

BIRMINGHAM CITY COUNCIL
(FIVE WAYS UNDERPASS ETC, LADYWOOD)
(PROHIBITION OF PEDESTIANS) ORDER 202*

Birmingham City Council ("the Council") in exercise of its powers under Sections 1(1) and 2(1) to (3) of the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consulting the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby makes the following Order.

1. Commencement and citation

- 1.1 This Order shall come into operation on the ****th day of ** Two thousand and **** and may be cited as "Birmingham City Council (Five Ways Underpass etc, Ladywood) (Prohibition of Pedestrians) Order 202*".
- 1.2 The "On-Street Plans" titled "Birmingham City Council (Five Ways Underpass etc, Ladywood) (Prohibition of Pedestrians) Order 202*" (referenced EDG-D02-TRO-B_20-DR-HW-0006 and EDG-D02-TRO-B_25-DR-HW-0006 attached hereto) are incorporated into this Order.

2. Interpretation

- 2.1 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.
- 2.2 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 2.3 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation from any restriction or requirement imposed by any regulation made or having effect as if made under the Act or by or under any other enactment. provided that where a prohibition or restriction which is imposed, varied or revoked by this Order is in conflict with a prohibition or restriction imposed by a previous Order, then the provision of this Order shall prevail.
- 2.4 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. Prohibition of Pedestians

- 3.1 Save as provided in Article 3.2, no pedestrian shall be on any length of road identified as a pedestrian prohibition in the On-Street Plans.
- 3.2 Nothing in Article 3.1 shall apply so as to prevent any pedestrian from being on any length of road identified as a pedestrian prohibition in the On-Street Plans if in connection with any of the following operations namely:
- (a) police, fire brigade or ambulance duties;

- (b) the maintenance, improvement, cleansing or reconstruction of the said lengths of road;
- (c) the laying, erection, alteration, removal or repair in or in land adjacent to the said lengths of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
- (d) the service of the Council, the Environment Agency, a water undertaker or a sewerage undertaker or their agents in pursuance of statutory powers or duties;
- (e) a public procession, festival or event provided that the prior written consent of the Council has been obtained to the said lengths of road being included in the route to be followed;

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL
the ****th day of ** Two thousand and ******.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL
Was hereunto affixed to this deed in the presence of :-

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Authorised Signatory