CITY OF COVENTRY
(CITY CENTRE RESTRICTED PARKING ZONE) (PERMITTED PARKING AREA AND SPECIAL PARKING AREA)(DESIGNATION, WAITING RESTRICTIONS, LOADING RESTRICTIONS, LOADING AREAS AND STREET PARKING PLACES) ORDER 2012

The Council of the City of Coventry (hereinafter referred to as "the Council") in exercise of the powers conferred by Sections 1, 2, 4, 5, 32, 35, 35A (1) and (3), 45, 46, 46A, 47, 48, 49, 51, 52, 53, 61 and Parts III and IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act of 1984"), as amended and by virtue of Section 74 and paragraph 8(4) of Schedule 8 of the Traffic Management Act 2004 ("the 2004 Act") and of all other enabling powers the City of Coventry being a Civil Enforcement Area (CEA) 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

1.1 This Order shall come into operation on the **31st October 2012** and may be cited as the City of Coventry (City Centre Restricted Parking Zone) (Permitted Parking Area and Special Parking Area)(Designation, Waiting Restrictions, Loading Restrictions, Loading Areas And Street Parking Places Order 2012

1.2 The City of Coventry (City Centre Restricted Parking Zone) (Permitted Parking Area and Special Parking Area)(Designation, Waiting Restrictions, Loading Restrictions, Loading Areas and Street Parking Places Order 2012 Plans ("the Plans") are incorporated into this Order

Interpretation

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

"additional parking charges" means penalty charges, being charges made by the Council under the provisions of Regulation 3 and 4 of The Civil Enforcement of Parking Contraventions (Guidelines on levels of Charges) (England) Order 2007 SI 2007/3487 for the removal, storage and disposal of vehicles and charge in respect of the release of a vehicle from an immobilisation device fixed under Section 79 of "the 2004 Act".

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

"authorised officer" means a person authorised by or on behalf of the Council to supervise any parking place or in respect of any civil enforcement of parking contraventions a person who is authorised to use an approved device

"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

"bus stop area" means any area of carriageway of a road (which is specified and intended for the waiting of a local bus) which is comprised within and indicated by a road marking complying with either diagram 1025.1 or 1025.3 in Schedule 6 to the Traffic Signs Regulations and General Directions.

"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

"City Centre Restricted Parking Zone" means the roads specified on the Plans and entered by passing gateway signage as authorised by the Department for Transport (DfT) and shown on drawing no: GT50/-29/0008-2 (a copy of which is attached to the Plans) which shall for the avoidance of doubt include those roads and lengths of road specified in Schedule 3 to this Order which are shown on the Plans but located outside of the aforementioned gateway signage

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

"coach" shall for the purposes of this Order have the same meaning as bus

"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;

"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;

"hackney carriage stand" means an area of carriageway, which is comprised within and indicated by road markings complying with diagram 1028.2 in Schedule 6 to the 2002 Regulations;

"hirer" is as defined in Regulation 5 of SI 2007/3483

"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;

"loading vehicle" means a vehicle which is being used to enable goods to be loaded or unloaded provided that when the aforementioned purposes have been completed the vehicle must immediately proceed out of that length of road

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

"one-way street" means a highway in which vehicles are prohibited at all times from proceeding in any other than one direction

"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;

"parking ticket" means a ticket issued by a ticket machine or issued by an authorised officer at the parking place

"pay and display parking place(s)" means those Pay and Display parking places identified on the Plans and subject to the charges set out in Schedule 1 to this Order

"pedal cycle" has the same meaning as ascribed to it in Section 192 of the Road Traffic Act 1988

"penalty charge" means a charge payable in accordance with Regulation 4 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 SI 2007/3483 in respect of a parking contravention specified in paragraph 4 of Schedule 7 of the 2004 Act

"penalty charge notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Regulation 8 to SI 2007/3483

"permit" means a permit issued under the provisions of Part IV of this Order;

"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 with the relevant permit of a specific class is permitted;

"permit(ted) parking place" means a parking place at which vehicles are permitted to wait under the provision of this order if displaying a relevant permit;

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

"reduced penalty charge" means the discounted level of penalty charge

"relevant parking charge" means the charge set out in Article 27 of this Order.

"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, season ticket 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 Schedule 2 of this Order

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

"restricted road" means any of the sides or lengths of road specified on the Plans to this Order 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 Act 0f 1984 and for the avoidance of doubt shall include the whole width of the road up to the boundary of the adjacent properties including the verge;

"season ticket(s)" shall mean the annual parking ticket issued in accordance with Article 24(2) of this Order.

"season ticket fee" shall be the annual fee payable by the applicant for the aforementioned season ticket. The said fee shall be set at the sole discretion of the Council and may be reviewed at any time.

"tariff zone" means an area that incorporates parking spaces, parking places or parking bays that are subject to a Relevant Parking Charge,

"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 amendment or reenactment thereto;

"the 2004 Act" means the Traffic Management Act 2004

"ticket machine" means an apparatus of a type and design generally or specifically approved by the Secretary of State for Transport, being an apparatus designed as a means to indicate on a parking ticket the time at which a vehicle arrived and the time at which it ought to leave or one or other of those times, "traffic manager" means that officer nominated as such by the Council as required by the 2004 Act

"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 or as approved by the DfT;

"valid parking ticket" means a ticket displayed in a relevant position where the paid for time and date, at a pay and display parking place, has not expired and that the parking ticket has not been transferred from one vehicle to another

"vehicle" means:-

i) a mechanically propelled vehicle intended or adapted for use on the road

ii) a pedal cycle in actual use for the purposes 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

3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

4 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;

5. 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.

6. 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.

7. The Council has set penalty charge levels payable in respect of any parking contraventions specified in paragraph 4 of Schedule 7 of "the 2004 Act" and in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 SI 2007/3487

8. The Council will take enforcement action in respect of parking contraventions as follows: -

(a) in accordance with The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 SI 2007/3483 and for this purpose it may use an "Approved Device" as defined in The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 SI 2007/3486

(b) the Council's Civil Enforcement Officers (CEO) shall wear uniform when exercising the functions specified in Regulation 2 of The Civil Enforcement (Wearing of Uniform) (England) Regulations 2007 SI 2007/3485 namely giving notification of a Penalty Charge, immobilising a vehicle and removal of parked and abandoned vehicles

(c) the Council will comply with the provisions relating to representation and appeals specified in The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 SI 2007/3482

(d) the Council's CEO will remove vehicles left on a road in a Civil Enforcement Area in accordance with The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007 SI 2007/3484

9 A further Penalty Charge shall be payable for each additional day or part of a day during which the vehicle is left in contravention of any prohibitions or restrictions imposed by this Order. Any additional penalty is to be paid in the manner detailed in Article 8 of this Order.

9.1 In the case of conflict between the provisions of this Order and the 2004 Act and any subordinate legislation made under it then that legislation takes priority

PART II

PROHIBITION AND RESTRICTION OF STOPPING, WAITING, LOADING AND UNLOADING

Prohibition of waiting

10. Save as provided in Articles 16 to 20 and 23 no person shall, except upon the direction or with the permission of a Civil Enforcement Officer in uniform or Police Constable in uniform, cause or permit any vehicle to wait at any time on any prohibited road as specified on the Plans.

Prohibition of stopping

11. Save as provided in Articles 16 to 19 and 22 no person shall except upon the direction or with the permission of a Civil Enforcement Officer in uniform or Police Constable in uniform, cause or permit any vehicle to stop at any time on any prohibited road as specified on the Plans

Restriction of waiting

12. Save as provided in Articles 16 to 20 and 23 no person shall, except upon the direction or with the permission of a Civil Enforcement Officer in uniform or Police Constable in uniform, cause or permit any vehicle to wait on any restricted road during the restricted hours as specified on the Plans.

Limited Waiting

13. Save as provided in Articles 16 to 19, 21 and 23 no person shall, except upon the direction or with the permission of a Civil Enforcement Officer or Police Constable in uniform, cause or permit any vehicle to wait on any restricted road 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 or if a period less than that specified on the Plans 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 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 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 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 specified therein for so long as may be necessary to enable:

(a) a person to board or alight from the vehicle,

(a)(i) where a prohibition provided for in Article 11 applies, a person to board or alight from a vehicle when directed by or with the permission of a 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) 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;

(g) except where Article 15 applies goods to be loaded or unloaded from a vehicle (or goods or merchandise to be delivered or collected) provided the vehicle is on the carriageway

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 providing the said vehicle is of the class specified on the Plans.

19. Nothing in Articles 10 to 15 shall prevent any person from causing or permitting a vehicle to wait in any restricted road if it is displaying in the relevant position a valid permit or waiver certificate issued by the Council and the vehicle is waiting in accordance with the terms and conditions of the said permit or certificate.

Waiting by disabled persons vehicle

20. Nothing in Articles 10 and 12 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 and shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge wait on the sides of roads 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 11 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 board or alight from the vehicle"

Hackney Carriage

23. Nothing in Articles 10 to 13 shall prevent any person from causing or permitting a licensed hackney carriage to wait in any duly authorised hackney carriage stand:

Waiver Certificate Dispensation Certificate and Season Ticket(s)

24(1)The Council may issue a waiver certificate on receipt of written application with at least 5 days working notice and may impose terms and conditions as appropriate.

24(2) The Council at its sole discretion may issue a season ticket to the owner(s)/occupier(s) of those premises and properties situate on the roads(s) specified in Schedule 4 to this Order on receipt of written application. Such season tickets will be issued subject to the season ticket fee applicable at the time of issue and subject to any other terms and conditions the Council at that time deems appropriate.

25. A waiver certificate or season ticket 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/season ticket at any address that the Council believes to be that person's address and the certificate/season ticket shall forthwith be surrendered to the Council.

PART III

AUTHORISATION AND USE OF STREET PARKING PLACES INCLUDING PAY AND DISPLAY PARKING PLACES

Designation of parking places

26. 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 as identified on the Plans.

27(1) Subject to Article 27(2) where parking places are identified on the Plans as pay and display (tariff zone), the owner/hirer of a vehicle shall not permit that vehicle to wait in that parking place:-

(a) for longer than the period of time (if any) specified for the tariff zone indicated on the Plans and identified in Schedule 1 (not being a period separated by an interval of less than the period of time (if any) specified in Schedule 1 in relation to a parking place from a previous period of waiting by the same vehicle in the same parking place on the same length of road on the same day) unless displaying a season ticket or waiver certificate; either

(b) (i) without displaying a valid parking ticket in the relevant position for that parking place issued by a ticket machine or

(ii) without payment of the Relevant Parking Charge having been made electronically to the Council or its agent via the use of a mobile device in the manner described on signs located at or near the parking place

(iii) without displaying a valid waiver certificate or season ticket in the relevant position

(2) Where a period of time or a tariff zone is specified on the Plans a Disabled Person's vehicle which displays in the relevant position a valid Disabled Person's badge issued by any local authority or a motor cycle may wait in the parking place and, whilst so waiting, will not be subject to any charge other than a Penalty Charge or Additional Penalty Charges.

(3) Where in addition to a period of time or a tariff zone a residents parking restriction is specified on the Plans a vehicle which displays in the relevant position a valid permit may wait in the parking place and, whilst so waiting, will not be subject to any charge other than a Penalty Charge or Additional Penalty Charges

(4) Every vehicle left in a parking place shall so stand that every part of the vehicle is wholly within the limits of the parking place.

(5) Nothing in Articles 27(1) and 27(2) of this of this Order shall apply to any vehicle which is waiting with the permission of a Police Constable in uniform

28. At all times during which a vehicle is left in a Pay and Display Parking Place during the prescribed hours there shall be displayed in the relevant position on the vehicle either a valid) waiver certificate, ii) season ticket or iii) parking ticket for that parking place and in the case of parking ticket issued by a ticket machine unless in relation to those times payment of the Relevant Parking Charge has been made electronically to the Council or its agent via the use of a mobile device in the manner described on signs located at or near the parking place.

29. A vehicle shall only be left in a Pay and Display Parking Place if it displays either a valid i) waiver certificate ii) season ticket or iii) parking ticket unless in relation to the times when the vehicle is left during the prescribed hours payment of the Relevant Parking Charge has been made electronically to the Council or its agent via the use of a mobile device in the manner described on signs located at or near the parking place.

30. (1) Subject to the maximum period of waiting for a Pay and Display Parking Place as specified by the Tariff Zone in which it is located the initial charge for a vehicle left in a parking place shall be as listed in Schedule 1

(2) The charges referred to in Article 30(1) of this Article shall be payable by the insertion of an appropriate coin or coins, credit card, bank notes or other approved method of payment and relevant to the apparatus or device provided.

(3) Where an owner/hirer of a vehicle has paid the Relevant Parking Charge in the manner described in Article 30(2) and the valid parking charge pertains to a Tariff Zone, should the vehicle leave the Parking Place and proceed to a Tariff Zone of a different tariff then the Relevant Parking Charge for that Tariff Zone must be purchased as described in Article 30(2).

(3) Where in addition to a period of time or a tariff zone a residents parking restriction is specified on the Plans a vehicle which displays in the relevant position a valid permit may wait in the parking place and, whilst so waiting, will not be subject to any charge other than a Penalty Charge or Additional Penalty Charges

(4) Every vehicle left in a parking place shall so stand that every part of the vehicle is wholly within the limits of the parking place.

(5) Nothing in Articles 27(1) and 27(2) of this of this Order shall apply to any vehicle which is waiting with the permission of a Police Constable in uniform

28. At all times during which a vehicle is left in a Pay and Display Parking Place during the prescribed hours there shall be displayed in the relevant position on the vehicle either a valid) waiver certificate, ii) season ticket or iii) parking ticket for that parking place and in the case of parking ticket issued by a ticket machine unless in relation to those times payment of the Relevant Parking Charge has been made electronically to the Council or its agent via the use of a mobile device in the manner described on signs located at or near the parking place.

29. A vehicle shall only be left in a Pay and Display Parking Place if it displays either a valid i) waiver certificate ii) season ticket or iii) parking ticket unless in relation to the times when the vehicle is left during the prescribed hours payment of the Relevant Parking Charge has been made electronically to the Council or its agent via the use of a mobile device in the manner described on signs located at or near the parking place.

30. (1) Subject to the maximum period of waiting for a Pay and Display Parking Place as specified by the Tariff Zone in which it is located the initial charge for a vehicle left in a parking place shall be as listed in Schedule 1

(2) The charges referred to in Article 30(1) of this Article shall be payable by the insertion of an appropriate coin or coins, credit card, bank notes or other approved method of payment and relevant to the apparatus or device provided.

(3) Where an owner/hirer of a vehicle has paid the Relevant Parking Charge in the manner described in Article 30(2) and the valid parking charge pertains to a Tariff Zone, should the vehicle leave the Parking Place and proceed to a Tariff Zone of a different tariff then the Relevant Parking Charge for that Tariff Zone must be purchased as described in Article 30(2).

(4) A Relevant Parking Charge may only be redeemed to its maximum valid paid for period in a Tariff Zone of the same tariff and is not transferable into Tariff Zones of a different tariff.

31. When a vehicle is left in a parking place beyond the prescribed hours in contravention of any provision of this Order, a Penalty Charge shall be payable.

Resident permit holders only parking places

32. Save as provided in Article 41 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

Disabled badge holders only parking places

33. Where, within a parking place, there is a sign and surface marking which indicates that a parking bay is available only for a disabled person's vehicle, no person shall cause or permit a vehicle to wait in the parking bay unless it is a disabled person's vehicle

Power to suspend parking places

34. 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

(g) for any reason/occasion considered necessary by the Traffic Manager as determined from time to time.

35. 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.

36. Any person suspending the use of a parking place in accordance with the provisions of Articles 34 or 35 shall place in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.

37. 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.

38. Nothing in Article 37 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

39. Where a parking place is identified in 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

40. 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

41. 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

42. 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.

43. 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/her skill or services.

Movement and removal of vehicles

44. When a vehicle is waiting in a parking place in contravention of the provision of Articles 37 or 40 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.

45. When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 37, 39 or 40 a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place:

46. 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.

47. 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 45 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

48. 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.

49. Save as provided in Article 70, 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

50. Any resident who is the owner of 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

51. Where applicable as specified in Schedule 2 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

52. 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

53. 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

54. 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. Provided that not more than two permits shall be issued to one business or business premises at any one occasion.

Trade Permits

55. 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

56. 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 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

57. 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.

58. The Council 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

59. 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

60. 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

61. 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 on the occurrence of any one of the events set out in Article 56.

Withdrawal of permit

62. The Council 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 63 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.

63. The events referred to in the Article 61 and 62 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 50 or 51;

(iv) the issue of a duplicate permit by the Council under the provisions of Article 66; or

(v) the expiry of the period for which the permit was issued.

Duplicate permits

64. 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 for the issue of a duplicate permit.

65. If a permit is lost or destroyed, the permit holder may apply to the Council for the issue of a duplicate permit.

66. On application under Article 64 or 65, 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.

67. 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

68. 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 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 62, 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.

69. At all times during which a vehicle is left in a parking place specified in Article 32 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

70. Without prejudice to Article 32 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

71. 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

72. Nothing in Articles 32 to 42 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 V

CONTRAVENTION OF ORDER

Contravention

73. If a vehicle is left in a parking place outside 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

74. 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

75. 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

76. The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with Article 74 shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

Removal of vehicle

77. Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with Articles 45 or 73,

(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.

78. Nothing in Articles 45 or 73 shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

Restriction on removal of notices

79. Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 74, 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

80. 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)

81. All the traffic regulation orders imposing stopping, waiting and loading restrictions, loading areas and on street parking places made prior to this

Order and which relate to those roads as shown on the Plans are revoked.

Dated: 25th October 2012

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



Authorised signatory

SCHEDULE 1

The initial charge for a vehicle left in a parking place identified on the Plans as Pay and Display Parking Place shall be either:

Tariff Zone 1. (maximum stay 2 hours, no return within 4 hours)

Monday to Saturday - 8am to 6pm, Bank Holidays - 10 am to 4 pm, inclusive

½ hour	1 hour	2hours		
50p	£1.00	£2.00		

Tariff Zone 2 (maximum stay 4 hours, no return within 4 hours)

Monday to Saturday 8am to 6pm Bank Holidays 10 am to 4 pm , inclusive

½ hour	1 hour	2hours	3 hours	4 hours
50p	£1.00	£2.00	£3.00	£4.00

SCHEDULE 2

RESIDENTS' PARKING SCHEME

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

ZONE	ROAD	PROPERTIES ELIGIBLE
ST	St Patrick's Road	All properties

SCHEDULE 3

Roads or lengths of road included within the City of Coventry Restricted Parking Zone as shown on the Plans but located outside of the gateway signage

Bishop Street (from its junction with Ringway St. Nicholas to the Gateway signage)
Chauntry Place
Cook Street
Henry Street
Lamb Street
Silver Street

Tower Street
Upper Well Street (from its junction with Lamb Street to the gateway signage)

SCHEDULE 4

The roads or lengths of road where owners/occupiers of properties/premises are eligible for season tickets

Friars Road