

**BIRMINGHAM CITY COUNCIL
(KINGS HEATH LOW TRAFFIC NEIGHBOURHOOD)
(ONE-WAY TRAFFIC) (EXPERIMENTAL) ORDER 2020**

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:

1. Commencement and citation

- 1.1 This Order shall come into operation on the 29th October Two Thousand and Twenty and may be cited as the “Birmingham City Council (Kings Heath Low Traffic Neighbourhood) (One-Way Traffic) (Experimental) Order 2020”.

2. Interpretation

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

"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;

"Council" means Birmingham City Council or its successors as Highway authority;

"Contraflow Cycle Lane" means a length of carriageway specified as a Contraflow Cycle Lane 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 opposite direction to other traffic;

"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;

"Cycle Track" has the same meaning as in Section 329(1) of the Highways Act 1980 and is specified as a Cycle Track and is signed in accordance with the Traffic Signs Regulations and General Directions 2016;

"Dispensation Permit" means a permit issued by the Council for the purpose of exempting a specified vehicle from a provision imposed by this Order;

"Highway" means all Carriageways, Footways, Central Reservations and verges;

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

"Mechanical Road Cleansing Vehicle" means a vehicle used for the purposes of cleaning the Highway;

"Motor Cycle" has the same meaning as in Section 136 of the Act;

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

"Pedal Cycle Provision" means where the context permits a Cycle Lane, Contraflow Cycle Lane and Cycle Track and shall be indicated by the Council on the carriageway by appropriate traffic signs and or delineation;

"Road" means any length of Highway or any other road to which the public has access, and includes bridges over which a road passes as set out in Section 142(1) of the Act;

"Schedule" means the (sealed) sheets entitled "Birmingham City Council (Birmingham, A4540 to City Boundary) (One-Way Traffic) (Consolidation) Order 2019 Schedule" that records the restrictions that are current for the purposes of interpretation of the Order;

"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;

"Tramcar" means any vehicle (whether or not used for the carriage of passengers) carried on flanged wheels along the rails of a Tramway;

"Tramway" means any railway, or any part of a railway, authorised by the Midland Metro Acts 1989 to 1993 and thereby designated as a tramway;

- 2.2 For the purpose of this Order a vehicle shall be regarded as displaying:
a Dispensation Permit in the relevant position if it is displayed in a similar manner as a Disabled Person's Badge as prescribed by the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 (as amended);
- 2.3 Except where otherwise stated, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order.
- 2.4 Where in any Article in this Order, reference is made to columns 2, 3 or 4 as appropriate of the Schedule, these references relate to the corresponding entry in column 1 of the Schedule.
- 2.5 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 2.6 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 by this Order is in conflict with a prohibition or restriction imposed by a previous Order (except any Order made under Section 14 of the Act), then the provision of this Order shall prevail.
- 2.7 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

- 2.8 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.

3. One Way Streets

- 3.1 Save as provided in Article 4, no person shall cause or permit any vehicle to proceed in any Road specified in column 1 of the Schedule 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.

4. Exemption for Mechanical Road Cleansing and other special vehicles

Nothing in Article 3 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,

5. Variation to existing Traffic Regulation Orders

The following Traffic Regulation Order is hereby varied to the extent that it conflicts with the restrictions contained in the Schedule:

Birmingham City Council (Birmingham, A4540 to City Boundary) (One-Way Traffic) (Consolidation) Order 2019

SCHEDULE

The entry in the Order specified in Article 5 for All Saints Road is amended as follows

Column 1	Column 2		Column 3		Column 4
Road	Length of Road		Direction of traffic flow		Exceptions
	From	To	From	to	
ALL SAINTS ROAD	A point approximately 120 metres south of its it's junction with Vicarage Road	Its junction with Abbots Road	Vicarage Road	Abbots Road	

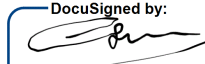
The following entry in the Order specified in Article 5 for Bank Street is removed:

Column 1	Column 2		Column 3		Column 4
Road	Length of Road		Direction of traffic flow		Exceptions
	From	To	From	to	
BANK STREET	Grange Road	High Street	Grange Road	High Street	

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 22nd of October Two Thousand and Twenty.

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

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DocuSigned by:

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Authorised Signatory

146119

DocuSigned by:

