

**BIRMINGHAM CITY COUNCIL
(A38 BRISTOL ROAD)
(TRAFFIC REGULATION) (EXPERIMENTAL)
ORDER 2020**

Birmingham City Council (“the Council”) in exercise of its powers under Sections 9, 10(1) and 10(2) and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) (“the Act”) and the Bus Lane Contraventions (Approved Local Authorities) (England) Order 2005 (as amended) 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 force on the 28th day of August Two thousand and Twenty and will remain in force for a maximum period of 18 months. The Order may be cited as the “Birmingham City Council (A38 Bristol Road) (Traffic Regulation) (Experimental) Order 2020”.
- 1.2 The On-Street Plans titled “Birmingham City Council (A38 Bristol Road) (Traffic Regulation) (Experimental) Order 2020” (referenced CA-03216-01_S9_6000 and CA-03216-01_S9_6001 attached hereto) is incorporated into this Order.

2. Interpretation

- 2.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“Approved Device” has the same meaning as in the Bus Lanes (Approved Devices) (England) Order 2005 (as amended);

“Authorised Person” means an employee or agent of the Council authorised to exercise all or any of the functions of the Council under this Order;

“Bus” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Bus Lane” means any area of that length of road specified in column 1 of Schedule 3 which extends from the point specified in column 2 to the point specified in column 3 during the operational times specified in column 4 which is bounded by kerblines or delineating signs as prescribed in the Traffic Signs Regulations and General Directions 2016 or otherwise authorised by the Secretary of State;

“Carriageway(s)” and “Footway(s)” have the same meaning as in Section 329 (1) of the Highways Act 1980 (as amended);

“Central Reservation(s)” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Charge Schedule” refers to the Charge Schedules within the Orders listed in Schedule 1 to this Order

“Civil Enforcement Officer” has the same meaning as that provided in Section 76 of The Traffic Management Act 2004;

“Cycle Lane” means a length of carriageway specified as a Cycle Lane in the Cycle Lane Schedule annexed to this Order which is reserved for Pedal Cycles and is signed in accordance with the Traffic Signs Regulations and General Directions 2016;

“Detection Date” means the date on which a vehicle was detected as contravening this Order, according to the record produced by an Approved Device;

“Disabled Person’s Badge” and “Parking Disc” have the same meaning as in regulation 3 (1) of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (as amended);

“Disabled Person’s Parking Place” means a part of a Road identified as such on the On-Street Plans for use as a Parking Place for a vehicle which displays in the Relevant Position a Disabled Person’s Badge;

“Disabled Person’s Vehicle” has the same meaning as in section 142 of the Act;

“Driver” means the person driving or having control or charge of the vehicle at any given time and in particular, in relation to a vehicle waiting, the person driving at the time it was left;

“Duplicate Permit” means a Permit issued under the provisions of this Order to replace a Permit that has been lost, destroyed, mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the Permit has become altered by fading or otherwise;

“Electronic Communications Apparatus” has the same meaning as in Schedule 2 to the Digital Economy Act 2017;

“Fixed Penalty Notice” has the same meaning as in Section 52 of the Road Traffic Offenders Act 1988 (as amended);

“Licensed Taxi” has the same meaning as in Section 13(3) of the Transport Act 1985 (as amended);

“On-Street Plan(s)” means the Plan(s) “Birmingham City Council (A38 Bristol Road) (Traffic Regulation) (Experimental) Order 2020” (referenced CA-03216-01_S9_6000 and CA-03216-01_S9_6001 attached hereto) is incorporated into this Order.

“Pedal Cycle” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Penalty Charge” means a charge set by the Council in accordance with the Bus Lane Contraventions (Penalty Charges Adjudication and Enforcement) (England) Regulations 2005 (as amended);

“Penalty Charge Notice” has the same meaning as in Regulation 8 of the Bus Lane Contraventions (Penalty Charges Adjudication and Enforcement) (England) Regulations 2005 (as amended);

“Permit” means where the context permits the various types of Permit identified in Article 2.3;

“Permit Holder” means a person to whom a Permit has been issued under the provisions of this Order;

“Relevant Particulars” means particulars relating to the identity of the keeper of the vehicle contained in the register of mechanically propelled vehicles maintained by the Secretary of State under the Vehicle Excise and registration Act 1994 (as amended);

“Relevant Position” means:

- (a) for the display of a Permit, that the Permit is displayed either inside the front windscreen of the vehicle, where the vehicle is fitted with a front windscreen, or in a conspicuous position on the vehicle so that all the information recorded on the front of the Permit is legible and clearly visible to a person standing at the front or nearside of the vehicle and the Permit shall be displayed for the whole time that the vehicle remains in the Parking Place;
- (b) for the display of a Disabled Person’s Badge or Parking Disc, that the Disabled Person’s Badge or Parking Disc is displayed as stated in Regulation 4 of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000, and shall be displayed for the whole time that the vehicle remains on that length of road;

“Resident” means a person whose principal residence is at premises the postal address of which is within the Residents Permit Boundary.

“Residents Parking Traffic Regulation Order Boundary” means the boundary identified as such on the On Street Plans;

“Residents Permit Boundary” means the boundary identified as such on the On Street Plans;

“Resident Permit” means a Permit issued by the Council to a Resident under the provisions of this Order and used in accordance with the Council’s terms and conditions;

“Resident Permit Parking Place” means a part of a Road identified as such on the On-Street Plans for use as a Parking Place for a vehicle which displays in the Relevant Position a Resident Permit;

“Resident Visitor Permit” means a Permit issued by the Council under the provisions of this Order to a Resident and which Permit is to be used by a visitor, who is recognised by that Resident, for the purposes of visiting that Resident and used in accordance with the Council’s terms and conditions;

“Road” has the same meaning as in Section 142(1) of the Act;
“Service Charge(s)” means a charge which may be payable to the Service Provider in addition to the Parking Charge payable in accordance with the provisions of Article 4.3.4 for vehicles using the Telephone Payment Parking System;

“Solo Motor Cycle” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Special Permit” means a Permit issued from time to time by the Council to specified vehicles;

“Special Permit Parking Place” means a part of a Road identified as such on the On-Street Plans for use as a Parking Place for a vehicle displaying a Special Permit in the Relevant Position;

“Taxi Rank” has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016;

“Telephone Payment Parking System” means a system to facilitate and monitor the payment of Parking Charges, together with the Service Charge, using any Parking Payment Device via communication with the Service Provider, in accordance with the Service Provider’s terms and conditions and in accordance with instructions indicated on signs located in the vicinity of a Parking Place where the system is operational;

“Traffic Sign” means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Act;

“Trailer” has the same meaning as in Section 136 of the Act and includes a trailer any part of which is superimposed on the drawing vehicle;

“Traffic Regulation Order Boundary” means the boundary identified as such on the On-Street Plan;

“Two-Way Cycle Lane” means a length of carriageway specified as a Cycle Lane in Schedule 5 annexed to this Order which is reserved for Pedal Cycles and is signed in accordance with the Traffic Signs Regulations and General Directions 2016 in which Pedal Cycles are authorised by a Traffic Regulation Order to proceed in the same direction and in the opposite direction to other traffic;

“Universal Service Provider” has the same meaning as in Section 4 (3) and (4) of the Postal Services Act 2000;

- 2.2 The prohibitions and restrictions of waiting and the prohibitions of stopping imposed by this Order shall also apply to the Footways, Central Reservations and verges contiguous to the various parts of Road referred to in this Order unless otherwise shown on the On-Street Plan.
- 2.3 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.

- 2.4 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 2.5 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.
- 2.6 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 2.7 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.
- 2.8 Subject to Article 2.9, the orders listed in Schedule 1 to this Order are hereby suspended, in so far as their provisions relate to waiting, loading or parking places on any part of a Road within the Traffic Regulation Order Boundary or to provisions of Speed Limits, Bus Lanes and One-Way Orders in the Schedules to this Order.
- 2.9 The suspension specified in Article 2.8 shall take effect in respect of any provision contained in the orders listed in Schedule 1 to this Order only from the time at which the traffic sign indicating the effect of that provision has been obliterated.

3. Prohibition and Restriction of Waiting

- 3.1 Where, in relation to any part of a Road shown on the On-Street Plan, a period of 'no waiting' is indicated, then, subject to the provisions of Articles 3.2, 3.3, 3.4, 3.5 and 3.6 no person shall except upon the direction of a police constable in uniform or a Civil Enforcement Officer or with the permission of an Authorised Person, cause or permit any vehicle to wait during that period in that part of the Road.
- 3.2 Nothing in Article 3.1 shall prohibit any persons from causing or permitting any vehicle to wait in the lengths of Road or on the sides of Road referred to therein for so long as may be necessary:
- (a) to enable a person to board or alight from the vehicle;
 - (b) to enable the vehicle if it bears the livery of a Universal Service Provider being used for the purposes of the provision of a universal postal service as defined in the Postal Services Act 2000;

- (c) to enable the vehicle to be used for police, ambulance or fire brigade purposes;
 - (d) to enable the vehicle (other than a Passenger Vehicle) if it cannot conveniently be used for such purpose in any other Road to be used in the service of a local authority, a water undertaker or a sewerage undertaker or the Environment Agency or their agents in pursuance of statutory powers or duties;
 - (e) to enable up to a maximum of two vehicles to wait at or near to any premises situated on or adjacent to the said lengths or sides of Road so long as the waiting by these vehicles is reasonably necessary in connection with any wedding or funeral;
 - (f) 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:
 - (1) building, industrial or demolition operations;
 - (2) the removal of any obstruction to traffic;
 - (3) the maintenance, improvement or reconstruction of the said lengths of Road or sides of Road; or
 - (4) the laying, erection, alteration or repair in or on land adjacent to the said lengths of Road 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 Electronic Communications Apparatus.
- 3.3 Nothing in Article 3.1 shall prohibit any persons from causing or permitting any vehicle to wait in the lengths of Road or on the sides of Road referred to therein for so long as may be necessary to enable Goods to be loaded on to or from the vehicle except for any period indicated on the On-Street Plan when Loading is not permitted in that part of the Road.
- 3.4 Exceptions for vehicles displaying a Disabled Person's Badge
- 3.4.1 Where a period of 'no waiting' indicated on the On-Street Plan exceeds three hours, nothing in Article 3.1 shall prohibit any persons from causing or permitting a 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 lengths of Road or on the sides of the Road referred to in that Article 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 lengths or on the same sides of Road on the same day provided that such period lies entirely outside any "no loading" period specified for that length of Road.
- 3.4.2 Where a period of 'no waiting' indicated on the On-Street Plan does not exceed three hours, nothing in Article 3.1 shall prohibit any persons from causing or permitting a vehicle which displays in the Relevant Position a Disabled Person's Badge to wait in the lengths of Road or on the sides of the

Road referred to in that Article provided that such period lies entirely outside any “no loading” period specified for that length of Road.

- 3.5 The restrictions specified in Article 3.1 shall not apply to a person causing or permitting a Bus to wait on a Bus Stop or Bus Stand.
- 3.6 The restrictions specified in Article 3.1 shall not apply to a person causing or permitting a Licensed Taxi to wait on a Taxi Rank.

4. Parking Places

Resident’s Parking Bays

- 4.1 Where a part of a Road shown on the On-Street Plans is identified as a Resident Permit Parking Place, then subject to the provisions of this Order, no person shall except upon the direction of a police constable in uniform or a Civil Enforcement Officer or with the permission of an Authorised Person, cause or permit any vehicle to park in the Resident Permit Parking Place during the hours of operation as specified in the On-Street Plans unless it is a vehicle displaying a Resident Permit in the Relevant Position.

Car Club Parking Places

- 4.2 Where a part of a Road shown on the On-Street Plans is identified as a Car Club Parking Place then subject to the provisions of this Order, no person shall except upon the direction of a police constable in uniform or with the permission of an Authorised Person, cause or permit any vehicle to wait in the Car Club Parking Place during its specified hours of operation unless it displays a Car Club Permit in the Relevant Position and that Car Club Permit is so displayed for the whole time that the vehicle remains in the Car Club Parking Place.

Pay and Display Bays

- 4.3 Where a part of a Road identified as such on the On-Street Plans for use as a Parking Place with Payment is designated as a Parking Place With Payment.
 - 4.3.1 Parking Place With Payment includes Parking Place With Payment with any duration of maximum stay, as identified on the On-Street Plans.
 - 4.3.2 The length and situation of a Parking Space in each Parking Place With Payment shall be as may be determined by the Council.
 - 4.3.3 Each Parking Place With Payment may be used, subject to the provisions of this Order, for the leaving during the Permitted Hours of a Passenger Vehicle, Goods Vehicle not drawing a Trailer, Motor Cycle, Invalid Carriage or Disabled Person’s Vehicle.
 - 4.3.4 The Parking Charges and relevant additional charges for a vehicle left in a Parking Place With Payment shall be as indicated in the Charge Schedule.

Payment of Parking Charges, etc.

- 4.4 Save as provided in Articles 4.9 and 4.10, where a Driver parks a vehicle in a Parking Place With Payment, the Driver shall pay on leaving the vehicle in the Parking Place With Payment a Parking Charge and relevant additional charges as specified by Article 4.3.4 by the making of an appropriate payment by using the Telephone Payment Parking System.
- 4.4.1 Where a Driver attempts to pay the Parking Charge in accordance with Article 4.3.4 but is unable to do so, the Driver shall remove that vehicle from that Parking Place With Payment without delay.
- 4.5 (a) A vehicle must not be left in a Parking Place With Payment during the Permitted Hours for longer than the period for which payment has been made by the Parking Charge;
- (b) Except with the written authority of the Council the Driver of a vehicle shall not permit it to wait in a Parking Space in a Parking Place With Payment during the Permitted Hours for longer than the maximum period permitted for waiting specified on the On-Street Plans in relation to that Parking Place and a vehicle found waiting in contravention of this Article shall be treated as a vehicle for which the Parking Charge has not been paid for each and every day thereafter.
- 4.6 (a) Payment of the Parking Charge in accordance with Article 4.3.4 for a vehicle left during the Permitted Hours in a Parking Space in a Parking Place With Payment shown on the On-Street Plans shall be indicated by a confirmation message sent to the Driver's Parking Payment Device indicating that the payment has been accepted and confirming the time at which the period for which payment has been made by the Parking Charge will expire.
- (b) The expiry of the period for which the Parking Charge has been paid in accordance with Article 4.3.4 shall be indicated in the electronic record of the Parking Charge payments accepted.
- 4.7 During the Permitted Hours the maximum period that a vehicle may remain in a Parking Space in a Parking Place with Payment on payment of the relevant Parking Charge is as indicated on the On-Street Plans.
- 4.8 No vehicle which has been taken away from a Parking Space in a Parking Place With Payment, after the Parking Charge has been incurred, shall again be left in that Parking Space during the Permitted Hours until the expiration of the 'no return' period indicated on the On-Street Plans.

Exemptions from charges

- 4.9 The following vehicles left in a Parking Space in a Parking Place With Payment during the Permitted Hours shall be exempt from the payment of any charge or compliance with any limitation of time during which a vehicle may be left in a Parking Place specified in the foregoing provisions of this Order:
- (i) an Invalid Carriage;
- (ii) a vehicle issued to a disabled person by a department of the United Kingdom Government in lieu of an Invalid Carriage; or

- (iii) a Disabled Person's Vehicle which displays in the Relevant Position a Disabled Person's Badge.

General Exemptions

- 4.10 Nothing in Articles 4.1 and 4.4 shall prohibit any persons from causing or permitting any vehicle to wait in the lengths of Road or on the sides of Road referred to therein for so long as may be necessary:
- (a) to enable a person to board or alight from the vehicle;
 - (b) to enable the vehicle if it bears the livery of a Universal Service Provider being used for the purposes of the provision of a universal postal service as defined in the Postal Services Act 2000 (as amended);
 - (c) to enable the vehicle to be used for police, ambulance or fire brigade purposes;
 - (d) to enable the vehicle to wait at or near to any premises situated on or adjacent to the said lengths or sides of Road so long as the waiting by these vehicles is reasonably necessary in connection with any wedding, funeral or other religious observances;
 - (e) to enable the vehicle (other than a Passenger Vehicle) if it cannot conveniently be used for such purpose in any other Road to be used in the service of a local authority, a water undertaker, a sewerage undertaker, The Environment Agency or their agents in pursuance of statutory powers or duties;
 - (f) 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:
 - (1) building, industrial or demolition operations;
 - (2) the removal of any obstruction to traffic;
 - (3) the maintenance, improvement or reconstruction of the said lengths of Road or sides of Road; or
 - (4) the laying, erection, alteration or repair in or on land adjacent to the said lengths of Road 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 Electronic Communications Apparatus.

5. One-Way Order

5.1 Save as provided in Article 5.2, no person shall cause or permit any vehicle to proceed in any Road specified in column 1 of Schedule 2 between those lengths specified in column 2, in a direction other than that specified in column 3, subject to any exceptions, specified in column 4.

5.2 Nothing in Article 5.1 shall apply to:

- (a) anything done with the permission or at the direction of a police constable in uniform;
- (b) the driving of any Mechanical Road Cleansing vehicle being used in pursuance of statutory powers;
- (c) a vehicle which displays a Dispensation Permit in the relevant position,

6. Bus Lane

6.1 Save as provided in Article 7.2 of this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or any Authorised Person, cause or permit any vehicle other than the type(s) of vehicle specified in column 5 of Schedule 3 to be in the Bus Lane otherwise than for the purpose of crossing it.

6.2 (1) Nothing in this Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in any direction in a Bus Lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in this Article, or to wait in the Bus Lane for so long as may be necessary for any of these purposes.

(2) The purposes referred to in paragraph (1) of this article are:-

- (i) The removal of any obstruction to traffic;
- (ii) Any vehicle being used for police, fire service or ambulance purposes and is either responding to an emergency or where the restriction would be likely to hinder that vehicle in fulfilling that purpose, and which is taking reasonable precautions; and
- (iii) The loading or unloading of any goods or burden at premises adjacent to, or accessible only from the Bus Lane, provided that such loading or unloading can be reasonably carried out from the Bus Lane and that it takes place only whilst no prohibition of loading and unloading in the Bus Lane by virtue of any other order is in force.

(3) Nothing in this Order shall render it unlawful for any person to cause or permit any vehicle to enter or proceed in the specified direction of the Bus Lane so far as such entry or proceeding is reasonably necessary to enable the vehicle to be used for any of the purposes specified in paragraph (4) of this article or (save as provided in that paragraph) to wait in the Bus Lane so long as may be necessary for any of those purposes.

(4) The purposes referred to in paragraph (3) of this article are:-

- (i) The service of any local authority, a water undertaker, a sewerage undertaker or the Environment Agency or their agents in pursuance of statutory powers or duties or in connection with the supply of gas or electricity or any telecommunications apparatus as defined in the Telecommunications Act 1984 (as amended);

- (ii) The maintenance, improvement or reconstruction of any part of that road;
 - (iii) The avoidance of any accident;
 - (iv) The gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the Bus Lane;
 - (v) The gaining of access to or egress from on-street parking places adjacent to and accessible only from the Bus Lane; and
 - (vi) The boarding or alighting of any person, provided that it takes place only whilst no prohibition of stopping in the Bus Lane by virtue of any other order is in force and such boarding or alighting does not cause the vehicle to wait in the same place for more than two minutes.
- 6.3 The Council will carry out civil enforcement of any contravention of any prohibitions, restrictions or provisions of this Order by permitting the imposition of a Penalty Charge only on the basis of a record produced by the means of an Approved Device.
- 6.4 Where the Council has reason to believe that a Penalty Charge is payable in relation to a vehicle which has contravened this Order the Council will serve a Penalty Charge Notice in accordance with the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005:-
- a. On the person appearing to be the owner or keeper of the vehicle or
 - b. On the person appearing to be the person liable to pay the charge.
- 6.5 A Penalty Charge Notice shall be served before the end of the period of 28 days beginning with the Detection Date, and the Council shall continue to be entitled to serve a Penalty Charge Notice during a further period of six months, beginning from the Detection Date, provided that:-
- a. the Council has made a request within 14 days of the Detection Date to the Secretary of State for the supply of the Relevant Particulars; and
 - b. those particulars have not been supplied before the date after which the Council would not be entitled to serve a Penalty Charge Notice by virtue of this Order.
- 6.6 If a vehicle owner, keeper or driver contravenes any prohibitions or restrictions of this Order, a charge set by the Council pursuant to the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (as amended) is to be paid in the manner described in the Penalty Charge Notice.
- 6.7 When the owner, keeper or driver has been identified the Council will issue a Penalty Charge Notice in accordance with this Order and send the Penalty Charge Notice by first class post.

- 6.8 Where the owner, keeper or driver has been issued a Penalty Charge Notice by the Council and it is proven by the owner, keeper or driver that they were issued with a Fixed Penalty Notice or a summons for the same day and time for the same contravention by a police officer, then the Council shall no longer proceed with its Penalty Charge Notice or where the Penalty Charge Notice was paid in accordance with the Order the amount that was paid will be refunded in full as soon as reasonably practicable.

7. Cycle Lanes

- 7.1 Save as provided in Article 7.2 and 7.3, no person shall cause or permit any motor vehicle to enter, proceed or wait in the lengths of road specified in Column 1 of Schedule 4 between column 2 and column 3 other than for the purpose of crossing it.
- 7.2 (1) Nothing in Article 7.1 of this Order shall render it unlawful for any person to cause or permit any motor vehicle to enter or proceed in the specified direction of the Cycle Lane so far as such entry or proceeding is necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article, or to wait in the Cycle Lane for so long as may be necessary for any of those purposes.

(2) The purposes referred to in paragraph (1) of this Article are:-

- i. Police, ambulance or fire brigade purposes;
- ii. A vehicle being used in the service of a Local Authority for the purpose of collecting refuse from premises adjacent to the Cycle Lane or for exercising any statutory powers or performing any statutory duties in the Cycle Lane
- iii. 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:
 - (1) building, industrial or demolition operations in or adjacent to the Cycle Lane;
 - (2) the removal of any obstruction to traffic;
 - (3) the maintenance, improvement or reconstruction of the said lengths of Road or sides of Road;
 - (4) the placing, maintenance or removal of any traffic sign;
 - (5) the laying, erection, alteration or repair in or on land adjacent to the said lengths of Road 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 Electronic Communications Apparatus;
- iv. The avoidance of any accident;
- v. The loading or unloading of any goods or burden at premises adjacent to, or accessible only from the Cycle Lane: provided that such loading

or unloading can be reasonably carried out from the Cycle Lane and that it takes place only whilst no prohibition of loading and unloading in the Cycle Lane by virtue of any other Order is in force;

- vi. The gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the Cycle Lane.

7.3 (1) Nothing in Article 7.1 shall render it unlawful for any person to cause or permit any motor vehicle to enter or proceed in the Two-Way Cycle Lane so far as such entry or proceeding is necessary to enable the vehicle to be used for any of the purposes specified in paragraph (2) of this Article, or to wait in the Two-Way Cycle Lane for so long as may be necessary for any of these purposes.

(2) The purposes referred to in paragraph (1) of this Article are:-

- i. Police, ambulance or fire brigade purposes;
- ii. A vehicle being used in the service of a Local Authority for the purpose of collecting refuse from premises adjacent to the Two-Way Cycle Lane or for exercising any statutory powers or performing and statutory duties in the Two-Way Cycle Lane
- iii. 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:
 - (1) building, industrial or demolition operations in or adjacent to the Two-Way Cycle Lane;
 - (2) the removal of any obstruction to traffic;
 - (3) the maintenance, improvement or reconstruction of the said lengths of Road or sides of Road;
 - (4) the placing, maintenance or removal of any traffic sign;
 - (5) the laying, erection, alteration or repair in or on land adjacent to the said lengths of Road 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 Electronic Communications Apparatus;
- iv. The avoidance of any accident;
- v. The loading or unloading of any goods or burden at premises adjacent to, or accessible only from the Two-Way Cycle Lane: provided that such loading or unloading can be reasonably carried out from the Contraflow Cycle Lane and that it takes place only whilst no prohibition of loading and unloading in the Two-Way Cycle Lane by virtue of any other Order is in force;
- vi. The gaining of access to or egress from off-street loading or garaging premises adjacent to or accessible only from the Two-Way Cycle Lane.

SCHEDULE 1

Variation of existing Traffic Regulation Orders

The Orders suspended in part by the prohibitions and restrictions shown on the On-Street Plan and in the Schedules are;

Birmingham City Council (Dale Road Etc. Selly Oak) (Traffic Regulation) Order 2014

Birmingham City Council (Various Roads) (Selly Oak) (General Traffic Control) (Consolidation) Order 2014

SCHEDULE 2

One-Way Streets

column 1	column 2		column 3	column 4
Road	Length of Road		Direction of traffic flow	Exceptions
	from	to	to	
GRANGE ROAD	Its junction with A38 Bristol Road	A point approximately 70 metres north of its junction with A38 Bristol Street (joins existing one-way order)	Northbound	Cycles

SCHEDULE 3

Bus Lanes

AREAS OF ROADS DESIGNATED AS A BUS LANE

Road Name	Extent of Bus Lane	Extent of Bus Lane	Times of operation	Class of vehicle exempt
Column (1)	Column (2)	Column (3)	Column (4)	Column (5)
A38 BRISTOL ROAD (Southbound)	Its junction with Langleys Road	Its junction with Hole Lane	At all times	Taxis, Cycles
A38 BRISTOL ROAD (Northbound)	Its junction with St Laurence Road	Its junction with Lodge Hill	At all times	Taxis, Cycles

SCHEDULE 5

Cycle Lane

Cycle Lane means a length of carriageway specified as a Cycle Lane which is reserved for Pedal Cycles and is signed in accordance with the Traffic Signs Regulations and General Directions 2016		
Column 1	Column 2	Column 3
Location	From	To
A38 BRISTOL ROAD (Northbound)	A point approximately 65 metres north of the centreline of its junction with Chapel Lane	its junction with the access road to Selly Oak Train Station
A38 BRISTOL ROAD (Southbound)	its junction with the access road to Selly Oak Train Station	Its junction with the Dingle

Two Way Cycle Lane

Two Way Cycle Lane means a length of carriageway specified as a Cycle Lane which is reserved for Pedal Cycles and is signed in accordance with the Traffic Signs Regulations and General Directions 2016 and in which Pedal Cycles are authorised by Traffic Regulation Order to proceed in the same direction and in the opposite direction to other traffic		
Column 1	Column 2	Column 3
Location	From	To
A38 BRISTOL ROAD (Northbound)	Its junction with Grange Road	Its junction with Dale Road
A38 BRISTOL ROAD (Northbound)	Its junction with Dale Road	its junction with the access road to Selly Oak Train Station

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 20th of August Two Thousand and Twenty.

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

}

Authorised Signatory