

BIRMINGHAM CITY COUNCIL**(VICTORIA ROAD ETC ASTON)****(PROHIBITION AND RESTRICTION OF WAITING)****ORDER 1995**

Birmingham City Council ("the Council") in exercise of its powers under Sections 1(1), 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of Part IV of Schedule 9 to 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. This Order shall come into operation on the 14th day of August One thousand nine hundred and ninety five and may be cited as "Birmingham City Council (Victoria Road etc Aston) (Prohibition and Restriction of Waiting) Order 1995".

2. (1) In this Order:

"authorised cab rank" means any area of carriageway which is comprised within and indicated by a road marking complying with diagram 1028.2 in Schedule 6 to The Traffic Signs Regulations and General Directions 1994;

"authorised parking place" means any parking place on a road authorised or designated by an Order made or having effect as if made under the Act of 1984;

"disabled person's badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) Regulations 1982;

"disabled person's vehicle" has the same meaning as in The Local Authorities Traffic Orders (Exemptions for Disabled Persons) (England and Wales) (Amendment) Regulations 1991;

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

"parking disc" means a disc, issued by a local authority, 125 millimetres square, coloured orange, and capable of showing the quarter hour period during which a period of waiting began.

- (2) For the purpose of this Order a vehicle shall be regarded as displaying:

- (a) a disabled person's badge in the relevant position if:

- (i) in the case of a vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from outside the vehicle; or

- (ii) in the case of a vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from outside the vehicle.

- (b) a parking disc in the relevant position if:

- (i) in the case of a vehicle fitted with a dashboard or facia panel, the disc is exhibited thereon so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle: or
 - (ii) in the case of a vehicle not so fitted, the disc is exhibited in a conspicuous position on the vehicle so that the quarter-hour period during which the period of waiting began is legible from outside the vehicle.
- (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.
- 3. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road referred to in the FIRST SCHEDULE to this Order.
- 4. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road referred to in the SECOND SCHEDULE to this Order between the hours of 7.45am and 6.45pm on Monday, Tuesday, Wednesday, Thursday and Friday.
- 5. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road referred to in the THIRD SCHEDULE to this Order.
- 6. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road referred to in the FOURTH SCHEDULE to this Order between the hours of 7.45am and 6.45pm on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday.
- 7. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road referred to in the FIFTH SCHEDULE to this Order between the hours of 7.45 am and 1.00 pm and between the hours of 4.30 pm and 6.45 pm on Monday, Tuesday, Wednesday, Thursday and Friday.
- 8. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait between the hours of 1.00pm and 4.30pm on Monday, Tuesday, Wednesday, Thursday and Friday in the lengths of road or on the sides of road referred to in the FIFTH SCHEDULE to this Order:
 - (a) for a longer period than ONE HOUR; or
 - (b) if a period of less than ONE HOUR has elapsed since the termination during the said hours of the last period of waiting (if any) of that vehicle on the same side of road or length of road.

9. Save as provided in Article 11 to this Order, no person shall except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait in the lengths of road or on the sides of road specified in the SIXTH SCHEDULE to this Order between the hours of 7.45am and 9.15am and between the hours of 1.00pm and 6.45pm on Monday, Tuesday, Wednesday, Thursday and Friday.
10. Save as provided in Article 11 to this Order, no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause or permit any vehicle to wait between the hours of 9.15am and 1.00pm on Monday, Tuesday, Wednesday, Thursday and Friday in the lengths of road or on the sides of road referred to in the SIXTH SCHEDULE to this Order:
 - (a) for a longer period than ONE HOUR; or
 - (b) if a period of less than ONE HOUR has elapsed since the termination during the said hours of the last period of waiting (if any) of that vehicle on the same side of road or length of road.
11. Nothing in Articles 3, 4, 5, 6, 7, 8, 9 and 10 to this Order shall render it unlawful to cause or permit 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:
 - (1)
 - (a) a person to board or alight from the vehicle;
 - (b) 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:
 - (i) building, industrial or demolition operations;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the maintenance, improvement or reconstruction of the said lengths of road or sides of road; or
 - (iv) the laying, erection, alteration or repair in or in 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 telecommunications apparatus as defined in the Telecommunications Act 1984;
 - (c) the 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 National Rivers Authority in pursuance of statutory powers or duties;
 - (d) the vehicle to be used for the purpose of delivering or collecting postal packets as defined in Section 87 of the Post Office Act 1953;
 - (e) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths of road or sides of road so long as the waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
 - (f) the vehicle to be used for fire brigade, ambulance or police purposes.
 - (2) Nothing in Articles 3 and 4 shall render it unlawful to cause or permit any vehicle to wait for so long as may be necessary for the purpose of enabling goods to be loaded on to or unloaded from the vehicle -

- (a) in the lengths of road or on the sides of road specified in the FIRST and SECOND SCHEDULES at any time on any day; or
 - (b) in the lengths of road or on the sides of road specified in the THIRD FOURTH FIFTH and SIXTH SCHEDULES at any time on Saturday or Sunday or at any time except between the hours of 7.45am and 9.15am or between the hours of 4.30pm and 6.45pm on any day other than Saturday and Sunday.
- (3) Nothing in Articles 3 and 4 shall render it unlawful to cause or permit any vehicle -
- (a) to wait upon an authorised parking place, or
 - (b) being a licensed taxi, to wait upon an authorised cab rank.
- (4) Nothing in Articles 3, 4, 5 and 6 shall render it unlawful to cause or permit a disabled person's 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 any of the lengths of road or on the sides of road referred to in those Articles 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 in respect of the lengths of road or sides of road specified in the THIRD and FOURTH SCHEDULES such period lies entirely within the period during which the exemption as to loading and unloading specified in paragraph (2)(b) of this Article applies.
- (5) Nothing in Articles 6, 7, 8, 9 and 10 to this Order shall render it unlawful to cause or permit a disabled person's vehicle which displays in the relevant position a disabled person's badge to wait in any of the lengths of road or on the sides of road referred to therein.
12. 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 of 1984 or by or under any other enactment.
13. The Traffic Regulation Orders specified in the SEVENTH SCHEDULE to this Order shall continue in full force and effect subject to the variations described therein and the Traffic Regulation Orders specified in the EIGHTH SCHEDULE to this Order are hereby revoked in their entirety.

FIRST SCHEDULE (ARTICLE 3)

No waiting at any time:

SELSTON ROAD

✓ both sides from its junction with Victoria Road for a distance of approximately 15 metres in a southerly direction

PARK CIRCUS

✓ whole area including the slip roads leading to and from the Aston Expressway

VICTORIA ROAD

✓ both sides, from its junction with Six Ways Aston for a distance of approximately 100 metres in an easterly direction

✓ north side, from a point approximately 33 metres west of the line of the kerb on the west side of Whitehead Road for a distance of approximately 93 metres in an easterly direction

✓ north side, from a point approximately 28 metres west of the line of the kerb on the west side of Bramble Close to a point approximately 18 metres east of the line of the kerb on the east side of Bramble Close

✓ north side, from a point approximately 73 metres west of the line of the kerb on the west side of Ruskin Close to a point approximately 36 metres east of the line of the kerb on the east side of Ruskin Close

✓ north side, from a point approximately 68 metres west of the line of the kerb on the west side of Upper Sutton Street to its junction with Park Circus

✓ south side, from a point approximately 64 metres west of the line of the kerb on the west side of Selston Road for a distance of approximately 108 metres in an easterly direction

✓ southside, from a point approximately 3 metres east of the line of the kerb on the west side of Bramble Close for a distance of approximately 19 metres in a westerly direction

✓ south side, from a point approximately 5 metres west of the line of the kerb on the west side of Ruskin Close for a distance of approximately 56 metres in an easterly direction

✓ south side, from a point approximately 85 metres west of the line of the kerb on the west side of Upper Sutton Street to its junction with Park Circus

UPPER SUTTON STREET

✓ both sides, from a point approximately 34 metres south of the line of the kerb on the south side of Victoria Road to a point approximately 36 metres north of the line of the kerb on the north side of Victoria Road

WHITEHEAD ROAD

both sides, from its junction with Victoria Road for a distance of approximately 15 metres in a northeasterly direction

SECOND SCHEDULE (ARTICLE 4)

No waiting between the hours of 7.45am and 6.45pm Monday to Friday inclusive:

VICTORIA ROAD

✓ north side, from a point approximately 48 metres west of the line of the kerb on the west side of Whitehead Road for a distance of approximately 73 metres in a westerly direction

✓ north side, from a point approximately 59 metres west of the line of the kerb on the west side of Bramble Close for a distance of approximately 29 metres in a westerly direction

✓ north side, from a point approximately 17 metres east of the line of the kerb on the east side of Bramble Close for a distance of approximately 29 metres in an easterly direction

VICTORIA ROAD (Continued)

- ✓ north side, from a point approximately 101 metres east of the line of the kerb on the east side of Ruskin Close for a distance of approximately 17 metres in an easterly direction
- ✓ south side, from a point approximately 142 metres west of the line of the kerb on the west side of Selston Road for a distance of approximately 53 metres in a westerly direction
- ✓ south side, from a point approximately 63 metres west of the line of the kerb on the west side of Selston Road for a distance of approximately 47 metres in a westerly direction *see para 1A schedule*
- ✓ south side, from a point approximately 15 metres west of the line of the kerb on the west side of Bramble Close for a distance of approximately 57 metres in a westerly direction
- ✓ south side, from a point approximately 49 metres west of the line of the kerb on the west side of Ruskin Close for a distance of approximately 32 metres in a westerly direction
- ✓ south side, from a point approximately 46 metres east of the line of the kerb on the east side of Ruskin Close for a distance of approximately 57 metres in an easterly direction

THIRD SCHEDULE (ARTICLE 5)

No waiting at any time and no loading or unloading between the hours of 7.45am and 9.15am and 4.30pm and 6.45pm Monday to Friday inclusive

BARKER STREET

- ✓ both sides, from the line of the kerb on the south side of Lozells Road for a distance of approximately 68 metres in a southerly direction

HALL ROAD

- ? both sides, from the line of the kerb on the northwest side of Villa Road for a distance of approximately 18 metres in a northwesterly direction

HAMSTEAD ROAD *34-41 gnd n th*

- ✓ both sides, from a point approximately 68 metres south of the line of the kerb on the southeast side of Villa Road to a point approximately 70 metres north of the line of the kerb on the northwest side of Villa Road

LOZELLS ROAD ?

- ? both sides, from its junction with Villa Road and George Street to the line of the kerb on the east side of George Street

- ✓ both sides, from a point approximately 66 metres west of the line of the kerb on the west side of Wheeler Street to its junction with Birchfield Road and High Street Aston

VILLA ROAD *2001 g/h w/son gues*

- ✓ both sides, from the line of the kerb on the northeast side of Soho Road for a distance of approximately 79 metres in a northeasterly direction
- ✓ both sides, from a point approximately 62 metres southwest of the line of the kerb on the west side of Hamstead Road to a point approximately 10 metres northeast of the line of the kerb on the northeast side of Hunters Road

VILLA ROAD (Continued)

both sides, from a point approximately 55 metres southwest of the line of the kerb on the west side of Barker Street to its junction with Lozells Road and George Street

FOURTH SCHEDULE (ARTICLE 6)

No waiting between 7.45am and 6.45pm Monday to Saturday inclusive and no loading or unloading between 7.45am and 9.15am and 4.30pm and 6.45pm Monday to Friday inclusive

VILLA ROAD

both sides, from a point approximately 10 metres northeast of the line of the kerb on the northeast side of Hunters Road to a point approximately 55 metres southwest of the line of the kerb on the west side of Barker Street

FIFTH SCHEDULE (ARTICLES 7 AND 8)

No waiting between 7.45am and 1.00pm and 4.30pm and 6.45pm and no loading or unloading between 7.45am and 9.15am and 4.30pm and 6.45pm and waiting limited to ONE HOUR return prohibited with ONE HOUR between 1.00pm and 4.30pm Monday to Friday inclusive

LOZELLS ROAD

north side, from the line of the kerb on the east side of George Street to a point approximately 10 metres west of the line of the kerb on the west side of Lozells Street

north side, from a point approximately 9 metres east of the line of the kerb on the east side of Hartington Road to a point approximately 66 metres west of the line of the kerb on the west side of Wheeler Street

VILLA ROAD

northwest side, from a point approximately 79 metres northeast of the line of the kerb on the northeast side of Soho Road to a point approximately 62 metres southwest of the line of the kerb on the west side of Hamstead Road

SIXTH SCHEDULE (ARTICLES 9 AND 10)

No waiting between 7.45am and 9.15am and 1.00pm and 6.45pm and no loading and unloading between 7.45am and 9.15am and 4.30pm and 6.45pm and waiting limited to ONE HOUR return, prohibited within ONE HOUR between 9.15am and 1.00pm Monday to Friday inclusive

LOZELLS ROAD

south side, from the line of the kerb on the east side of George Street to a point approximately 10 metres west of the line of the kerb on the west side of Lozells Street

south side, from a point approximately 15 metres east of the line of the kerb on the east side of Berners Street to a point approximately 66 metres west of the line of the kerb on the west side of Wheeler Street

VILLA ROAD

southeast side, from a point approximately 73 metres northeast of the line of the kerb on the northeast side of Soho Road to a point approximately 58 metres southwest of the line of the kerb on the west side of Hamstead Road

SEVENTH SCHEDULE (ARTICLE 13)

Traffic Regulation Orders to be varied

Title of Order

Extent of Variation

- | | |
|--|--|
| The City of Birmingham (Traffic Regulation) (No 21) Order 1960 | In Article 1 the words "between the hours of 8.00am and 9.30am and 4.30pm and 6.30pm on Monday, Tuesday, Wednesday, Thursday or Friday of any week or" shall be deleted from the Article |
| The City of Birmingham (Traffic Regulation) (No 10) Order 1961 | Insert in Article 1 after the word "wait" the words "between the hours of 12 noon and 2.00pm on Saturday of any week" and delete Article 2 |

EIGHTH SCHEDULE (ARTICLE 13)

Traffic Regulation Orders to be revoked

- 89/12 →
1. The City of Birmingham (Traffic Regulation) (No 18) Order 1967 as amended;
 2. Birmingham City Council (Victoria Road etc Aston) (Prohibition and Restriction of Waiting) Order 1989; and
 3. Birmingham City Council (Victoria Road Aston) (Prohibition and Restriction of Waiting) Order 1990

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 9th day of August One thousand nine hundred and ninety five

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



Solicitor

TMD/JL/1750

15RA

JF/0024/D11