

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL
(BOROUGH OF RUGBY) (CIVIL ENFORCEMENT AREA)
(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), 19, 32, 35, 45, 46, 47, 49, 53 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984, (hereinafter referred to as "the 1984 Act") the Traffic Management Act 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 1984 Act and with the Road Traffic Act 1991, hereby make the following Order:-

PART I
CITATION AND INTERPRETATION

1. This Order shall come into operation on the Ninth day of January Two thousand and seventeen and may be cited as "The Warwickshire County Council (Borough of Rugby) (Civil Enforcement Area) (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:-

"additional charge for parking" means the additional fee payable when applying to the Council for the suspension of a parking place in a pay & display area in accordance with Article 32(3) of either ten pounds per day or forty pounds per week;

"administration fee" means the administration fee payable when applying to the Council for the suspension of a parking place or disabled person's parking place in accordance with Article 32(3) of sixty pounds;

"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";

"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 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 civil enforcement officer 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 vehicle" has the same meaning as in The Motor Vehicles (Approval) (Amendment) Regulations 2004;

“disabled person’s parking place” means a road or length of road designated as a parking place by Article 22;

“doctor” is a person registered as a “fully registered medical practitioner” under the provisions of the Medical Act 1983;

“doctor’s parking place” means a road or length of road designated as a parking place by Article 28;

“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;

“enforcement authority” means Warwickshire County Council;

“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;

“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 or burden of any description, and unless it is an articulated vehicle within the meaning of Section 38 of the Act, is not drawing a trailer;

“heavy commercial vehicle” has the same meaning as in Section 138 of the Act;

“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 33;

“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” “motor vehicle” and “invalid carriage” have the same meanings as in Section 136 of the Act of 1984;

“owner” in relation to a vehicle means the person by whom such vehicle is kept and used;

“parking disc” means a disc, issued by a local authority, 125 millimetres square 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 13;

“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 2002 Regulations or the 2016 Regulations;

“passenger vehicle” means a motor vehicle (other than a motor cycle 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;

“pay & display area” means a parking place identified on the plans as pay & display and for which a specified charge for parking is payable;

“pay by phone scheme” means a scheme which enables a driver to pay the specified charge for parking via a mobile telephone in the manner as described on the traffic sign or ticket machine adjacent to the relevant parking place;

“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 with the 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 33;

“permit controlled zone” means a zone described in Schedule 1 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 2;

“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 a permit controlled zone described in Schedule 1 to this Order;

“Rugby Borough” in relation to this Order means the Rugby Borough as designated by the Road Traffic (Permitted Parking Area and Special Parking Area) (County of Warwickshire) (Borough of Rugby) Order 2006;

“specified charge for parking” means the fee of 50 pence for parking in a parking place in a pay & display area for a period not exceeding 30 minutes or the fee of £1.00 for parking in a parking place in a pay & display area for a period not exceeding 1 hour or the fee of £2.00 for parking in a parking place in a pay & display area for a period not exceeding 2 hours, in accordance with the provisions of this Order;

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

“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;

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

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

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

“ticket machine” means apparatus or devices of a type and design approved by the appropriate Minister in accordance with Section 35(3) of the 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;

“virtual ticket” means a ticket issued virtually in a non-physical form upon payment of the specified charge for parking by a driver using a pay by phone scheme.

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 Act of 1984, 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 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 any taxi rank appointed pursuant to Section 63 of the Local Government (Miscellaneous Provisions) Act 1976
7. Except where otherwise stated, in this Order where a length of road is identified on the plans or in the Schedules to this Order as “no waiting”, “limited waiting” or “clearway” 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 12 no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit a vehicle to wait:-
 - (a) in the lengths of road identified on the plans as “no waiting” during the periods identified on the plans; or
 - (b) in the case of a length 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 3 to this Order.
9. Save as provided within Articles 12(1)(b), (c), (d) and (h) no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, cause or permit a heavy commercial vehicle to wait in the lengths of road identified on the plans during the periods identified on the plans.
10. Save as provided within Articles 12(1)(c), (d), (e) and (h) no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, or when the person in control of the vehicle is required by law to stop or is obliged to stop to avoid an accident or is prevented from proceeding by circumstances outside of his control, cause or permit a vehicle to wait in the lengths of road identified on the plans as a “clearway” or in the lengths of road described in Schedule 4 to this Order.
11. Save as provided within Articles 12(1)(c)(ii), (d) and (h) no person shall, except in the case of an emergency upon the direction or with the permission of a police constable in uniform or a civil enforcement officer, or when the person in control of the vehicle is required by law to stop or is obliged to stop to avoid an accident or is prevented from proceeding by circumstances outside of his control, cause or permit a vehicle to wait in the lengths of road identified on the plans as a bus stop area during the hours specified on the plans.

12. (1) Subject to the provisions of Article 32, 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:
- (a) to enable a person to board or alight from the vehicle;
 - (b) whilst the driver is actively loading goods on to or unloading goods from the vehicle (except on those lengths of road identified on the plans as “no loading” or during the periods identified on the plans (if any));
 - (c) to enable 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) to enable 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) to enable 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 mail;
 - (f) to enable 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) to enable 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; or
 - (h) to enable the vehicle to be used for fire brigade, ambulance or police purposes;

- (2) Nothing in Articles 8 and 9 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 where waiting is prohibited (except in a bus stop area), or in any of the lengths of road described in Schedule 3 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 roads identified on the plans where loading is prohibited at all times or limited to certain times 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 shall render it unlawful to cause or permit a motor car or motor cycle which displays in the relevant position a valid permit for the zone in which the length of road is situate (issued under the provisions of Article 33) to wait in such lengths of road identified in Article 8 where it is specified on the plans that those permit holders are excepted from those provisions.
- (5) Nothing in Articles 7 or 8 shall render it unlawful to cause or permit a motor car or motor cycle to be parked on a footway where such footway has been designated as a parking place under Article 12 and where such parking place is indicated by signs complying with Diagrams 668 (Schedule 7, Part 2, Item 13) or 668.1 (Schedule 7, Part 2, Item 15) and 668.2 (Schedule 7, Part 2, Item 17) or Diagrams 667 (Schedule 7, Part 2, Item 12) or 667.1 (Schedule 7, Part 2, Item 14) and 667.2 (Schedule 7, Part 2, Item 16) of the 2016 Regulations or Diagrams 668 or 668.1 and 668.2 or Diagrams 667 or 667.1 and 667.2 of the 2002 Regulations.

PART III
AUTHORISATION AND USE OF STREET PARKING PLACES

13. (1) Subject to the following provisions of Articles 14 to 21, the parts of roads identified on the plans as parking places for permit holders are authorised to be used as parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a permit for that parking place issued under the provisions of Article 33.
- (2) Subject to the following provisions of Articles 14 to 21, the parts of roads identified on the plans as a pay & display area are authorised to be used as parking places for vehicles in such positions, on such days and during such hours as identified on the plans, upon payment of the specified charge for parking in the manner set in this Order. Provided that no person shall, except in an emergency upon the direction of a police constable in uniform or a civil enforcement officer, cause or permit a vehicle to wait in a parking place in a pay & display area for longer than either the maximum period for waiting specified on the plans or until the expiration of the period for which the specified charge for parking has been paid, whichever occurs earlier.

- (3) Subject to the following provisions of Articles 14 to 21, 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, in such positions, on such days and during such hours as identified on the plans.
- (4) Subject to the following provisions of Articles 14 to 21, the parts of carriageway, verge or footway identified on the plans as parking places for vehicles (not being a parking place in a pay & display area or a parking place for permit holders) are authorised to be used as parking places for motor cars and motor cycles in such positions, on such days and during such hours as identified on the plans.
14. 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.
15. (1) Save as provided in Articles 20 and 21, the driver of any vehicle waiting in a parking place in a pay & display area shall pay the specified charge for parking on the leaving of the vehicle in the parking place.
- (2) The specified charge for parking shall be paid either:-
- (a) by the insertion in the ticket machine relating to that parking place of a coin or coins of the appropriate denomination making up the full amount of the specified charge for parking for the entire period in which the vehicle is to be left in that parking place; or
- (b) by telephone using a pay by phone scheme to pay the full amount of the specified charge for parking for the entire period in which the vehicle is to be left in that parking place.
- (3) The driver of a vehicle shall (except where the driver has obtained a virtual ticket by using a pay by phone scheme pursuant to Article 15(2)(b) above) place the ticket referred to in Article 15(2)(a) above in the vehicle in respect of which it was issued and shall ensure that the whole of the front of the ticket is clearly visible from the front of the vehicle during the entire period that the vehicle is waiting in the parking place.
- (4) Any person who wilfully avoids or seeks to avoid or assists in avoiding the payment of the specified charge for parking shall be guilty of contravening this Order.
- (5) The driver of a vehicle parking that vehicle in a parking place in a pay & display area shall not, after obtaining the ticket pursuant to Article 15(2)(a) above or after paying the specified charge for parking via a pay by phone scheme pursuant to Article 15(2)(b) above, insert in the ticket machine additional coin or coins for the purpose of obtaining a further ticket for that vehicle in that parking place or attempt to use the pay by phone scheme for the purpose of obtaining a further virtual ticket for that vehicle in that parking place unless paying to extend the time paid for up to the maximum time allowed for parking in that parking place.

16. (1) Save as provided in Articles 20 and 21, driver of a vehicle shall not permit it to wait in a parking place for longer than the maximum period permitted for waiting specified on the plans in relation to that parking place.
- (2) Save as provided in Articles 20 and 21, where a vehicle has been left in a parking place, after waiting thereon the driver 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 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.
17. 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.
18. 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.
19. 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.
20. (1) Without prejudice to the provisions of Articles 13 and 15, the following vehicles may be left in a parking place and any such vehicle shall be exempt from payment of any specified charge for parking and from any limitation on the period of waiting or return of the vehicle specified in this Order:-
 - (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;
- (2) Without prejudice to the provisions of Articles 13 and 15, a motor car or a motor cycle which displays on the front of the vehicle in the relevant position (so that all of the particulars referred to in Article 38 are readily visible from the front of the vehicle) a valid permit for that parking place issued in respect of that vehicle under the provisions of Article 33, may be left in a parking place identified in Article 13(1) and any such vehicle shall be exempt from payment of any specified charge for parking and from any limitation on the period of waiting or return of the vehicle specified in this Order.

21. (1) Without prejudice to the provisions of Articles 13 and 15, any vehicle may wait anywhere on the carriageway in a parking place (unless the use of the parking place or part thereof has been suspended under Article 32 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 it to be used in connection with the removal of any obstruction to traffic;
- (v) to enable it to be used for the purpose of delivering or collecting postal packets as defined in Section 125 of the Postal Services Act 2000;
- (vi) to enable it 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) whilst the driver of that vehicle is engaged in the activity of loading goods on to or unloading goods from that vehicle;
- (viii) 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;
- (ix) 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 a home carer's permit is displayed on the vehicle in the relevant position;
- (x) to enable 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

and the driver of any such vehicle shall be exempt from payment of any specified charge for parking

(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 Act.

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

22. Subject to the following provisions of Articles 23 to 27, the parts of roads identified on the plans as parking for disabled person's vehicles are authorised to be used as disabled person's parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a disabled person's badge.
23. Save as provided in Article 27, 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.
24. (1) Save as provided in Article 27, driver of a vehicle shall not permit it to wait in a disabled person's parking place for longer than the maximum period permitted for waiting specified on the plans in relation to that parking place.
(2) Save as provided in Article 27, where a vehicle has been left in a disabled person's parking place, after waiting thereon the driver shall not permit the vehicle to wait upon that disabled person's parking place, or upon any other disabled person's parking place in the same street, until the number of hours specified on the plans for not returning to wait in that disabled person's parking place have elapsed following the termination of the last period of waiting (if any) by that vehicle in that disabled person's parking place.
25. 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.
26. 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.
27. Without prejudice to the provisions of Articles 22 and 23, 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 32) for so long as may be necessary for any of the reasons identified in Article 21.

**PART V
AUTHORISATION AND USE OF PARKING PLACES
FOR DOCTORS**

28. Subject to the following provisions of Articles 29 to 31, the parts of roads identified on the plans as parking for doctor's vehicles are authorised to be used as doctor's parking places in such positions, on such days and during such hours as identified on the plans, for vehicles displaying in the relevant position a permit issued under the provisions of Article 33(6).
29. The driver of a motor vehicle using a doctor'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.

30. No person shall use a vehicle while it is in a doctor'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.
31. Without prejudice to the provisions of Article 28, any vehicle may wait anywhere on the carriageway in a doctor's parking place (unless the use of doctor's parking place or any part thereof has been suspended under Article 32) for so long as may be necessary for any of the reasons identified in Article 21.

**PART VI
SUSPENSION OF PARKING PLACES**

32. (1) Any person authorised by the council may suspend the use of a parking place, disabled person's parking place or doctor'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.
- (2) A police constable in uniform may suspend for not longer than twenty-four hours the use of a parking place, disabled person's parking place or doctor'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 may apply to the Council for the suspension of a parking place, disabled person's parking place or doctor's parking place or any part thereof for the purpose of:-
 - (a) facilitating any building operation, demolition or excavation in or adjacent to the parking place, disabled person's parking place or doctor's parking place, or the laying, erection, alteration, removal or repair in or adjacent to the parking place, disabled person's parking place or doctor'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) the convenience of occupiers of premises adjacent to the parking place, disabled person's parking place or doctor'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) the convenience of occupiers of premises adjacent to the parking place, disabled person's parking place or doctor's parking place at times of weddings or funerals, or any other special occasions.

Provided always 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 (except where the application is being made for the reason specified in paragraph (3)(b) above in respect of a parking place in Elsee Road) and, if the application relates to a parking place in a pay & display area, together with the additional charge for parking.

- (4) Any person suspending the use of a parking place, disabled person's parking place or doctor'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, disabled person's parking place or doctor's parking place or the part thereof a traffic sign indicating that waiting by vehicles is prohibited.
- (5) No person shall cause or permit a vehicle to be left in any parking place, disabled person's parking place or doctor's parking place during such period as there is in or adjacent to that parking place a traffic sign placed in pursuance of paragraph (4) 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 21(1)(ii) or (iv) to be left in the parking place, disabled person's parking place or doctor'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 of a civil enforcement officer.

PART VII PERMITS

33. (1) Any resident within a permit controlled zone who is the owner of a motor car or motor cycle 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 by Article 34(1).
- (2) On receipt of an application made under the foregoing provision (1) of this Article and the fee, the Council, upon being satisfied that the applicant is a resident and is the owner of a vehicle of the class specified in paragraph (1) of this Article, shall issue to that applicant one permit for the leaving of that vehicle in any parking place within the 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 either paragraph (1) or paragraph (3) of this Article (or more than one permit for any one household in respect of an application from a resident within Zone R3 or more than one permit for any one household with off-street garaging in respect of an application from a resident Elsee Road or more than two permits for any one household without off-street garaging in respect of an application from a resident of Elsee Road).
- (3) 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 34(1).

- (4) 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 (1) 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 (1) or paragraph (3) of this Article.
- (5) Any resident within a permit controlled zone may apply on such form, accompanied by such remittance as prescribed in Article 34(1), for the issue of a permit for use by visitors to the applicant's residence.
- (6) On receipt of an application made under the foregoing provision (5) of this Article and the fee, the Council shall issue to the applicant one permit for the leaving of any motor car or motor cycle in any parking place within the 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 (5) of this Article.
- (7) A doctor who can justify the need for special parking arrangements close to a surgery or consulting rooms 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 within a permit controlled zone or doctor's parking place and any such application shall be made on a form issued by and obtainable from the Council.
- (8) Upon receipt of an application duly made under the foregoing provision (7) of this Article, the Council, may issue to the applicant a permit or permits for the leaving in the parking place or doctor's parking place specified thereon of such vehicles specified in the application as they are satisfied are used by a doctor who has justified the need for special parking arrangements close to the surgery or consulting rooms shown on such application and to whom no suitable alternative parking facility is available.
- (9) 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 and any such application shall be made on a form issued by and obtainable from the Council.
- (10) Upon receipt of an application duly made under the foregoing provision (9) 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 are used by a home carer who has justified the need for special parking arrangements and to whom no suitable alternative parking facility is available.
- (11) The Council may at any time require an applicant for a permit or a permit holder to produce to an officer of the Council such evidence in respect of an application for a permit as they may reasonably require to verify the particulars or information given to them or to verify that the permit is valid.

34. The charge in connection with the issue of a permit under Articles 33(1), 33(3) and 33(5) shall be twenty-five pounds and a permit shall be valid for a period of twelve months running from the beginning of the month in which the permit first becomes valid.
35. (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)(a) of this Article in respect of a permit issued to a resident, and paragraph (3)(b) of this Article in respect of a permit issued to a doctor, and paragraph 3(c) of this Article in respect of a permit issued to a home carer.
- (2) The Council may, by notice in writing served on the permit holder at the address shown by that person on the application for the permit or at any other address believed to be that person's residence, withdraw a permit if it appears to the Council 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) (a) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a resident:-
- (i) the permit holder ceasing to be a resident;
 - (ii) the permit holder ceasing to be the owner of the vehicle in respect of which the permit was issued;
 - (iii) the vehicle in respect of which such permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 33(1);
 - (iv) the revocation of the designation of the parking place in respect of which the permit was issued;
 - (v) the issue of a duplicate permit by the Council under the provisions of Article 36;
 - (vi) the permit being used in such a manner which contravenes the provisions of this Order.
- (3) (b) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a doctor:-
- (i) the vehicle or any vehicle in respect of which the permit was issued ceasing to be used by a doctor who can justify the need for special parking arrangements close to the surgery or consulting room shown on the application for that permit;
 - (ii) the revocation of the designation of the parking place or doctor's parking place in respect of which the permit was issued;
 - (iii) the issue of a revised permit or a duplicate permit by the Council under the provision of Article 36
 - (iv) the permit being used in such a manner which contravenes the provisions of this Order.

- (3) (c) The events referred to in the foregoing provisions of this Article are, in respect of a permit issued to a home carer:-
 - (i) 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;
 - (ii) the issue of a revised permit or a duplicate permit by the Council under the provision of Article 36;
 - (iii) 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)(a), (3)(b) or 3(c) 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.
 - (6) The Council may at any time require a permit holder to produce to an officer of the Council such evidence in respect of any permit issued by it that it may reasonably require.
36. (1) (a) 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 any other vehicle (in the case of a permit issued to a doctor being a vehicle which is used by a doctor who is liable to be called of necessity to emergencies away from the surgery or consulting room shown on the application to the extent that the need for special parking arrangements can be justified).
- (b) Upon receipt of an application pursuant to paragraph (1)(a) of this Article and of the relevant permit, the Council may amend the permit accordingly, or to such extent as they think fit, or at their 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 mutilated or accidentally 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 surrender it to the Council and apply to the Council for the issue to him of a duplicate permit and the Council, upon receipt of the permit if such receipt is accompanied by an application for a duplicate permit, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
 - (3) If a permit is lost or destroyed, the permit holder may apply to the Council for the issue to him of a duplicate permit and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate permit so marked and upon such issue the original permit shall become invalid.
 - (4) The provisions of this Order shall apply to a revised or duplicate permit to the same extent as they applied to the original permit.

37. (1) A permit holder who surrenders a permit to the Council before the permit becomes valid shall be entitled to a refund of the 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 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.
38. A permit shall be in writing and shall include the following particulars:-
- (1) in the case of a permit issued under the provisions of Article 33(2) the words "Parking Permit" and the registration mark of the vehicle in respect of which the permit has been issued;
- (2) in the case of a permit issued under the provisions of Articles 33(4), 33(6), 33(8) or 33(10) the words "Parking Permit";
- (3) the date on which, subject to the provisions of Article 35(4), the permit expires;
- (4) an authentication that the permit has been issued by the Council;
- (5) the code identifying the parking places to which such permit relates in accordance with the zones specified in Schedule 1 to this Order.
39. When a permit has been displayed in accordance with the provisions of this Order no person other than a civil enforcement officer shall remove such permit from the vehicle unless authorised to do so by the driver of that vehicle.

PART VIII CONTRAVENTION OF ORDER

40. (1) Where any vehicle is standing in a parking place, disabled person's parking place, doctor's parking place, or waiting in a road or length of road or on a footway in contravention of the provisions 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 a 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 its position shall comply with the provisions of this Order.
- (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 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 disabled person's badge issued by any Local Authority.

PART IX REVOCATION OF ORDERS

40. The following Orders are hereby revoked:-
- The Warwickshire County Council (Borough of Rugby) (Permitted Parking Area And Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) Order 2006 and all subsequent variations thereto up to and including The Warwickshire County Council (Borough of Rugby) (Permitted Parking Area And Special Parking Area) (Waiting Restrictions, On Street Parking Places And Residents' Parking) (Consolidation) (Variation No. 23) Order 2016

**SCHEDULE 1
RESIDENTS' PARKING ZONES**

**STREETS OR LENGTHS OF STREETS OR PREMISES IN RUGBY FOR THE PURPOSE
OF THE ISSUE OF PERMITS**

Zone R0 (Zone R0 Permits may only be used in parking places within Zone R1)

Albert Square
Albert Street
Bank Street
Castle Street
Chestnut Field
Church Street
Henry Street
James Street
North Street
Regent Place
Regent Street

Zone R1

Alexandra Road
Aracia Grove
Avon Street
Chapel Street
Dale Street
Drury Lane
Dukes Jetty
Duke Street
Eastfield Place
Essex Street
Hill Street
High Street
Holbrook Avenue
Kew Road
Kimberley Road
King Edward Road
King Street
Lancaster Road
Lawrence Sheriff Street
Lodge Road
Manor Road
Maple Grove
Market Place
Newbold Road (west side, between Evreux Way Island and Duke Street and Nos. 43 – 51 inclusive)
Oliver Street (north side, Nos. 97 to 107 (odd) inclusive only)
Omega Place
Park Road
Park Walk
Pinders Lane
Poplar Grove
Princes Street
Railway Terrace (between Craven Road and Wood Street only)
Sycamore Grove
St John Street
Sheep Street

The Sidings
Wood Street (between Park Road and Railway Terrace)
Wood Street (odd numbers 95 to 175 and even numbers 92 to 136)
Woodbridge Court
Wooll Street

Zone R2

Abbey Street
Argyle Street (even numbers 2-10 inclusive only)
Arnold Street
Bath Street
Cambridge Street (between Abbey Street and Cross Street and between Cross Street and Sun Street only)
Charles Warren Close
Charlotte Street
Chester Street
Claremont Road
Clifton Road (north side between Murray Road and Oxford Street and Nos 111a, 111b and 113 only and south side between Lower Hillmorton Road and No. 72 Clifton Road only)
Corbett Street
Craven Road (between Railway Terrace and Murray Road only and between Murray Road and Oxford Street only)
Cross Street
Earl Street
Graham Road
Grosvenor Road
Hunter Street
Lower Hillmorton Road (Nos. 1 – 61 (odd) and Nos. 2 – 44 (even) inclusive only)
Lucas Court
Murray Road
Murrayian Close
Market Street
Oxford Street (between Abbey Street and Cross Street only and even numbers 2-154 inclusive, odd numbers 1-153 inclusive and “The Bungalow” only)
Paradise Street
Pinders Court
Queen Victoria Street
Railway Terrace (between Clifton Road and Craven Road only)
Sandown Road
Spring Street
Temple Street (odd numbers 1 to 59 and even numbers 14 to 56 only)
Tom Brown Street (between Bath Street and Murray Road only and between Murray Road and Claremont Road only)
Wells Street (between Bath Street and Murray Road only)
Welford Road
Wells Street (between Murray Road and Claremont Road only)
William Street

Zone R3

Dunchurch Road (Nos. 16-26a (even) inclusive only)

Zone R4

Elsee Road

Zone R5

Horton Crescent

Zone R6

Vicarage Road, Bilton Road

**SCHEDULE 2
PLANS ATTACHED TO THIS ORDER**

Plan Title	Revision No.	Plan Title	Revision No.	Plan Title	Revision No.
Street Index	Revision No. 0				
CN82	Revision No. 0	EL101	Revision No. 0	EQ97	Revision No. 0
CN83	Revision No. 0	EL79	Revision No. 0	EQ98	Revision No. 0
DD77	Revision No. 0	EL94	Revision No. 0	ER101	Revision No. 0
DE77	Revision No. 0	EL95	Revision No. 0	ER102	Revision No. 0
DG89	Revision No. 0	EL96	Revision No. 0	ER93	Revision No. 0
DL79	Revision No. 0	EL97	Revision No. 0	ER98	Revision No. 0
DL91	Revision No. 0	EL98	Revision No. 0	ES101	Revision No. 0
DM78	Revision No. 0	EL99	Revision No. 0	ES102	Revision No. 0
DM79	Revision No. 0	EM100	Revision No. 0	ES103	Revision No. 0
DY100	Revision No. 0	EM93	Revision No. 0	ES93	Revision No. 0
DY99	Revision No. 0	EM94	Revision No. 0	ES95	Revision No. 0
ED100	Revision No. 0	EM95	Revision No. 0	ET80	Revision No. 0
EE94	Revision No. 0	EM96	Revision No. 0	EU80	Revision No. 0
EE97	Revision No. 0	EM97	Revision No. 0	EU81	Revision No. 0
EF97	Revision No. 0	EM98	Revision No. 0	EU94	Revision No. 0
EF99	Revision No. 0	EM99	Revision No. 0	EU95	Revision No. 0
EG96	Revision No. 0	EN91	Revision No. 0	EV81	Revision No. 0
EG97	Revision No. 0	EN92	Revision No. 0	EV82	Revision No. 0
EG99	Revision No. 0	EN94	Revision No. 0	EV83	Revision No. 0
EH97	Revision No. 0	EN96	Revision No. 0	EV90	Revision No. 0
EH98	Revision No. 0	EN97	Revision No. 0	EV94	Revision No. 0
EH99	Revision No. 0	EN98	Revision No. 0	EV95	Revision No. 0
EI101	Revision No. 0	EN99	Revision No. 0	EW82	Revision No. 0
EI97	Revision No. 0	EO91	Revision No. 0	EW83	Revision No. 0
EI98	Revision No. 0	EO92	Revision No. 0	EW84	Revision No. 0
EI99	Revision No. 0	EO95	Revision No. 0	EW85	Revision No. 0
EJ101	Revision No. 0	EO96	Revision No. 0	EW94	Revision No. 0
EJ91	Revision No. 0	EO97	Revision No. 0	EX84	Revision No. 0
EJ97	Revision No. 0	EO98	Revision No. 0	EX85	Revision No. 0
EJ98	Revision No. 0	EO99	Revision No. 0	EX86	Revision No. 0
EJ99	Revision No. 0	EP100	Revision No. 0	EY86	Revision No. 0
EK100	Revision No. 0	EP102	Revision No. 0	EY87	Revision No. 0
EK79	Revision No. 0	EP94	Revision No. 0	FB92	Revision No. 0
EK94	Revision No. 0	EP95	Revision No. 0	FB93	Revision No. 0
EK95	Revision No. 0	EP97	Revision No. 0	FB94	Revision No. 0
EK96	Revision No. 0	EQ101	Revision No. 0	FC93	Revision No. 0
EK97	Revision No. 0	EQ102	Revision No. 0	FC94	Revision No. 0
EK98	Revision No. 0	EQ103	Revision No. 0	FL78	Revision No. 0
EK99	Revision No. 0	EQ94	Revision No. 0	FR100	Revision No. 0
EL100	Revision No. 0			FR101	Revision No. 0

**SCHEDULE 3
NO WAITING AT ANY TIME**

1. B4642 Coventry Road

North-side, from 21 metres west of the new development access road, eastwards for a distance of 42 metres as shown on drawing number TH/C8539/001 attached hereto.

2. Cawston Access (New Access to development from B4642)

Both sides, from its junction with the B4642 Coventry Road, northwards for a distance of 70 metres as shown on drawing number TH/C8539/001 attached hereto.

3. Unnamed Road, Brinklow, Rugby

Both sides, from Coombe Field Road, north-westwards for 65 metres.

SCHEDULE 4
24 HOUR CLEARWAY

1. A4071 Rugby Western Relief Road

Both sides, from a point 69 metres north of its roundabout junction with A4071 Coventry Road/B4500 Coventry Road, to a point 32 metres north of its roundabout junction with A426 Leicester Road, a distance of 5760 metres.

2. A426 Leicester Road

(i) Both sides, from the centre of its roundabout junction with A4071 Rugby Western Relief Road, north-eastwards for a distance of 32 metres.

(ii) Both sides, from the centre of its roundabout junction with A4071 Rugby Western Relief Road, south-eastwards for a distance of 50 metres.

3. A428 Lawford Road

Both sides, from a point 38 metres west of its junction with D3554 Paynes Lane, eastwards for a distance of 244 metres.

4. B4112 Newbold Road

Both sides, from the centre of its roundabout junction with A4071 Rugby Western Relief Road, north-westwards for a distance of 51 metres.

5. C80 Parkfield Road

Both sides, from the centre of its junction with A4071 Rugby Western Relief Road, north-westwards for a distance of 57 metres.

6. C88 Bilton Lane

Both sides, from a point 115 metres north of its junction with D3405 Old Lawford Road, north-westwards for a distance of 58 metres.

7. X3040 Cawston Grange Drive

Both sides, from the centre of its junction with A4071 Rugby Western Relief Road, south-eastwards for a distance of 55 metres.

GIVEN under the seal of the Warwickshire County Council this
Two thousand and

day of

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

Designated Officer

DATED

2017

WARWICKSHIRE COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984

THE WARWICKSHIRE COUNTY COUNCIL
(BOROUGH OF RUGBY) (CIVIL ENFORCEMENT
AREA) (WAITING RESTRICTIONS, ON-STREET
PARKING PLACES AND RESIDENTS' PARKING)
(CONSOLIDATION) ORDER 2017