

CITY OF COVENTRY (PALMER LANE) (PROHIBITION OF DRIVING) ORDER 2024

The Council of the City of Coventry ("the Council"), in exercise of their powers under Sections 1, 2 and 124 and Schedule 9 of the Road Traffic Regulation Act 1984 ("the Act") (as amended) and Traffic Management Act 2004 ("the Act of 2004") and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act, hereby make the following Order:-

1. This Order shall come into force on **XX XXXX 2024** and may be cited as the "City of Coventry (Palmer Lane)(Prohibition of Driving) Order 2024".

2 (i) In this Order:-

- a) a reference to an Article followed by a number is a reference to the Article of this Order so numbered;
- b) the following expressions shall have the meanings assigned to them:-

"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;

"cause" includes permit and causing shall be construed accordingly

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

"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;

"issuing authority" means the Council and/or its appointed agents

"key" means a key issued under the provisions of Article 5 to this order

"keyholder" means any person who has qualified for and been issued with a key to gain access to the area detailed in Schedule 1.

"pedal cycle" has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

"Relevant National Authority" means the Secretary of State in respects England;

"road" shall have the same meaning ascribed to it by Section 142 of the Act

"the 2016 Regulations" means the Traffic Signs Regulations and General Directions 2016 and includes any enactment or re-enactment or amendment thereto;

"vehicle" means a mechanically and/or electrically propelled vehicle intended or adapted for use on the Road which for the avoidance of doubt includes the whole or any part of a vehicle.

- (ii) The Interpretation Act 1978 shall apply for interpretation of this order as it applies for the interpretation of an Act of Parliament.
 - (iii) Reference to any Statutory Instrument, Act, Regulations or Order referred to in this Order shall be read and construed as the Statutory Instrument, Act, Regulations or Order as amended, varied, re-enacted or revoked.
3. Save as provided in Article 4 of this Order no person shall except upon the direction or with permission of a Police Officer in uniform or Civil Enforcement Officer as defined by the Traffic Management Act 2004 and appointed by the Council cause or permit any vehicle to enter or proceed at any time in the length of road described in Schedule 1 to this Order.
 4. Nothing in Article 3 of this Order shall apply to any vehicle listed in Schedule 2 to this Order.
 5. The Council may at its absolute discretion issue key(s) allowing vehicles to enter and proceed in accordance with Article 4
 6. Where applicable as specified in Schedule 3 to this Order, a business premises may apply to the Council for a key for bona fide persons accessing the premises for the purposes of loading and unloading only.
 7. Any person who satisfies the Council that they occupy, run or are employed by a business operating from a business premises which is located at a postal address specified in Schedule 3 may apply to the Council for a key for bona fide persons loading or unloading at the business premises.
 8. The Council may at any time, by written notice served on the keyholder at the address shown by that person on the application for the key or at any other address believed to be that person's residence, withdraw a key if it appears to the Council or authorised agent that either or both of the events set out in Article 9 has occurred and the keyholder shall surrender the key to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.
 9. The events referred to in Article 8 are:-
 - (i) the keyholder ceasing to be a resident, business owner or an employee of such a business;
 - (iii) the expiry of the period for which the key was issued.
 10. In the event any provision of this Order conflicts or is inconsistent with any provision of any other order made or having effect as if made under the Act, or by any other enactment, the provisions of this Order shall prevail and take precedence

SCHEDULE 1

Road in the City of Coventry	Length/Extent
PALMER LANE	From its pedestrian junction with THE BURGES (between properties 23 & 24 The Burges) to a point 64m easterly and 68m southerly of aforementioned point.

SCHEDULE 2

Nothing in Article 3 of this order shall apply to:-

- (a) any vehicle being used for police, fire or ambulance service purposes in circumstances of emergency
- (b) pedal cycles
- (c) any vehicle being used for:-
 - (i) the removal of any obstruction to traffic.
 - (ii) the maintenance, improvement or reconstruction of the length of road
 - (iii) the laying, erection, alteration or repair of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus
- (d) any local authority, water or sewerage undertaker in pursuance of statutory powers or duties.
- (e) any vehicle that has gained access with a valid key issued by the Council for the purposes of loading and unloading
- (e) a security vehicle being used for the delivery or collection of, money or valuables to or from premises as specified in Schedule 3 to this Order
- (f) any vehicle being used in accordance with any indication given by a traffic sign which has been placed pursuant to section 66 or 67 of the Act

SCHEDULE 3

Roads and lengths of roads where residents and businesses are eligible to apply for a Key

Road	Length of Road	Properties Eligible
THE BURGES	Whole length	No.s 23, 24, 25, 26, 27, 28, 29, 30
PALMER LANE	From its junction with THE BURGES (between properties 23 & 24 Burges) to a point 74m east of aforementioned point.	All properties

The Common Seal of THE COUNCIL OF
THE CITY OF COVENTRY was hereunto
Affixed on **XX XXXXX 2024** in
the presence of:

Authorised Signatory

Name -