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BIRMINGHAM CITY COUNCIL

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(ARTER STREET ETC HIGHGATE)

(PROHIBITION AND RESTRICTION OF WAITING) ORDER 1987

Birmingham City Council ("the Council") in exercise of its powers under Sections 1(1) and (2), 2(1) to (3) and 4(2) of the Road Traffic Regulation Act 1984 ("the Act") and Part IV of Schedule 9 to the Act and of all other enabling powers and after consultation with 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 20th day of March One thousand nine hundred and eighty seven and may be cited as "Birmingham City Council (ARTER STREET etc Highgate) (Prohibition and Restriction of Waiting) Order 1987"

2. (1) In this Order:

"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) Regulations 1986;

"parking disc" means a disc, issued by a local authority complying with the requirements of the British Standard Specification for Parking Discs (BS No 4631:1970), but coloured orange, and capable of showing the quarter hour period during which a period of waiting begins.

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

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

(i) in the case of a vehicle fitted with a front windscreen, the badge is exhibited thereon with the obverse side facing forward on the nearside of and immediately behind the windscreen; and

(ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the front or nearside of the vehicle; and

(b) a parking disc in the relevant position when the disc is exhibited thereon with the side which shows the time facing forwards or outwards and immediately behind the windscreen or side window nearest to the kerb.

(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 5 of 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 referred to in the FIRST SCHEDULE to this Order.

4. Save as provided in Article 5 of 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 referred to in the SECOND SCHEDULE to this Order between the hours of 7.30 a.m. and 6.30 p.m. on Monday, Tuesday, Wednesday, Thursday and Friday.

5. Nothing in Articles 3 and 4 of this Order shall render it unlawful to cause or permit any vehicle to wait in the lengths of road or on the side 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 side of road; or
 - (iv) the laying, erection, alteration or repair in or in land adjacent to the said lengths of road or side 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 or a water 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 so long as the waiting by that vehicle is reasonably necessary in connection with any wedding or funeral;
- (f) the vehicle to be used for fire brigade, ambulance or police purposes; or
- (g) goods to be loaded on or unloaded from the vehicle.

(2) Nothing in Articles 3 and 4 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 two 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 length or on the same side of road on the same day).

6. The Traffic Regulation Orders described in the THIRD SCHEDULE to this Order shall be varied to the extent specified therein.

FIRST SCHEDULE

NO WAITING AT ANY TIME

- Arter Street east side, whole length
- ✓ west side, from its junction with Upper Balsall Heath Road to a point approximately 15 metres north of the line of the kerb on the north side of Upper Balsall Heath Road
- Haden Street both sides, from the line of the kerb on the east side of Arter Street for a distance of approximately 18 metres in an easterly direction
- Sherbourne Road south side, from the line of the kerb on the east side of Arter Street for a distance of approximately 34 metres in an easterly direction
- ✓ north side, from a point approximately 23 metres east of the line of the kerb on the east side of Arter Street for a distance of approximately 30 metres in an easterly direction
- Upper Balsall Heath Road both sides, from the line of the kerb on the west side of Arter Street for a distance of approximately 12 metres in an easterly direction *

SECOND SCHEDULE

NO WAITING BETWEEN THE HOURS OF 7.30 a.m. AND 6.30 p.m. MONDAY TO FRIDAY

INCLUSIVE

- Haden Street north side, from a point approximately 18 metres east of the line of the kerb on the east side of Arter Street to a point approximately 14 metres west of the line of the kerb on the west side of Moseley Road
- Sherbourne Road south side, from a point approximately 34 metres east of the line of the kerb on the east side of Arter Street to a point approximately 15 metres west of the line of the kerb on the west side of Moseley Road

Upper Balsall
Heath Road

✓ north side, from a point approximately 12 metres east
of the line of the kerb on the west side of Arter
Street to a point approximately 17 metres west of the
line of the kerb on the west side of Moseley Road *

THIRD SCHEDULE

VARIATIONS TO TRAFFIC REGULATION ORDERS

West Midlands County Council (Belgrave and Highgate Middleways etc
Birmingham) (Prohibition and Restriction of Waiting) Order 1981

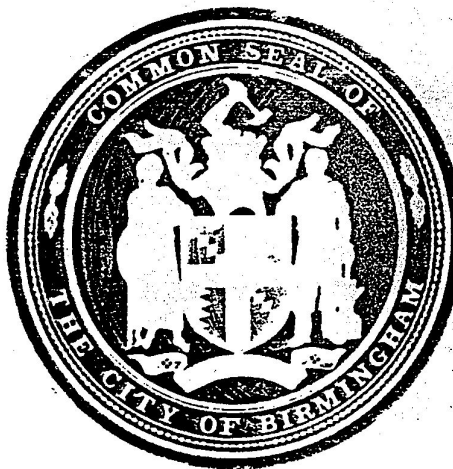
All references to ARTER STREET, HADEN STREET, SHERBOURNE ROAD and UPPER
BALSALL HEATH ROAD shall be deleted

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the Thirteenth day
of March One thousand nine hundred and eighty seven

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

City Solicitor

LG/JL
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