

CITY OF COVENTRY
(VARIOUS ROADS EARLSDON AREA)(WAITING RESTRICTION)
ORDER 2024

The Council of the City of Coventry (hereinafter referred to as “the Council”), which for the avoidance of doubt includes any agent acting on the behalf of, in exercise of the powers conferred by Sections 1, 2, 3, 4, 5, 32, 35, 35A (1) and (3), 45, 46, 46A, 47, 48, 49, 51, 52, 53, 61 99, 100 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 **xxth xxxx 2024** and may be cited as the City of Coventry (Various Roads) (Waiting Restriction) Order 2024
- 1.2 The City of Coventry (Citywide) (Permitted Parking Area and Special Parking Area)(Designation, Waiting Restrictions, Loading Restrictions, Loading Areas and Street Parking Places) Consolidation Order 2016 (as amended) shall be modified by this Order in so far as it relates to the length of North View referred to in the schedule to 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 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 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 Schedule 1 to the 2016 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 7, Part 4, to the 2016 Regulations.

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

“business premises” means premises where business takes place;

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

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

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

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

“disabled person’s vehicle” has the same meaning as in Section 142 of the 1984 Act;

"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;

“footway” has the meaning given by section 329(1) of the Highways Act 1980 (c.66)

"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 7, Part 4 to the 2016 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;

“issuing authority” means the Council

“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

“map schedule” means a collection of map tiles attached to this Order and listed in the Schedule, which depicts the stopping, waiting, loading or unloading prohibitions and restrictions and parking places and parking areas designated by this Order, and in conjunction with the map schedule legend and/or map tile label, identifies the type of each particular prohibition, restriction or parking place and, if appropriate, certain of its governing provisions: Provided that the Council does not accept responsibility for inaccuracies contained in the Ordnance Survey data relied upon to create the map based schedule and where a parking place or parking area is depicted on the map based schedule, that parking place or parking area will continue to apply irrespective of any subsequent changes that have been made to the underlying Ordnance Survey data;

“map schedule legend” means the map schedule legend attached to this Order which, when used in conjunction with a map tile as listed in the Schedule to this Order, identifies the specific type of parking places or parking areas designated by this Order and, where appropriate, certain of their governing provisions;

“map tile” means an individual map with a specific tile reference, being part of the map based schedule attached to this Order as listed in the Schedule to this Order;

“map tile label” where shown on a map tile forming part of the map schedule to this Order in relation to a stopping, waiting, loading or unloading prohibition or restriction and a parking place or parking area, means a label which indicates the type of prohibition, restriction or parking place or parking area and, if appropriate, certain of its governing provisions;

“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 map tile;

"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 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 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 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

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

“premises” includes land and buildings;

‘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 map tile;

“prohibited road” means any of the sides or lengths of roads specified on the map tile where waiting or stopping 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 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 waiver certificate 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:

“restricted hours” means in relation to any restricted road the hours during which waiting is restricted as specified on the map tile;

“restricted road” means any of the sides or lengths of road specified on the map tile to this Order where waiting or stopping 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 1984 Act 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;

“school entrance marking” means an area of carriageway identified as such in the map tile relating to the school entrance marking by the map schedule legend and/or map tile label in the map schedule attached to this Order and which is contained within the road marking prescribed in diagram 1027.1 in Schedule 7, Part 4 of the 2016 Regulations and placed in conjunction with an upright sign which includes the symbol at item 12, of the sign table in Part 3 of Schedule 4 of the 2016 Regulations.

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

"the 2004 Act" means the Traffic Management Act 2004

“the 2016 Regulations” means the Traffic Signs Regulations and General Directions 2016 and includes any amendment or reenactment thereto;

"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;

"vehicle" means:-

- i) a mechanically and/or electrically 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. Where a linear restriction applies to a length of carriageway not being a clearway, the effects of the restriction shall have the effect that the carriageway and footway is restricted from the centre line of the carriageway to the rear of the appropriate footway, verge or grass verge including the entrance to any side road, unless an additional restriction applies within this area where the additional restriction will apply as shown on the map tile.
5. Except where otherwise stated, any reference in this Order to a numbered Article, Part or Schedule is a reference to the Article or Schedule bearing that number in this Order and any reference to a map tile is a reference to a map tile incorporated into this Order;
6. 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.
7. 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.

8. 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 Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
9. The Council will take enforcement action in respect of parking contraventions as follows: -
 - (a) in accordance with The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and for this purpose it may use an “Approved Device” as defined in The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
 - (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 Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022
 - (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
- 10 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 9a of this Order.
- 10.1 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

11. Save as provided in Articles 18 to 22 and 25 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 map tiles.

Prohibition of stopping

12. Save as provided in Articles 18 to 21 and 24 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 map tiles.

Restriction of waiting

13. Save as provided in Articles 18 to 22 and 25 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 map tiles.

Restriction of Stopping

14. Save as provided in Articles 18 to 21 and 24 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 on any restricted road during the restricted hours as specified on the map tiles.

Limited Waiting

15. Save as provided in Articles 18 to 21, 23 and 25 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 map tiles attached to this Order a period during the restricted hours in which waiting is allowed, for a period longer than specified on the map tiles or if a period less than that specified on the map tiles 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

16. Save as provided in Articles 18 to 21 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 map tiles except for the loading or unloading of goods in connection with adjoining trade or business premises.

Restriction on loading and unloading

17. 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 map tiles.

Emergencies

18. Nothing in Articles 11 to 17 and 31 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

19. Nothing in Articles 11 to 17 and 31 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 12 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 17 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
20. Nothing in Articles 11 to 17 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 map tiles.
21. Nothing in Articles 11 to 17 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

22. Nothing in Articles 11 and 13 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).

23. Nothing in Article 15 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

24. Nothing in Article 12 and 14 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

25. Nothing in Articles 11 to 15 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

26. 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.
27. A waiver certificate may be cancelled at any time at the sole discretion of the Council and shall thereupon immediately cease to be valid. Notification of such cancellation shall be in writing to the holder of the certificate at any address that the Council believes to be that person's address and the certificate shall forthwith be surrendered to the Council.

PART III

AUTHORISATION AND USE OF STREET PARKING PLACES

Designation of parking places

28. The parts of the roads identified on the map tiles are authorised to be used, subject to the following provisions of this Order, as parking places as identified on the map tiles.
29. 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.

Disabled badge holders only parking places

30. 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

Electric vehicle charging places

31. Except as provided in Articles 18 and 19 a vehicle is not permitted to wait or park contrary to the provisions of this Order in an electric vehicle charging place, except when the vehicle is connected to the charging device, such electric vehicle charging places being identified on the map tile to which they relate with reference to the map schedule legend and/or map tile label in the map schedule to this Order.

Loading / Unloading places

- 32 Each length of road identified as a loading place in the map tile related to that loading place, such loading places being identified with reference to the map schedule legend and/or map tile label in the map schedule to this order is authorised as a parking place for vehicles or goods vehicles loading or unloading goods, subject to the provisions of this Order.

Power to suspend parking places

33. 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.
34. 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.
35. Any person suspending the use of a parking place in accordance with the provisions of Articles 33 or 34 shall place in or adjacent to that parking place a traffic sign indicating that waiting by vehicles is prohibited.
36. 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.

37. Nothing in Article 36 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

38. Where a parking place is identified in the map tiles 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

39. A vehicle must be left in a parking place identified in the map tiles 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

40. 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

41. 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.
42. 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

43. When a vehicle is waiting in a parking place in contravention of the provision of Articles 36 or 39 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.
44. When a vehicle is left in a parking place in contravention of any of the provisions contained in Articles 36, 38 or 39 a person authorised in that behalf by the Council may remove the vehicle or arrange for it to be removed from that parking place:
45. 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.
46. 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 **CONTRAVENTION OF ORDER**

Contravention

47. 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

48. 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

49. 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

50. The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with Article 48 shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

Removal of vehicle

51. Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with Articles 44 or 47,
- (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.
52. Nothing in Articles 44 or 47 shall apply in respect of a vehicle displaying in a relevant position a valid disabled person's badge.

Restriction on removal of notices

53. Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 48, 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

54. 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 48 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 Orders

55. All the traffic regulation orders creating residents parking schemes made prior to the date of this Order and which relate to the lengths of road shown on the Map Tiles specified in the schedule to this Order are to remain in full force and effect and shall not be effected modified or revoked by this Order

Dated: XX XXXX 2024

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

Authorised signatory

SCHEDULE

Map Schedule – Compromsing of the Map Schedule Legend and the Map Tiles listed in this Schedule

Map Tile	Revision
N27	0
N28	0
O27	0
O239	0
O30	0
P26	0