

**BIRMINGHAM CITY COUNCIL
(KINGS HEATH LOW TRAFFIC NEIGHBOURHOOD)
(PROHIBITION OF MOTOR VEHICLES) (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 of October Two Thousand and Twenty and may be cited as “Birmingham City Council (Kings Heath Low Traffic Neighbourhood) (Prohibition of Motor Vehicles) (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;

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

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

“Highway” means all Carriageways, Footways and Verges;

“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;

“Verge” means any land forming part of a Road that is not a Carriageway or a Footway.

- 2.2 The prohibitions and restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made or having effect as if made under the Act or by or under any other enactment.
- 2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 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.
- 2.5 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.

- 2.6 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 Prohibition of motor vehicles

- 3.1 Save as provided in Article 3.2, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any motor vehicle to enter or proceed in the length of Road referred to in Schedule 1 to this Order.
- 3.2 The provisions of Article 3.1 do not apply to any motor vehicle being used in connection with any of the following operations, namely;
- (a) police, fire brigade or ambulance duties;
 - (b) building, demolition operations or essential maintenance;
 - (c) the maintenance, improvement, cleansing or reconstruction of the said lengths of road;
 - (d) 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;
 - (e) the service of a local authority, the Environment Agency, a water undertaker or a sewerage undertaker or their agents in pursuance of statutory powers or duties;
 - (f) a public procession, festival or similar event provided that the prior written consent of the highway authority has been obtained to the said lengths of road being included in the route to be followed;
 - (g) a security vehicle being used for the delivery of money or valuables to or collection of money or valuables from premises fronting the said lengths of road;
 - (h) for the purpose of delivering or collecting Goods by a Universal Service Provider;


SCHEDULE 1 (ARTICLE 3.1)

STATION ROAD	at a point approximately 65 metres west of its junction with High Street
GRANGE ROAD	at a point approximately 43 metres west of its junction with High Street
BANK STREET	at a point approximately 38 metres west of its junction with High Street
SILVER STREET	at a point approximately 15 metres east of the centreline of its junction with Whitesmith Croft
HIGHBURY ROAD	at a point approximately 3 metres southeast of its junction with Grange Road
POPLAR ROAD	at a point approximately 29 metres from the centreline of its junction with Woodville Road
COLMORE ROAD	at a point approximately 30 metres north of its junction with Howard Road
HAZLEHURST ROAD	at a point approximately 35 metres north of its junction with Howard Road
ALL SAINTS ROAD	at a point approximately 18 metres north of its junction with Howard Road

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

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

DocuSigned by:

D990AE36CD65458...

Authorised Signatory

DocuSigned by:

