

BIRMINGHAM CITY COUNCIL
(ELECTRIC SCOOTER PARKING PLACES)
(EASTSIDE CPZ VARIATION) (EXPERIMENTAL) ORDER 2023

Birmingham City Council ("the Council") in exercise of its powers under Sections 9, 10(1) and 10(2) of the Road Traffic Regulation Act 1984 (as amended) ("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:

Commencement and citation

1. This Order shall come into operation on the 22nd of September Two Thousand and Twenty Three and will remain in force for a maximum period of 18 months. The Order may be cited as the "Birmingham City Council (Electric Scooter Parking Places) (Eastside CPZ Variation) (Experimental) Order 2023".

Interpretation

2. 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.
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. 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.
5. In pursuance of section 10(2) of the Act, the Assistant Director of Transport and Connectivity or a person authorised by the Assistant Director of Transport and Connectivity, if it appears to that person essential (a) in the interests of the expeditious, convenient and safe movement of traffic, or (b) in the interests of the provision of suitable and adequate parking facilities on the Highway, or (c) for the preserving or improving the amenities of the area through which any Road affected by this Order runs, and after consulting with the Chief Officer of Police, may modify or suspend any provision of this Order, save that no modification shall make an addition.
6. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
7. The Order specified in the Schedule below shall continue in full force and effect subject to the variations specified in the Articles below for the duration of this Order.

Electric Scooter Definitions

8. This Order inserts the following interpretations in Article 2.1 of the Order specified in the Schedule below:

"Electric Scooter" has the same meaning as in schedule one of The Traffic Signs Regulations and General Directions 2016 and being used as part of a Trial;

“Electric Scooter Parking Place” means a part of a Road signed in accordance with Traffic Signs Regulations and General Directions 2016 for use as a Parking Place for Electric Scooters;

“Trial” has the same meaning as in Schedule One of The Traffic Signs Regulations and General Directions 2016;

Exemption for an Electric Scooter when parked in an Electric Scooter Parking Place marked on the Footway

9. This Order replaces Article 2.5 of the Order specified in the Schedule below with the following:

2.5 The Prohibitions and restrictions of waiting and the prohibitions of stopping imposed by this Order shall also apply to the Footways and verges contiguous to the various parts of the Road referred to in this Order unless either;

- (a) otherwise shown on the On-Street Plans or,
- (b) the vehicle on that footway or verge is an Electric Scooter within an Electric Scooter Parking Place or,
- (c) the vehicle on that footway or verge is a pedal cycle within a pedal cycle parking place.

**SCHEDULE
(Variations)**

Birmingham City Council (Eastside Birmingham) (Controlled Parking Zone) Order 2016

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 14th of September Two Thousand and Twenty Three.

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

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Authorised Signatory