CITY OF COVENTRY
(MARLBOROUGH ROAD AREA) (PROHIBITION OF WAITING) ORDER 2026

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 **10 August 2026** and may be cited as the City of Coventry (Marlborough Road Area) (Prohibition of Waiting) Order 2026

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 lengths of Clara Street, Dean Street, Gresham Street, Hamilton Road, Harley Street, Kingsway and Marlborough Road 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 Regulation 3 and 4 of The Civil Enforcement of Parking Contraventions (Guidelines on levels of Charges) (England) Order 2007 SI 2007/3487 for the removal, storage and disposal of vehicles and charge in

respect of the release of a vehicle from an immobilisation device fixed under Section 79 of "the 2004 Act".

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

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

"bus" has the same meaning as in Schedule 1 to the 2016 Regulations.

"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;

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

"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

"motorcycle" 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 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;

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

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

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

“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 is prohibited as specified in the Schedule;

“prohibited road” means any of the sides of lengths of roads specified in the Schedule where waiting is prohibited provided that the expression “prohibited road” shall not include any parking place;

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

“relevant 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;

"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;

"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 propelled vehicle intended or adapted for use on the road

ii) a pedal cycle in actual use for the purposes of cycling

which for the avoidance of doubt shall include the whole or any part of a vehicle

"waiver certificate" means a certificate duly issued on behalf of the Council permitting a vehicle to wait in specified circumstances on a length or lengths of roads where waiting of that vehicle would otherwise be prohibited

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

4 Except where otherwise stated, any reference in this Order to a numbered Article, Part or Schedule is a reference to the Article or Schedule bearing that number in this Order;

5. The prohibitions imposed by this Order shall be in addition to and not in derogation of any restriction, prohibition or requirement imposed by any Regulations or Orders made or having effect as if made under the Act of 1984, or by or under any other enactment.

6. Save where the contrary is indicated, any reference in this Order to:-

(a) this Order or another Order shall be construed as such a reference to this Order or, as the case may be, such other Order, as the same may have been or may from time to time be amended, varied or supplemented;

(b) a Statute or Regulation shall be construed as reference to such Statute or Regulations as the same may have been, or may from time to time be amended or re-enacted.

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

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

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

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

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

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

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

10 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 WAITING

Prohibition of waiting

11. Save as provided in Articles 12 to 15 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 in the Schedule.

Emergencies

12. Nothing in Article 11 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

13. Nothing in Article 11 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,

(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) 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

14. Nothing in Article 11 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

15. Nothing in Article 11 shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge 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).

Waiver Certificate Dispensation Certificate

16 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.

17. 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

CONTRAVENTION OF ORDER

Contravention

18. If a vehicle is left 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

19. 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

20. 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

21. The particulars given in the Penalty Charge Notice attached to a vehicle in accordance with Article 19 shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

Removal of vehicle

22. Where a Civil Enforcement Officer has removed or caused to be removed a vehicle in accordance with Article 18,

    (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.

Restriction on removal of notices

23. Where a Penalty Charge Notice has been attached to a vehicle in accordance with the provisions of Article 19, 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

24. If a vehicle is left after a Penalty Charge has been incurred, a Civil Enforcement Officer in uniform or a person acting under his direction may attach to the vehicle an immobilisation device and a notice in accordance with the requirements of Section 79 of the 2004 Act and that vehicle shall only be released from the device on payment of the Penalty Charge, or as the case may be a reduced penalty charge, along with such release fee as may be required by the Council.

SCHEDULE – No Waiting At Any Time

LENGTH OF ROAD	SIDE OF ROAD	EXTENT OF RESTRICTION
CLARA STREET	Northern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Northern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
	Southern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Southern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
DEAN STREET	Northern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Northern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
	Southern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m

	Southern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
GRESHAM STREET	Northern Side	From the extended kerbline of KINGSWAY in an easterly direction for 11m
	Northern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
	Southern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Southern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
HAMILTON ROAD	Northern Side	From the extended kerbline of KINGSWAY in an easterly direction for 11m
	Northern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
	Southern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Southern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
HARLEY STREET	Northern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Northern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
	Southern Side	From the extended kerbline of KINGSWAY in an easterly direction for 10m
	Southern Side	From the extended kerbline of MARLBOROUGH ROAD in a westerly direction for 10m
KINGSWAY	Eastern Side	From a point 10m northerly of the extended northern kerbline of CLARA STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of CLARA STREET
	Eastern Side	From a point 10m northerly of the extended northern kerbline of DEAN STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of DEAN STREET
	Eastern Side	From a point 10m northerly of the extended northern kerbline of GRESHAM STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of GRESHAM STREET

	Eastern Side	From a point 10m northerly of the extended northern kerbline of HAMILTON ROAD STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of HAMILTON ROAD
	Eastern Side	From a point 10m northerly of the extended northern kerbline of HARLEY STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of HARLEY STREET
MARLBOROUGH ROAD	Western Side	From a point 10m northerly of the extended northern kerbline of CLARA STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of CLARA STREET
	Western Side	From a point 10m northerly of the extended northern kerbline of DEAN STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of DEAN STREET
	Western Side	From a point 10m northerly of the extended northern kerbline of GRESHAM STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of GRESHAM STREET
	Western Side	From a point 10m northerly of the extended northern kerbline of HAMILTON ROAD STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of HAMILTON ROAD
	Western Side	From a point 10m northerly of the extended northern kerbline of HARLEY STREET in a southerly direction to a point 10m southerly of the extended southern kerbline of HARLEY STREET

Dated: 6 August 2026

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

Authorised signatory

Name OLUREMI AREMU