

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL
(BOROUGH OF NUNEATON AND BEDWORTH)
(WAITING RESTRICTIONS, ON-STREET PARKING PLACES AND RESIDENTS' PARKING)
(CONSOLIDATION) ORDER 2017

The Warwickshire County Council (hereinafter referred to as "the Council") in exercise of the powers conferred by sections 1(1), 2(1) to (3), 4(2), 32, 35, 45, 46, 47, 49 and 53 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, (hereinafter referred to as "the 1984 Act") 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 1984 Act, hereby make the following Order:-

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the Twenty-Third day of January Two thousand and seventeen and may be cited as "The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) Order 2017".

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

"Administration Fee" means the administration fee payable when applying to the Council for the suspension of a Parking Place in accordance with Article 24 of sixty pounds;

"Authorised Cab Rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 of Schedule 6 to the 2002 Regulations or diagram 1028.2 (Schedule 7, Part 4, Item 5) of the 2016 Regulations.

"Bus" has the same meaning as in Schedule 1 of the 2016 Regulations;

"Bus Stop Area" means any area of carriageway intended for the waiting of buses which is comprised within and indicated by a road marking complying with either diagram 1025.1 (Schedule 7, Part 4, Item 9) of the 2016 Regulations or with diagrams 1025.1 or 1025.3 of the 2002 Regulations and incorporating the words "Bus Stop" ;

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

"Business Premises" means any land or buildings where business takes place, the postal address of which is in any street listed in Schedule 1 to this Order;

"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;

"Charge Certificate" means a statement that the Penalty Charge has been increased by fifty percent in accordance with Regulation 21 of the 2007 Regulations;

"Civil Enforcement Officer" means an individual employed by the Council (or employed by an agent appointed to act on the Council's behalf) in accordance with section 76 of the 2004 Act to enforce road traffic contraventions or a parking attendant appointed by the Council (or appointed by an agent acting on the Council's behalf) in accordance with section 63A of the 1984 Act to supervise and carry out enforcement in respect of this Order;

"Delivering" and "Collecting" in relation to any Goods includes checking the Goods for the purpose of their delivery or collection;

"Disabled Person's Badge" has the same meaning as in The Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"Disabled Person's Parking Place" means a road or length of road designated as a Parking Place by Article 18;

"Disabled Person's Vehicle" has the same meaning as in The Motor Vehicles (Approval) (Amendment) Regulations 2004;

"Doctor" is a person registered as a "fully registered medical practitioner" under the provisions of the Medical Act 1983;

"Driver" in relation to a vehicle waiting in a Parking Place, Disabled Person's 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;

"Enforcement Authority" means Warwickshire County Council;

"Entry Location" means a vehicular access point into an Event Day Parking Zone from a road or length of road outside of an Event Day Parking Zone;

"Event Days" means the days when more than 10,000 people are expected to attend an event at The Arena;

"Event Day Parking Zone" means a zone listed in Schedule 1 to this Order;

"Footway" has the same meaning as in section 329 of the Highways Act 1980;

"Goods" means heavy or bulky goods or burden of any description and includes Postal Packets;

"Goods Vehicle" means a Motor Vehicle which is constructed or adapted for use for the carriage of Goods and, unless it is an articulated vehicle within the meaning of section 38 of the Act, is not drawing a trailer and which does not exceed 3.5 tonnes gross vehicle weight;

"home carer" means a person employed by a health authority, local authority or an approved private organisation to provide care or medical support in the home for a resident;

"home carer's permit" means a permit issued to a home carer under the provisions of Article 25(3A)

“Hours of Operation” means the times during which a parking place is authorised to be used on Event Days and being the inclusive period between the times and dates displayed on traffic signs situated at Entry Locations;

“Household” means a house or flat which has its own address (but in the case of a sub-divided property the establishment of an individual address shall be dependent upon the appropriate consents having been obtained in respect of the sub-division);

“Immobilisation Device” has the same meaning as in section 104(9) of the 1984 Act;

“Loading” means the loading or unloading of Goods to or from a vehicle;

“Motor Car”, “Motorcycle” and “Invalid Carriage” have the same meanings as in section 136 of the 1984 Act;

“Motor Vehicle” means a Motor Car, Motorcycle, Invalid Carriage, Goods Vehicle or Passenger Vehicle”

“Nuneaton and Bedworth Borough” in relation to this Order means the Nuneaton and Bedworth Borough as designated by the Civil Enforcement of Parking Contraventions Designation Order 2011 No. 2431

“Owner” in relation to a vehicle means the person in whose name the vehicle is registered under the Vehicle and Excise Registration Act 1994 or in the case of a company vehicle or hired or leased vehicle a person who can satisfy the Council of their right to use the vehicle;

“Parking Disc” means a disc issued by a local authority, 125 millimetres square and coloured blue, and capable of showing the quarter hour period during which a period of waiting begins;

“Parking Place” means a road or length of road designated as a Parking Place by Article 10;

“Parking Space” means a space within a Parking Place which is provided for the leaving of a vehicle and marked on the surface of the Parking Place by painted white lines which comply with either the 2016 Regulations or the 2002 Regulations;

“Passenger Vehicle” means a Motor Vehicle (other than a Motorcycle or Invalid Carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver and not drawing a trailer;

“Penalty Charge” means the charges set by the Enforcement Authority in accordance with the 2007 Order which are to be paid not later than the last day of the period of 28 days beginning date on which the Penalty Charge Notice was served;

“Penalty Charge Notice” means a notice served by a Civil Enforcement Officer or by (or on behalf of) the Enforcement Authority in accordance with Regulations 9 or 10 of the 2007 Regulations;

“Reduced Penalty Charge” means the charges set by the Enforcement Authority in accordance with the 2007 Order which are to be paid not later than the last day of the period of 14 days beginning with the date on which the Penalty Charge Notice was served;

“Permit” means a permit issued under the provisions of Article 25;

“Permit Controlled Zone” means a zone described in Schedule 2 to this Order;

“Permit Holder” means a person to whom a permit has been issued;

“plans” means the plans attached to this Order and listed in Schedule 3;

“Postal Packets” has the same meaning as in the Postal Services Act 2000;

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

“Resident” means a person whose usual residence is at premises the postal address of which is in an Event Day Parking Zone or in a Permit Controlled Zone;

“Taxi” has the same meaning as Schedule 1 of the 2016 Regulations;

“Taxi Rank” has the same meaning as Schedule 1 of the 2002 Regulations;

“the Arena” means The Ricoh Arena (or any other such name as it shall from time to time be given) in the City of Coventry;

“the 2002 Regulations” means the Traffic Signs Regulations and General Directions 2002;

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016;

“the 2004 Act” means the Traffic Management Act 2004;

“the 2007 Order” means The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

“the 2007 Regulations” means The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“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 1984 Act;

3. 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;
4. The prohibitions and restrictions 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 1984 Act or by or under any other enactment provided that:-
 - (a) in so far as any provision which imposes a restriction or prohibition on the waiting by vehicles other than a Bus in a Bus Stop Area or grants an exemption from such restriction or prohibition conflicts with a provision contained in this Order, the provisions of that Order shall prevail; but
 - (b) in so far as any other provision which imposes a restriction or prohibition on the waiting by vehicles or grants an exemption from such restriction or prohibition conflicts with a provision contained in this Order, the provisions of this Order shall prevail.

5. 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.
6. The provisions of this Order shall not apply to an Authorised Cab Rank.
7. Except where otherwise stated, in this Order where a length of road is identified on the Plans as “no waiting” or “limited waiting” that restriction shall extend from the centre of the Carriageway to the back of any adjoining Footway and verge.

PART II PROHIBITION AND RESTRICTION OF WAITING

8. Save as provided within Article 9 no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit a vehicle to wait:-
- (a) in those lengths of road identified on the Plans as “No Waiting” during the periods of time identified on the Plans in relation to that length of road; or
 - (b) in those lengths of road identified on the Plans as “Limited Waiting” for longer than the maximum period specified on the Plans in relation to that length of road and provided that the number of hours specified on the Plans for returning to wait in that length of road has elapsed since the termination of the last period of waiting (if any) by that vehicle on that length of road; or
 - (c) in the lengths of road described in Schedule 4 to this Order.
9. (1) Nothing in Article 8 shall render it unlawful to cause or permit any vehicle to wait in any of the roads, lengths of roads 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;
 - (b) the Driver to actively engage in the activity of loading or unloading Goods to or from the vehicle except on those lengths of road identified on the Plans as “No Loading or Unloading” during the hours specified on the Plans in respect of that length of road unless the vehicle is:-
 - (i) in the service of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) and is in actual use in that length of road for the purpose of delivering or collecting Postal Packets; or
 - (ii) a vehicle specifically constructed for the conveyance of cash or securities and is being used to deliver or collect the same to or from any premises situated on or adjacent to that length of road;

- (c) 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, 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 in 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 apparatus as defined in the Telecommunications Act 1984;
- (d) the vehicle, if it cannot be conveniently be used for such purposes in any other road, to be used in the service of a local authority, water undertaker or a sewerage undertaker of the Environment Agency in pursuance of statutory powers or duties;
- (e) the vehicle of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purposes of delivering and/or collecting Postal Packets;
- (f) the vehicle to take in petrol, oil, water or air from any garage situated on or adjacent to the said lengths or sides of road;
- (g)
 - (i) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths or sides of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
 - (ii) the vehicle to wait on Heart of England Way, Nuneaton for so long as such waiting by that vehicle is reasonably necessary in connection with any funeral service being held at the nearby Heart of England Crematorium;
 - (iii) a hired vehicle to wait on a length of road fronting Mill Street Methodist Church, Nuneaton during a wedding or funeral service at that Church if the vehicle is being used in connection therewith.
- (h) to enable the vehicle to be used for fire brigade, ambulance or police purposes,

- (2) Nothing in Article 8 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 any of the lengths of road identified on the Plans as "No Waiting" (with the exception of any of the lengths of road identified on the Plans as "No Waiting Except for Taxis"), or in any of the lengths of road described in Schedule 4 to this Order, for a period not exceeding 3 hours (not being a period separated by an interval of less than 1 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 in respect of those lengths of road identified on the Plans as "No Loading or Unloading" that such period lies entirely within the period during which Loading is permitted.
- (3) Nothing in Article 8 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 in the lengths of road identified on the Plans as "Limited Waiting".
- (4) Nothing in Article 8 of this Order shall render it unlawful for a taxi to wait in a taxi rank identified on the Plans

PART III

AUTHORISATION AND USE OF STREET PARKING PLACES

- 10. (1) Subject to the following provisions of Articles 11 to 17 inclusive, the parts of roads identified on the Plans as "Parking Places for Permit Holders" are authorised to be used as Parking Places for vehicles on which there is displayed a valid Permit relating to that Parking Place issued by the Council in respect of that vehicle during the periods of time identified on the Plans.
 - (2) Subject to the following provisions of Articles 11 to 17 inclusive, the parts of roads identified on the Plans as an "Parking Places on Event Days" are authorised to be used as Parking Places on Event Days for Motor Cars, Motorcycles and Invalid Carriages on which there is displayed a valid Permit relating to that Parking Place issued by the Council in respect of that vehicle during the Hours of Operation PROVIDED THAT the Event Days and Hours of Operation will vary and will be exhibited at Entry Locations by Traffic Signs indicating the dates and times of operation of the Parking Places.
 - (3) Subject to the following provisions of Articles 11 to 17 inclusive, the parts of roads identified on the Plans as "Loading Only" are authorised to be used as Parking Places for vehicles delivering or collecting Goods during the periods of time identified on the Plans.
 - (4) Subject to the following provisions of Articles 11 to 17 inclusive, the parts of roads identified on the Plans as "Footway Parking Places" are authorised to be used as Parking Places for Motor Cars, Motorcycles and Invalid Carriages.
- 11. Every vehicle left in a Parking Place in accordance with this Order shall stand so that every part of the vehicle is wholly within the limits of a Parking Space or (in the case of a Parking Place in which there is no marked Parking Space so that the distance between the edge of the carriageway and the nearest wheel of the vehicle shall not be greater than 300 millimetres).
 - 12. A driver of a vehicle shall not use a Parking Place so as to unreasonably prevent access to or egress from any premises adjoining the Parking Place, or so as to unreasonably prevent the use of the road by any other persons, or so as to be a nuisance.

13. 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 or to depart from the Parking Place.
14. 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 skills or services.
15.
 - (1) Save as provided in Articles 16 and 17 of this Order, the Driver of a vehicle shall not permit it to wait in a Parking Place for longer than the maximum period permitted for waiting specified in relation to that Parking Place on the Plans to this Order (if any).
 - (2) Save as provided by Articles 16 and 17 of this Order, where a vehicle has left a Parking Place after waiting thereon, the Driver thereof shall not permit the vehicle to wait upon that Parking Place, or upon any other Parking Place in the same street, until the number of hours specified on the Plans (if any) for not returning to wait in that Parking Place have elapsed following the termination of the last period of waiting (if any) by that vehicle on that Parking Place.
16. Without prejudice to the provisions of Article 10 the following vehicles may be left in a Parking Place:-
 - (a) an Invalid Carriage;
 - (b) a vehicle issued to a disabled person by the Department of Health in lieu of an Invalid Carriage;
 - (c) a vehicle which displays in the relevant position a Disabled Person's Badge.
17.
 - (1) Without prejudice to the provisions of Article 10 any vehicle may wait anywhere on the carriageway in a Parking Place (unless the use the Parking Place or part thereof has been suspended under Article 24 of this Order) for so long as may be necessary:-
 - (i) to enable a person to board or alight from the vehicle;
 - (ii) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid an accident;
 - (iii) if the vehicle is a vehicle used for police, fire brigade or ambulance purposes, or a vehicle (other than a Passenger Vehicle) in the service of a local authority which is being used in pursuance of statutory powers or duties;
 - (iv) to enable the vehicle to be used in connection with the removal of any obstructions to traffic;
 - (v) to enable the vehicle to be used for the purpose of delivering or collecting Postal Packets;
 - (vi) to enable the vehicle to be used in connection with posting or removing advertising material in the form of posters on or from, or cleaning windows or chimneys in, premises adjacent to the Parking Place in which the vehicle is waiting;

- (vii) to enable the Driver to actively engage in the activity of loading or unloading Goods to or from the vehicle; or
 - (viii) to enable the vehicle to wait at or near to any premises situated adjacent to the Parking Place for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral or
 - (ix) if the vehicle is being used by a legally qualified general medical practitioner when visiting premises near to the Parking Place to attend to a patient
 - (x) if the vehicle is being used by a home carer when visiting premises near to the parking place to provide care or medical support in the home for a resident provided that a home carer's permit is displayed on the vehicle in the relevant position.
- (2) Nothing in the foregoing provisions of this article shall be taken as authorising anything which would be a contravention of any regulations made or having effect as if made under section 25 of the 1984 Act.

PART IV AUTHORISATION AND USE OF PARKING PLACES FOR DISABLED PERSONS' VEHICLES

18. Subject to the following provisions of Articles 19 to 22 inclusive, those lengths of road identified on the Plans as "Disabled Person's Parking Places" are authorised to be used as Disabled Person's Parking Places for vehicles displaying in the Relevant Position a Disabled Person's Badge during the periods of time specified on the Plans in relation to that Disabled Person's Parking Place but PROVIDED THAT if a maximum time for waiting is specified on the Plans such vehicles do not wait in the Disabled Person's Parking Place for longer than the maximum time specified and provided that the number of hours specified on the Plans for returning to wait in that Disabled Person's Parking Place, or upon any other Disabled Person's Parking Place in the same street, has elapsed since the termination of the last period of waiting (if any) by that vehicle in that Disabled Person's Parking Place.
19. Save as provided in Article 22 the driver of a vehicle shall not permit it to wait in a Disabled Person's Parking Place unless it is a Disabled Person's Vehicle which displays in the relevant position a Disabled Person's Badge.
20. (1) The driver of a Motor Vehicle using a Disabled Person's Parking Place shall stop the engine as soon as the vehicle is in position and shall not start the engine except when about to change position of the vehicle or depart.
- (2) Every vehicle left in a Disabled Person's Parking Place in accordance with this Order shall stand so that every part of the vehicle is wholly within the limits of the Parking Space or (in the case of a Disabled Persons' Parking Place in which there is no marked Parking Space) so that the distance between the edge of the Carriageway and the nearest wheel of the vehicle shall not be greater than 300 millimetres).
21. No person shall use a vehicle while it is in a Disabled Person's Parking Place in connection with the sale of any article to persons in or near the Disabled Person's Parking Place or in connection with the selling or offering for hire of his skills or services.

22. Without prejudice to the provisions of Articles 18 and 19, any vehicle may wait anywhere on the carriageway in a Disabled Person's Parking Place (unless the use of Disabled Person's Parking Place or any part thereof has been suspended under Article 24) for so long as may be necessary for any of the reasons described in Article 17.

PART VI SUSPENSION OF PARKING PLACES

23. (1) Any person authorised by the Council may suspend the use of a Parking Place or Disabled Person's Parking Place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
24. (1) Any person may apply to the Council for the suspension of a Parking Place or Disabled Person's Parking Place or any part thereof:-
- (a) for the purpose of facilitating any building operation, demolition or excavation in or adjacent to the Parking Place or Disabled Person's Parking Place, or the laying, erection, alteration, removal or repair in or adjacent to the Parking Place or Disabled Person's Parking Place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus, telephone kiosk or traffic sign;
 - (b) for the convenience of occupiers of premises adjacent to the Parking Place or Disabled Person's Parking Place on any occasion of the removal of furniture from one office or dwelling house to another or the removal of furniture from such premises to a depository or to such premises from a depository;
 - (c) any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
 - (d) for the convenience of occupiers of premises adjacent to the Parking Place or Disabled Person's Parking Places at times of weddings or funerals or any other special occasions

PROVIDED ALWAYS that the suspension of such a Parking Place or Disabled Person's Parking Place shall be at the Council's discretion and any such application shall be made on a form obtainable from the Council and shall be submitted to the Council together with the Administration Fee.

- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a Parking Place or Disabled Person's Parking Place or any part thereof whenever he considers such suspension reasonably necessary for the purpose of facilitating the movement of traffic or promoting its safety.
- (3) Any person suspending the use of a Parking Place or Disabled Person's Parking Place or any part thereof in accordance with the provisions of paragraphs (1) (2) or (3) of this Article shall thereupon place or cause to be placed in or adjacent to that Parking Place or Disabled Person's Parking Place or the part thereof which is suspended a Traffic Sign indicating that waiting by vehicles is prohibited.

- (4) No person shall cause or permit a vehicle to be left in any Parking Place or Disabled Person's Parking Place during such period as there is in or adjacent to that Parking Place or Disabled Person's Parking Place a Traffic Sign placed in pursuance of paragraph (3) of this Article PROVIDED THAT nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes or any vehicle being used for any purpose specified in Articles 17(1)(ii) or (iv) to be left in the parking place or Disabled Person's Parking Place during any such period, or for any other vehicle so left if that vehicle is left with the permission of the person suspending the use of the Parking Place or Disabled Person's Parking Place or of a police constable in uniform or a Civil Enforcement Officer.

PART VII PERMITS

25. (1) Resident's Permits – Event Day Parking Zones

- (a) Any Resident within an Event Day Parking Zone who is the Owner of a Motor Vehicle may apply to the Council for the issue of a resident's Permit for the leaving of that Motor Vehicle in a Parking Place to which such Permit relates and any such application shall be made on a form obtainable from the Council and shall include such particulars and information required by the Council.
- (b) On receipt of an application made under paragraph (1)(a) of this Article, the Council, upon being satisfied that the applicant is a Resident and is the Owner of a Motor Vehicle, shall issue to that applicant one resident's Permit for the leaving of that Motor Vehicle in any Parking Place in an Event Day Parking Zone to which such Permit relates by the Owner of such Motor Vehicle or by any person using such Motor Vehicle with the consent of the Owner other than a person to whom such Motor Vehicle has been let for hire or reward.

(1A) Resident's Permits – Permit Controlled Zones

- (a) Any Resident within a Permit Controlled Zone who is the Owner of a Motor Car or Motorcycle may apply to the Council for the issue of a Permit for the leaving of that vehicle in a Parking Place and any such application shall be made on a form issued by and obtainable from the Council and shall be accompanied by a remittance for such charge as provided in Article 26(1).
- (b) On receipt of an application made under paragraph (1A)(a) of this Article and the fee, the Council, upon being satisfied that the applicant is a Resident and is the Owner of a Motor Car or Motorcycle, shall issue to that applicant one permit for the leaving of that vehicle in any Parking Place within the Permit Controlled Zone to which such Permit relates by the owner of such vehicle or by any person using such vehicle with the consent of the Owner other than a person to whom such vehicle has been let for hire or reward. Provided that in respect of the residents of any one Household there shall not be in force at any one time more than three permits issued under the provisions of paragraph (1A)(a) of this Article.

(1B) Residents' Permits – frequent vehicle changes through employers – Permit Controlled Zones

- (a) Any resident within a permit controlled zone in possession of a motor car or motor cycle provided by his/her employer may apply to the Council for the issue of a permit for the leaving of such a vehicle in a parking place and any such application shall be made on a form issued by and obtainable from the Council and shall be accompanied by evidence from the applicant's employer that the vehicle provided will change frequently together with a remittance for such charge as provided by Article 26(2).
- (b) On receipt of an application made under the foregoing provision of this Article and the fee, the Council, upon being satisfied that the applicant is a resident and has the use of vehicles of the class specified in paragraph (1A)(a) of this Article, shall issue to that applicant one permit for the leaving of such a vehicle in any parking place within the zone to which such permit relates by the applicant or by any person using such vehicle with the consent of the applicant other than a person to whom such vehicle has been let for hire or reward. Provided that in respect of the residents of any one household there shall not be in force at any one time more than three permits issued under the provisions of either paragraph (1A)(a) or paragraph (1B)(a) of this Article

(2) Visitor's Permits – Event Day Parking Zones

- (a) One Resident from each Household may apply to the Council on a form obtainable from the Council for the issue of a book of visitor's Permits for the leaving of a Motor Vehicle in a Parking Place on an Event Day, for use by a visitor to the applicant's residence.
- (b) On receipt of an application made under paragraph (2)(a) of this Article, the Council may, at its discretion, issue to the applicant a book of visitor's Permits for the leaving of a Motor Vehicle in any Parking Place in the Event Day Parking Zone to which such Permits relate on an Event Day, provided always that such Permits may only be used by genuine visitors to the applicant's Household and further provided that there shall not be in use at any time more than one book of visitor's Permits per Household.

(2A) Visitor's Permits – Permit Controlled Zones

- (a) Any Resident within a Permit Controlled Zone may apply to the Council on a form obtainable from the Council, accompanied by such remittance as prescribed in Article 26(3), for the issue of a Permit for use by visitors to the applicant's residence.
- (b) On receipt of an application made under paragraph (2A)(a) of this Article and the fee, the Council (upon being satisfied that the requirements of Article (2A)(a) above have been met) shall issue to the applicant one permit for the leaving of any Motor Car or Motorcycle in any parking place within the Permit Controlled Zone to which such permit relates by any visitor to the applicant's residence. Provided that in respect of the Residents of any one Household there shall not be in force at any time more than one permit issued under the provisions of paragraph (2A)(a) of this Article.

(3) Carer's Permits – Event Day Parking Zones

- (a) Any Resident may apply to the Council for the issue of a carer's Permit for the leaving of a Motor Vehicle in an Event Day Parking Place to which such Permit relates for use by a carer attending the applicant at his residence and any such application shall be made on a form obtainable from the Council and shall include such particulars and information required by the Council.
- (c) On receipt of an application made under paragraph (3)(a) of this Article the Council may, at its discretion, issue to the applicant one carer's Permit for the leaving of a Motor Vehicle in any Parking Place in the Event Day Parking Zone to which such Permit relates, provided always that the number of carer's Permits issued shall be limited to a maximum of one per Resident.

(3A) Home Carer's Permits – Permit Controlled Zones

- (a) A Home Carer who can justify the need for special parking arrangements close to a Resident's home in order to provide care or medical support in the home to a Resident may apply to the Council for the issue of a Permit for the leaving of each vehicle specified in the application in a Parking Place in a Permit Controlled Zone and any such application shall be made on a form issued by and obtainable from the Council.
- (b) Upon receipt of an application duly made under the foregoing provision (3A)(a) of this Article the Council may issue to the applicant a Home Carer's Permit for the leaving in the Parking Place specified thereon of such a vehicle specified in the application as they are satisfied is used by a Home Carer who has justified the need for special parking arrangements and to whom no suitable alternative parking facility is available.

(4) Medical Permits – Event Day Parking Zones

- (a) A doctor, registered medical practitioner providing medically associated services or a health care professional providing professional services within a list of professions approved from time to time by the Council may apply to the Council for the issue of a medical Permit for the leaving of a Motor Vehicle in a Parking Place to which such Permit relates for use when attending a Resident at premises in an Event Day Parking Zone and any such application shall be made on a form obtainable from the Council and shall include such particulars and information as required by the Council.
- (b) On receipt of an application made under paragraph (4)(a) of this Article the Council may, at its discretion, issue to the applicant one medical Permit for the leaving of a Motor Vehicle in any Parking Place in the Event Day Parking Zone to which such Permit relates, provided always that the number of medical Permits issued shall be limited to a maximum of one per applicant.

(5) Business Permits – Event Day Parking Zones

- (a) Any person who occupies, runs or is employed by a Business from Business Premises and who does not have sufficient off street parking facilities and can demonstrate to the Council that it is necessary for the efficient operation of the Business for a Motor Vehicle to be parked in a Parking Place in an Event Day Parking Zone, may apply to the Council for the issue of a business Permit for the leaving of that Motor Vehicle in a Parking Place in the Event Day Parking Zone to which such Permit relates and any such application shall be made on a form obtainable from the Council and shall include such particulars and information as required by the Council.
- (b) On receipt of an application made under the provisions of paragraph (5)(a) of this Article the Council may, at its discretion, issue to the applicant one business Permit for the leaving of a Motor Vehicle in any Parking Place in an Event Day Parking Zone to which such Permit relates.

(6) Special Discretionary Permits – Event Day Parking Zones

- (a) The Council at its absolute discretion may issue to any other applicant a special discretionary Permit for a specified period of time:-
 - (i) where the applicant has been unsuccessful in obtaining a Permit under the foregoing provisions of this Order; or
 - (ii) in respect of a planned one off event such as a wedding, or family gathering;

subject to an application being made to the Council at least ten days in advance.

- (b) On receipt of an application made under the provisions of paragraph (6)(a) of this Article the Council may, at its discretion, issue to the applicant one Permit for the leaving of a Motor Vehicle in any Parking Place in an Event Day Parking Zone to which such Permit relates.

- (7) 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 such application or Permit as it may reasonably require to verify any information given to it.

- 26.
- (1) The charge in connection with the issue of a Permit under Article 25(1A)(a) shall be fifteen pounds and shall be for a period of twelve months running from the beginning of the month in which the Permit first becomes valid.
 - (2) The charge in connection with the issue of a Permit under Article 25(1B)(a) shall be fifteen pounds and shall be for a period of twelve months running from the beginning of the month in which the permit first becomes valid.
 - (3) The charge in connection with the issue of a Permit under Article 25(2A)(a) shall be fifteen pounds and shall be for a period of twelve months running from the beginning of the month in which the permit first becomes valid.

27. (1) A Permit Holder may surrender a Permit to the Council at any time and shall surrender a Permit to the Council on the occurrence of any of the events set out in paragraph (3) of this Article.
- (2) The Council may by notice in writing served on the Permit Holder at the address shown by that person on the application form for the Permit or at any other address believed to be that person's residence, withdraw a Permit if it appears to the Council that any one of the events set out in paragraph (3) of this Article has occurred and the Permit Holder shall surrender the permit to the Council within 48 hours of the receipt of such notice.
- (3) The events referred to in the foregoing provisions of this Article are:-
- (i) in respect of a Permit issued under Article 25(1), 25(1A) or 25(2) or 25(2A), the Permit Holder ceasing to be a Resident;
 - (ii) in respect of a Permit issued under Article 25(3), the Resident ceasing to receive care at his residence;
 - (iii) in respect of a Permit issued under Article 25(3A) to a Home Carer, the vehicle or any vehicle in respect of which the Permit was issued ceasing to be used by a Home Carer who can justify the need for special parking arrangements;
 - (iv) in respect of a permit issued under Article 25(4) the Permit Holder ceasing to be a doctor, registered medical practitioner providing a medically associated service or a health care professional providing a professional service approved by the Council, or ceasing to attend a Resident at premises in an Event Day Parking Zone;
 - (v) in respect of a Permit issued under Article 25(5), the Permit Holder ceasing to occupy, run or be employed by a Business from Business Premises;
 - (vi) the Permit Holder ceasing to be the Owner of the Motor Vehicle in respect of which the Permit was issued;
 - (vii) the Motor Vehicle in respect of which such Permit was issued being adapted or used in such a manner that it is no longer falls within the definition of Motor Vehicle in this Order;
 - (viii) the issue of a duplicate Permit by the Council under the provisions of Article 28;
 - (vii) the permit being used in such a manner which contravenes the provisions of this Order.
- (4) A Permit shall cease to be valid on the day following the expiry date specified thereon or on the occurrence of any one of the events set out in paragraph (3) of this Article, whichever is the earlier.

- (5) Where a Permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the Permit shall cease to be of any effect and the Council shall by notice in writing served on the person to whom such Permit was issued by sending the same by the recorded delivery service to the Permit Holder at the address shown by that person on the application for the permit or at any other address believed to be that person's place of residence, require that person to surrender the Permit to the Council within 48 hours of the receipt of the aforementioned notice.
28. (1) (i) A Permit Holder may at any time apply to the Council for a Permit issued to him to be amended so as to relate to another Motor Vehicle.
- (ii) Upon receipt of an application pursuant to paragraph (1)(i) of this Article and of the relevant Permit the Council may amend the Permit accordingly or to such lesser extent as it thinks fit or, at its discretion, issue a revised Permit, and if a revised Permit is so issued, the original Permit shall become invalid and shall be surrendered to the Council.
- (2) If a Permit is lost, mutilated or defaced or the figures or particulars on it have become illegible or the colour of the Permit has become altered by fading or otherwise, the Permit Holder shall (unless lost) surrender it to the Council and may apply to the Council for the issue to him of a duplicate Permit and the Council, upon the receipt of the Permit if such receipt is accompanied by an application for a duplicate Permit, shall issue a duplicate Permit so marked.
- (3) The provisions of this Order shall apply to a duplicate Permit and an application for a duplicate Permit as if it were a Permit or, as the case may be, an application therefor.
29. (1) A Permit Holder who surrenders a Permit to the Council before the Permit becomes valid shall be entitled to a refund of any fee paid in whole unexpired months.
- (2) A Permit Holder who surrenders a Permit to the Council after the Permit has become valid shall be entitled to a refund of that part of the charge paid (if any) in respect of the issue of the Permit as is attributable to the period from the receipt by the Council of the surrendered Permit to the expiry of the period for which the Permit is issued.
30. A Permit shall be in writing and shall include the following particulars:-
- (1) an authentication that the Permit has been issued by the Council;
- (2) the registration mark of the Motor Vehicle in respect of which the Permit has been issued (where applicable);
- (3) the date on which, subject to the provisions of Article 27(4), the Permit expires;
- (4) the code identifying the Event Day Parking Zone or Permit Controlled Parking Zone to which such Permit relates;
- (5) a serial number by which the Permit may be identified.
31. At all times in which a vehicle is left in a Parking Place pursuant to Article 10 there shall be displayed on the front of the vehicle a valid Permit issued in respect of that vehicle so that all the particulars referred to in Article 30 are readily visible from the front of the vehicle.

32. Where a Permit has been displayed on a vehicle in accordance with the provisions of Article 31 no person, other than the Permit Holder, shall remove the Permit from the vehicle unless authorised to do so by the Permit Holder.

PART VIII CONTRAVENTION OF ORDER

33. (1) If a vehicle is left in a Parking Place or Disabled Person's Parking Place or is waiting in any road or length of road or on a Footway in contravention of any provision of this Order, a Penalty Charge shall be payable and/or the vehicle may be removed from that location. Provided that when a vehicle is waiting and is not wholly within the limits of the Parking Space, a person authorised in that behalf by the Council may alter or cause to be altered the position of the vehicle in order that it is wholly within the limits of the Parking Space.
- (2) In the case of a vehicle in respect of which a Penalty Charge is payable, a Penalty Charge Notice showing the information required by the Schedule to the 2007 Regulations may then be served by a Civil Enforcement Officer in accordance with Regulation 9 of the 2007 Regulations or by (or on behalf of) the Enforcement Authority in accordance with Regulation 10 of the 2007 Regulations.
- (3) Save as provided in paragraph (5) of this Article, if a vehicle is left after a Penalty Charge Notice has been served by a Civil Enforcement Officer, a Civil Enforcement Officer or a person acting under his direction may fix an Immobilisation Device to the vehicle and a notice in accordance with Regulation 12 of the 2007 Regulations and that vehicle shall only be released from the Immobilisation Device on payment of the Penalty Charge, or as the case may be a Reduced Penalty Charge, and the charge for release of the vehicle specified in Regulation 4 of the 2007 Order.
- (4) Save as provided in paragraph (5) of this Article, where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with paragraph (1) of this Article:-
- (a) he shall provide for the safe custody of the vehicle;
 - (b) the Enforcement Authority shall be entitled to recover from the person responsible such charges in respect of the removal, storage, and disposal of the vehicle as prescribed in Regulation 3 of the 2007 Order;
 - (c) the provisions of the Act (as amended) shall apply to the disposal of any such vehicle removed by or on behalf of the Council pursuant to this Article.
- (5) Nothing in paragraphs (3) and (4) of this Article shall apply in respect of a vehicle displaying in the Relevant Position a valid Disabled Person's Badge issued by any Local Authority.

**PART IX
REVOCATION OF ORDERS**

34. The following Orders are hereby revoked:-

- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) Order 2011
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 1) (Part 1) Order 2011
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 1) (Part 2) Order 2011
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 2) Order 2012
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 3) Order 2012
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 4) (Part) Order 2013
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 5) Order 2013
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 6) Order 2014
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 7) Order 2014
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 8) Order 2015
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 9) Order 2016
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 10) Order 2016
- The Warwickshire County Council (Borough of Nuneaton and Bedworth) (Waiting Restrictions, On-Street Parking Places and Residents' Parking) (Consolidation) (Variation No. 11) Order 2016

SCHEDULE 1 **EVENT DAY PARKING ZONES**

Zone	Road	Properties in Road Eligible for Permits
AW1	Baseley Way	All properties
	Burbages Lane	All properties within Warwickshire's boundary
	Carsal Close	All properties
	Nolan Close	All properties
	Tanners Grove	All properties
	Wheelwright Lane	Even Nos. 152 to 332; Odd Nos. 141 to 233
	Woodford Close	All properties
AW2	Ash Green Lane	All properties
	Ash Grove	All properties
	Bell Drive	All properties
	Blackberry Lane	All properties
	Canon Drive	All properties
	Church Lane	Nos. 86 and 91 only
	Corley View	All properties
	Deans Way	All properties
	Elwy Close	All properties
	Exton Close	All properties
	Flude Road	All properties
	High View Drive	All properties
	New Road	All properties
	Newland Lane	All properties
	Royal Oak Lane	Even Nos. 108 to 144; Odd Nos. 139 to 155
	Shortlands	All properties
	St Giles Road	All properties
	Vicarage Lane	All properties
	Wheelwright Lane	Even Nos. 334 to 374; Odd Nos. 267 to 285

SCHEDULE 2
PERMIT CONTROLLED PARKING ZONES

Zone	Road	Properties in Road Eligible for Permits
<u>NUNEATON</u>		
N1	Anker Street	All properties
	Attleborough Road	Even numbers 2 to 28 and odd numbers 27 to 47
	Clarkson Close	All properties
	Cooper Street	All properties
	Glebe Road	All properties
	King Edward Road	All properties
	Oaston Road	Numbers 2 to 74 inclusive
	Orchard Street	All properties
	Regent Street	All properties
	Trent Road	Numbers 1 to 5 inclusive
	Wheat Street	All properties
N2	Heath End Road	Numbers 24-160 on the southern side
	Heath End Road	Numbers 1-99 on the northern side
N3	Central Avenue	All properties
	Graham Street	All properties
<u>BEDWORTH</u>		
B1	Cadman Close	Even numbers 2 to 26 and odd numbers 1 to 27
	Chapel Street	Even numbers 18 to 36 and 52 to 72 and Odd numbers 25 to 45
	Croxhall Street	Even numbers 12 to 16
	Edward Road	Even numbers 2 to 48 and odd numbers 1 to 17
B2	Coventry Road	Evens 4 – 72

SCHEDULE 3
PLANS ATTACHED TO THIS ORDER

Plan title	Revision No.	Plan title	Revision No.	Plan title	Revision No.
Street Index	Revision No. 0				
BO72	Revision No. 0	BZ67	Revision No. 0	CP68	Revision No. 0
BP72	Revision No. 0	BZ68	Revision No. 0	CP69	Revision No. 0
BR62	Revision No. 0	BZ69	Revision No. 0	CQ67	Revision No. 0
BR63	Revision No. 0	BZ70	Revision No. 0	CQ68	Revision No. 0
BR64	Revision No. 0	BZ72	Revision No. 0	CQ69	Revision No. 0
BR71	Revision No. 0	CA63	Revision No. 0	CR66	Revision No. 0
BR72	Revision No. 0	CA65	Revision No. 0	CR67	Revision No. 0
BS62	Revision No. 0	CA66	Revision No. 0	CR68	Revision No. 0
BS63	Revision No. 0	CA69	Revision No. 0	CR69	Revision No. 0
BS64	Revision No. 0	CA70	Revision No. 0	CR70	Revision No. 0
BS65	Revision No. 0	CB63	Revision No. 0	CR74	Revision No. 0
BS69	Revision No. 0	CB64	Revision No. 0	CS68	Revision No. 0
BS70	Revision No. 0	CB65	Revision No. 0	CS69	Revision No. 0
BS71	Revision No. 0	CB66	Revision No. 0	CS74	Revision No. 0
BS72	Revision No. 0	CB67	Revision No. 0	CS75	Revision No. 0
BT63	Revision No. 0	CB68	Revision No. 0	CT64	Revision No. 0
BT64	Revision No. 0	CB69	Revision No. 0	CT65	Revision No. 0
BT65	Revision No. 0	CB70	Revision No. 0	CT66	Revision No. 0
BT69	Revision No. 0	CB71	Revision No. 0	CT68	Revision No. 0
BT70	Revision No. 0	CB72	Revision No. 0	CU65	Revision No. 0
BT71	Revision No. 0	CC65	Revision No. 0	CU66	Revision No. 0
BU64	Revision No. 0	CC66	Revision No. 0	CV65	Revision No. 0
BU66	Revision No. 0	CC67	Revision No. 0	CV67	Revision No. 0
BU67	Revision No. 0	CC68	Revision No. 0	CW63	Revision No. 0
BU74	Revision No. 0	CC69	Revision No. 0	CW64	Revision No. 0
BV60	Revision No. 0	CC70	Revision No. 0	CW67	Revision No. 0
BV67	Revision No. 0	CC71	Revision No. 0	CX67	Revision No. 0
BV68	Revision No. 0	CD67	Revision No. 0	CY62	Revision No. 0
BV70	Revision No. 0	CD69	Revision No. 0	CY63	Revision No. 0
BW60	Revision No. 0	CE69	Revision No. 0	CY64	Revision No. 0
BW68	Revision No. 0	CF68	Revision No. 0	CY65	Revision No. 0
BW69	Revision No. 0	CF70	Revision No. 0	CY67	Revision No. 0
BW70	Revision No. 0	CF73	Revision No. 0	CZ63	Revision No. 0
BW71	Revision No. 0	CG66	Revision No. 0	CZ64	Revision No. 0
BX63	Revision No. 0	CG67	Revision No. 0	CZ67	Revision No. 0
BX64	Revision No. 0	CG68	Revision No. 0	DA64	Revision No. 0
BX67	Revision No. 0	CG70	Revision No. 0	DA66	Revision No. 0
BX68	Revision No. 0	CH67	Revision No. 0	DA67	Revision No. 0
BX69	Revision No. 0	CI67	Revision No. 0	DB63	Revision No. 0
BX70	Revision No. 0	CI68	Revision No. 0	DB64	Revision No. 0
BY62	Revision No. 0	CJ67	Revision No. 0	DB65	Revision No. 0
BY64	Revision No. 0	CJ68	Revision No. 0	DC63	Revision No. 0
BY66	Revision No. 0	CK67	Revision No. 0	DC64	Revision No. 0
BY67	Revision No. 0	CM68	Revision No. 0	DC65	Revision No. 0
BY68	Revision No. 0	CN68	Revision No. 0	DD63	Revision No. 0
BY69	Revision No. 0	CN69	Revision No. 0	DD64	Revision No. 0
BY70	Revision No. 0	CO67	Revision No. 0	DD65	Revision No. 0
BZ63	Revision No. 0	CO68	Revision No. 0		
BZ66	Revision No. 0	CP67	Revision No. 0		

**SCHEDULE 4
NO WAITING AT ANY TIME**

1. Greendale Road

(both sides) from its junction with The Longshoot (A47) extending in a northerly direction for 52 metres.

2. The Longshoot (A47)

- (i) north side from its junction with Greendale Road extending in a north-easterly direction for 102 metres.
- (ii) north side from its junction with Greendale Road extending in a south-westerly direction for 117 metres.

GIVEN under the seal of the Warwickshire County Council the *17th day of January 2017*

The COMMON SEAL of the
Warwickshire County Council
was hereunto affixed in the
presence of:-

)
)
)
)

S. Aubrey

Designated Officer



120/17

DATED 17th January 2017

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

**THE WARWICKSHIRE COUNTY COUNCIL (BOROUGH OF
NUNEATON AND BEDWORTH) (WAITING RESTRICTIONS,
ON-STREET PARKING PLACES AND RESIDENTS'
PARKING) (CONSOLIDATION) ORDER 2017**