

BIRMINGHAM CITY COUNCIL
(BIRMINGHAM CITY COUNCIL (ASTON STREET NECHELLS) (PROHIBITION OF MOTOR VEHICLES) ORDER 2011) (EXPERIMENTAL VARIATION) 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 This Order shall come into operation on the 4th of December 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 (Aston Street Nechells) (Prohibition of Motor Vehicles) Order 2011) (Experimental Variation) Order 2020".
- 2 The "Birmingham City Council (Aston Street Nechells) (Prohibition of Motor Vehicles) Order 2011" as amended shall continue in full force and effect subject to, for the duration of this Order, Article 9 and the variations specified in the SCHEDULE to this Order.
- 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.
- 4 The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
- 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.
- 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.
- 7 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.
- 8 Each provision of this Order shall only take effect when traffic signs have been erected indicating that the provision has come into force.
- 9 The variation specified in Article 2 shall take effect in respect of any provision contained in the orders listed in the Schedule only from the time at which the traffic sign indicating the effect of that provision has been obliterated.

SCHEDULE

Variation to Birmingham City Council (Aston Street Nechells) (Prohibition of Motor Vehicles) Order 2011.

1. Article 4 shall be replaced by the following
 4. Nothing in Article 3 shall apply so as to prevent;
 - (a) vehicles entering being used for fire brigade, ambulance or police purposes; or
 - (b) access by Electric Scooters.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 26th day of November 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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Authorised Signatory