clearly legible from outside of the vehicle;

"resident" means a person whose principal place of residence is at premises the postal address of which is in a road or part of a road specified in the Schedule

"restricted hours" means in relation to any restricted road the hours during which waiting is restricted as specified on the Plans attached to this Order;

"restricted road" means any of the sides or lengths of roads specified on the Plans where waiting is restricted OR specific activities are restricted during the restricted hours provided that the expression "restricted road" shall not include any parking place;

"road" shall have the same meaning ascribed to it in section 142 of the Road Traffic Regulation Act 1984 (as amended) and for the avoidance of doubt shall include whole width of the road up to the boundary of the adjacent properties including the verge;

"telecommunication system" has the same meaning as in the Telecommunications Act 1984;

"the 2002 Regulations" means the Traffic Signs Regulations and General Directions 2002 and includes any enactment or re-enactment thereto;

"the 2004 Act" means the Traffic Management Act 2004;

"traffic sign" means a sign of any size, colour and type prescribed or authorised pursuant to or having the effect as though prescribed or authorised pursuant to Section 64 of the Act of 1984;

"vehicle" means:-

- i) a mechanically propelled vehicle intended for or adapted for use on the Road; and/or
- ii) a pedal cycle being used for the purpose of cycling

which for the avoidance of doubt shall include the whole or any part of a vehicle

“waiver certificate” means a certificate duly issued on behalf of the Council permitting a vehicle to wait in specified circumstances on a length or lengths of roads where waiting of that vehicle would otherwise be prohibited

5. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
6. Except where otherwise stated, any reference in this Order to a numbered Article or Schedule is a reference to the Article or Schedule bearing that number in this Order and any reference to a plan is a reference to a Plan incorporated into this Order;
7. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.
8. Save where the contrary is indicated, any reference in this Order to:-
 - a) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;
 - b) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted.
9. Where restrictions specified on the Plans relate to a length or lengths of verge then that restriction shall apply to the verge only and any parking restrictions in place for the length or lengths of road of which the verge forms part shall apply to that length of carriageway only

PART II

PROHIBITION AND RESTRICTION OF STOPPING, WAITING, LOADING AND UNLOADING

Prohibition of stopping

- 10 Save as provided in Articles 16 to 26 no person shall except upon the direction or with the permission of a parking attendant/civil enforcement officer in uniform or police constable in uniform, cause or permit any vehicle to stop at any time on any Red Route as specified on the Plans.

Prohibition of waiting

11. Save as provided in Articles 16 to 26 no person shall, except upon the direction or with the permission of a parking attendant/civil enforcement officer in uniform or police constable in uniform, cause or permit any vehicle to wait at any time on any prohibited road within the Red Route as specified on the Plans.

Restriction of waiting

12. Save as provided in Articles 16 to 26 no person shall, except upon the direction or with the permission of a parking attendant/civil enforcement officer in uniform or police constable in uniform, cause or permit any vehicle to wait on any restricted road within the red route during the restricted hours as specified on the Plans attached to this Order.

Limited waiting

13. Save as provided in Articles 16 to 26 no person shall, except upon the direction or with the permission of a parking attendant/civil enforcement officer or police constable in uniform, cause or permit any vehicle to wait on any restricted road within the Red Route in respect of which there is specified on the Plans attached to this Order a period during the restricted hours in which waiting is allowed, for a period longer than specified on the Plans attached to this Order or if a period less than that specified on the Plans attached to this Order as being the period in which the vehicle shall not return has elapsed since a previous period of waiting by the same vehicle on the same side of length of road.

Loading areas

14. Save as provided in Articles 16 to 19 no person shall, except upon the direction or with the permission of a parking attendant/civil enforcement officer or police constable in uniform, cause or permit any vehicle to wait in any loading area specified on the Plans except for the loading or unloading of goods in connection with adjoining trade or business premises.

Restriction on loading and unloading

15. No person shall, except upon the direction or with the permission of a parking attendant/civil enforcement officer or police constable in uniform, cause or permit any vehicle to wait for the purpose of enabling goods to be loaded or unloaded from the vehicle on any no loading road within the Red Route during the no loading hours as specified on the Plans.

Emergencies

16. Nothing in Articles 10 to 15 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable the vehicle to be used for fire and rescue, ambulance or police purposes:

General exemptions

17. Nothing in Articles 10 to 15 of this Order shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of road or on the sides of road or loading areas specified therein for so long as may be necessary to enable:
- a) a person to board or alight from the vehicle when directed by or with the permission of a parking attendant/civil enforcement officer in uniform or police constable in uniform,

- b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system.
- c) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of statutory powers or duties;
- d) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
- e) the vehicle to be used to facilitate a funeral or wedding service;
- f) the vehicle to be used by a Registered Medical Practitioner or State Registered Midwife to attend upon patients;
- g) in any case where the person in control of the vehicle,
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside their control;

- h) except where article 10 applies goods to be loaded or unloaded from a vehicle (or goods or merchandise to be delivered or collected)
- 18. Nothing in Articles 10 to 15 of this Order shall render it unlawful to cause or permit any vehicle to wait upon an authorised parking place.
- 19. Nothing in Articles 10 to 15 shall prevent any person from causing or permitting a vehicle to wait or load or unload on a road within the red route if it is displaying in the relevant position a valid waiver certificate or dispensation certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate.

Waiting by disabled persons vehicle

- 20. Nothing in Articles 11 and 12 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 the sides of road referred to in those Articles for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road or on the same side of road on the same day)

Provided that the vehicle immediately before or after the act of parking has been or is about to be driven by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

- 21. Nothing in Article 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 to wait on the sides of road referred to in that Article.

Provided that the vehicle immediately before or after the act of parking has been or is about to be driven by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

Stopping by a disabled persons vehicle

22. Nothing in Article 10 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge "to stop for so long only as may be required to enable a disabled person to get on or off the vehicle";

Hackney Carriage

23. Nothing in Articles 10 to 13 shall prevent any person from causing or permitting a hackney carriage to stop for so long as may be required to enable passengers to board or alight from the vehicle.

Private Hire Vehicle

24. Nothing in Articles 10 to 13 shall prevent any person from causing or permitting a private hire vehicle to stop for so long as may be required to enable passengers to board or alight from the vehicle;

Buses

25. Nothing in Articles 10 to 15 shall prevent any person from causing a bus to be parked at the edge of the carriageway on a part of the Red Route identified as bus parking on the Plans

26. (1) Nothing in Article 10 shall prevent any person from causing:
- a) a bus to stop within a red route bus stop for as long as may be required to enable passengers to board or alight
 - b) a bus providing a local service to stop within red route bus stop or bus stand if being used for operational reasons or training drivers to allow such a service to be provided
- (2) In this article "operational reasons" means
- i) to enable passengers to board and alight
 - ii) to enable crew changes to take place
 - iii) to maintain the scheduled timetable subject, in the case of a red route bus stop, to a maximum wait of two minutes

Waiver Certificate and Dispensation Certificate

27. The Council may issue a waiver certificate or dispensation certificate on receipt of written application with at least 5 days working notice and may impose terms and conditions as appropriate.
28. A waiver certificate or dispensation certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

PART III

AUTHORISATION AND USE OF STREET PARKING PLACES

Designation of parking places

29. The parts of the roads identified on the Plans are authorised to be used, subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions and on such days and during such hours as identified on the Plans.
30. Save as provided in Article 38 no person shall cause or permit any vehicle to wait in a resident permit holders only parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a permit in respect of that vehicle valid for that permit parking place

Power to suspend parking places

31. Any person authorised by the Council may suspend the use of a parking place whenever he / she considers such suspension reasonably necessary;
 - a) for the purpose of facilitating the movement of traffic or promoting its safety;
 - b) for the purposes of any building operation, demolition or excavation in or adjacent to the parking place or the maintenance, improvement or reconstruction of the parking place or the laying, erection, alteration, removal or repair in or adjacent to

the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or traffic sign; or

- c) for the convenience of occupiers of premises adjacent to the parking place or any occasion for the removal of furniture from one office or dwelling house to another place;
- d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed;
- e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals or on other special occasions;
- f) for the purpose of facilitating the cleansing of the parking place.

- 32. A Police Officer in uniform may suspend the use of a parking place for not longer than twenty-four hours whenever he / she considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting safety.
- 33. Any person suspending the use of a parking place in accordance with the provisions of Articles 31 or 32 shall place in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.
- 34. No person shall cause or permit a vehicle to be left in a parking place when the Council has by Order closed that parking place and exhibited notice of such closing on or near the parking place.
- 35. Nothing in Article 34 shall render it a contravention to cause or permit a vehicle to be left in a parking place, which displays in the relevant position a valid waiver certificate issued by the Council, and the vehicle is waiting in accordance with the terms and conditions of the said certificate

Classes of vehicles

- 36 Where a parking place is identified on the Plans and described as available for vehicles of the specified class, the driver of a vehicle shall not permit it to wait in that parking place unless it is of the specified class.

Position of vehicles

- 37 A vehicle must be left in a parking place identified in the Plans so that
- (i) if the parking place is not in a one-way street, the left or nearside of the vehicle is adjacent to the left-hand edge of the carriageway;
 - (ii) the distance between the edge of the carriageway and the nearest wheel of the vehicle is not more than 300 millimetres;
 - (iii) every part of a vehicle is within the limits of a parking place;
 - (iv) no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.

Exemptions

38. The following vehicles left in a parking place shall be exempt from any limitation on time or vehicle class requirements:
- (i) an invalid carriage;
 - (ii) a vehicle, being a disabled person's vehicle which displays in the relevant position a disabled person's badge;

Provided that the vehicle immediately before or after the act of parking has been or is about to be driven or used by the person to whom the badge has been issued or, as the case may be, used for the carrying of disabled person(s) as passenger(s).

- (iii) a vehicle displaying in the relevant position a valid waiver certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said certificate

Conditions of use of parking places

- 39. The driver of a motor vehicle using a parking place shall stop the engine as soon as the vehicle is in a position in the parking place, and shall not start the engine except when about to change the position of the vehicle in or to depart from the parking place.
- 40. Save as provided in respect of licensed hackney carriages waiting in a hackney carriage stand no person shall use a vehicle, while it is in a 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 skill or services.

Movement and removal of vehicles

- 41. When a vehicle is waiting in a parking place in contravention of the provision of Articles 34 or 37 a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that its position shall comply with that provision.
- 42. When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 34, 36 or 37 a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place:
- 43. Any person altering the position of or removing a vehicle by virtue of the last preceding Articles of this Order may do so by towing or driving the vehicle or in such other manner as he / she may think necessary and may take such measures in relation to the vehicle as he / she may think necessary to enable him to remove it or alter its position as the case may be.
- 44. When a person authorised by the Council removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 39 of this Order, he / she

shall make such arrangements as may be reasonably necessary for the safe custody of the vehicle.

PART IV

PERMIT ONLY PARKING PLACES AND PERMITS

Permit parking places

45. The parts of the roads identified on the Plans are authorised to be used, subject to the following provisions of this Order, as parking places for such classes of vehicles, in such positions and on such days and during such hours as identified on the Plans.
46. Save as provided in Article 67, no person shall cause or permit any vehicle to wait in a permit parking place during the permitted hours unless there is displayed on that vehicle in the relevant position a permit in respect of that vehicle valid for that permit parking place.

Resident permits

47. Any resident who is the owner of a passenger vehicle, a goods vehicle, an invalid carriage or a motorcycle may apply to the Council for a permit for the leaving of that vehicle in a resident permit parking place and any such application shall be made on a form issued by and obtainable from the Council or its authorised agent and shall include such particulars and information required by the Council

Visitor permits

48. Where applicable as specified in the Schedule to this Order, any resident may apply for visitor permits for the leaving of a passenger vehicle, a goods vehicle, an invalid carriage or a motorcycle belonging to bona fide persons visiting the resident for the leaving of that vehicle in a resident permit parking place and any such application shall be made on a form issued by and obtainable from the Council or its authorised agent.

Carer Permits

49. Any resident subject to the conditions approved from time to time by the Council may apply to the Council for the issue of a carers permit for the leaving during restricted times of a vehicle being used by a Carer attending that resident in a residents permit holders only parking place within the parking zone within which he or she resides and any such application shall be made in the form issued by and obtainable from the Council or authorised agent and shall include such particulars and information required by the Council

Provided that carer permits shall be limited to a maximum of one per household.

Medical Professional and Pastoral Permits

50. Any person that satisfies the Council that he or she is:
- i) a fully registered doctor as defined in Section 55 of the Medical Act 1983;
 - ii) a registered medical practitioner who provides medically associated services;
 - iii) a health care professional providing professional service within a list of professions approved from time to time by the Council; or
 - iv) a minister of religion providing pastoral services to residents within a residents parking zone;

may apply to the Council for the issue of a medical professional or pastoral permit for the leaving during restricted times of a vehicle in a residents permit holders only parking place and any such application shall be made in the form issued by and obtainable from the Council or authorised agent and shall include such particulars and information required by the Council

Business Permits

51. Any person who satisfies the Council that he or she:-

- i) occupies, runs or is employed by a business from a business premises which are located at a postal address specified in the Schedule to this Order; and
- ii) does not have sufficient off street parking facilities; and
- iii) can demonstrate that it is necessary for the efficient operation of the business for a vehicle to be parked within the residents parking zone;

may apply to the Council for the issue of a business permit for the leaving of that vehicle during restricted times in a residents permit holders only parking place within the parking zone in which the business premises is situated and any such application shall be made in the form issued by and obtainable from the Council or authorised agent and shall include such particulars and information required by the Council. Provide that not more than two permits shall be issued to one business or business premises at any one time.

Trade Permits

52. Any person who satisfies the Council that he or she is carrying out work at premises the postal address of which is within a residents parking zone and who can demonstrate that the vehicle is needed at the address for the efficient conduct of a trade or service may apply to the Council for the issue of a trade permit for the leaving during restricted times of a vehicle in a resident permit holders only parking place and any such application shall be made on a form issued by and obtainable from the Council or its authorised agent.

Application for permits

53. The Council or its authorised agent may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council or authorised agent such evidence in respect of an application for a permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.

Issue of permits

54. The Council or its authorised agent upon being satisfied that the applicant is a qualifying resident who is the owner of a vehicle of the specified class and on payment of any fee as the Council may from time to time determine, may issue to the applicant one resident parking permit, for the leaving during the permitted hours in a parking place of the vehicle to which such permit relates.
55. The Council or its authorised agent upon being satisfied that the applicant is a qualifying resident and on payment of any fee as the Council may from time to time determine may issue to the applicant visitors parking permits, for the leaving during the permitted hours in a residents parking place one vehicle of a visitor to the resident.

Special discretionary permits

56. The Council at its absolute discretion may issue to applicants special discretionary permits for specified periods of time:
- a) in respect of any applicant being unsuccessful in obtaining a permit within the foregoing provisions; and
 - b) in respect of planned, one off exceptional circumstances such as weddings, family gatherings, etc
- subject always to the application being made to the Council giving a minimum five days notice
57. A resident or visitor permit shall only be valid for use in a parking place on a road within an area identified on the permit and specified on the plans.

Surrender of permits

58. A permit holder may surrender such permit to the Council or its authorised agent at any time and shall surrender such permit to the Council or authorised agent on the occurrence of any one of the events set out in Article 60.

Withdrawal of permit

59. The Council or its authorised agent may, by notice in writing served on 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 residence, withdraw a permit if it appears to the Council or authorised agent that any one of the events set out in Article 60 has occurred and the permit holder shall surrender the permit to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

60. The events referred to in the Article 58 and 59 are:-

- (i) the permit holder ceasing to be a resident, business owner or employee of such a business;
- (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
- (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Articles 47 or 48;
- (iv) the issue of a duplicate permit by the Council under the provisions of Article 63; or
- (v) the expiry of the period for which the permit was issued.

Duplicate permits

61. If a permit is accidentally mutilated or 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 holder shall surrender it to the Council or authorised agent and apply to the Council or its authorised agent for the issue of a duplicate permit.

62. If a permit is lost or destroyed, the permit holder may apply to the Council or its authorised agent for the issue of a duplicate permit.
63. On application under Article 61 or 62, the Council or its authorised agent, being satisfied as to the circumstances as indicated, and on payment of any fee as the Council may from time to time determine, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
64. All the provisions of this Order shall apply to a duplicate permit to the same extent as they applied to the original permit.

Form of permit

65. A permit shall be in writing and shall include the following particulars:-
- (i) the registration mark of the vehicle in respect of which the permit has been issued;
- Provided that in exceptional circumstances and at the absolute discretion of the Council the vehicle registration mark may be omitted;
- (ii) the period during which, subject to the provisions of Article 59, the permit shall remain valid;
 - (iii) an authentication that the permit has been issued by the Council; and
 - (iv) a code or identification indicating the parking area for which the permit is valid.
66. At all times during which a vehicle is left in a parking place specified in Article 30 during the permitted hours, there shall be displayed in the relevant position a permit issued in respect of that vehicle valid for parking place.

Exemption for vehicles displaying a disabled badge or waiver certificate

67. Without prejudice to Article 30 with respect to vehicles left in a parking place, nothing shall prevent any person from causing or permitting a vehicle to wait during the permitted hours in a parking place if it displays in the relevant position a disabled persons badge or valid waiver certificate and the vehicle is waiting in accordance with the terms of the said badge or certificate.

Restriction on removal of permits, waiver certificate and disabled persons badge

68. Where a permit, waiver certificate or disabled persons badge has been attached to a vehicle, no person, not being the driver of the vehicle, a police constable in uniform, a civil enforcement officer or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

General Exemptions to permit requirements

69. Nothing in Articles 30 to 39 of this Order shall render it unlawful to cause or permit any vehicle to wait in any permitted parking place for so long as may be necessary to enable:
- a) a person to board or alight from the vehicle,
 - b) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
 - (i) building, shop fitting, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
 - (iv) the laying, erection, alteration or repair in or on land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications system.

- c) the vehicle, if it cannot conveniently be used for such purposes in any other road, to be used in the service of a local authority or its contractors in pursuance of statutory powers or duties;
- d) the vehicle of the Royal Mail or other universal service provider (as defined in section 4(3) and (4) of the Postal Services Act 2000) to be used for the purpose of delivering and/or collecting mail;
- e) the vehicle to be used to facilitate a funeral or wedding service;
- f) the vehicle to be used by a Registered Medical Practitioner or State Registered Midwife to attend upon patients;
- g) in any case where the person in control of the vehicle,
 - (i) is required by law to stop;
 - (ii) is obliged to stop so as to prevent an accident, or
 - (iii) is prevented from proceeding by circumstances outside their control;

PART IV

CONTRAVENTION OF ORDER

Contravention

70 If a vehicle is left in a parking place during the permitted hours or in any road or length of road in contravention or without complying with the requirements of this Order a contravention shall have occurred and a penalty charge shall be payable and/or the vehicle may be removed from that location.

Penalty Charge Notice

71. In the case of vehicle in respect of which a penalty charge may have been incurred, it shall be the duty of a Civil Enforcement Officer to issue a penalty charge notice, which shall include the information required by the 2004 Act

Manner of payment of Penalty Charge

72. The owner of the vehicle in respect of which the penalty charge has been incurred shall pay the penalty charge to the Council as indicated on the penalty charge notice.

Indications as evidence

73. The particulars given in the penalty charge notice attached to a vehicle in accordance with Article 71 shall be treated as evidence in any proceedings relating to failure to pay such penalty charge.

Removal of vehicle

74. Where a civil enforcement officer has removed or caused to be removed a vehicle in accordance with Articles 42 or 70
- (a) he / she shall provide for the safe custody of the vehicle;
 - (b) the Council shall be entitled to recover from the person responsible such charges in respect of the removal, storage and disposal of the vehicle as it might prescribe from time to time;
 - (c) the provisions of the 1984 Act as amended shall apply to the disposal of such vehicles removed by or on behalf of the Council pursuant to this Article.
75. Nothing in Articles 42 or 70, shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

Restriction on removal of notices

76. Where a penalty charge notice has been attached to a vehicle in accordance with the provisions of Article 71, no person, not being the driver of the vehicle, a police constable

in uniform, a civil enforcement officer or some other person duly authorised by the Council, shall remove the notice from the vehicle unless authorised to do so by the driver.

Immobilisation

77. If a vehicle is left after a penalty charge has been incurred, a civil enforcement officer in uniform or a person acting under his direction may attach to the vehicle an immobilisation device and a notice in accordance with the requirements of section 79 of the 2004 Act and that vehicle shall only be released from the device on payment of the penalty charge, or as the case may be a reduced penalty charge, along with such release fee as may be required by the Council.

Modification of Existing Order(s)

75. All the traffic regulation orders imposing waiting and loading restrictions, loading areas and street parking place orders made prior to this Experimental Order and which relate to those roads where the Ansty Road Residents Parking Zone restrictions will apply as defined on the Plans are to remain in existence but shall not be operational whilst this Experimental Order operates

SCHEDULE

ANSTY ROAD RED ROUTE – RESIDENTS PARKING ZONE

Roads and lengths of roads where residents, businesses or Traders are eligible for permits

ZONE F	ROAD	PROPERTIES ELIGIBLE
	Ansty Road	No.s 282 to 448 evens
	Ansty Road	No.s 289 to 455 odds .
	Ansty Road	Nos 1 to 8 Caludon Lodge

Dated: 28th March 2013

THE COMMON SEAL of the COUNCIL
of the CITY of COVENTRY was hereunto
affixed in the presence of:-



Authorised signatory



