

BM97

National Parking Adjudication Service
22030
-7 OCT 2002

BIRMINGHAM CITY COUNCIL
(COVENTRY ROAD ETC SMALL HEATH)
(PROHIBITION AND RESTRICTION OF WAITING)
ORDER 1994

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 7th day of November One thousand nine hundred and ninety four and may be cited as "Birmingham City Council (Coventry Road etc Small Heath) (Prohibition and Restriction of Waiting) Order 1994".

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) (Amendment) Regulations 1991;

"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 issued before 2nd March 1992 in the relevant position if:

- (i) in the case of a vehicle fitted with a front windscreen the badge is exhibited thereon on the near side of and immediately behind the windscreen and with its front facing forward so as to be legible from outside the vehicle; or
- (ii) in the case of a vehicle not fitted with a front windscreen, the badge is exhibited in a conspicuous position on the vehicle.

- (b) a disabled person's badge issued on or after 2nd March 1992 in the relevant position if:

- (i) in the case of a vehicle fitted with a dashboard or facia 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 facia 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.

- (c) 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 6 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 or on the sides of road referred to in the FIRST SCHEDULE to this Order.
- 4. Save as provided in Article 6 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 or on the sides of road referred to in the SECOND SCHEDULE to this Order between 0745 hours and 1845 hours on Monday Tuesday Wednesday Thursday Friday and Saturday.
- 5. Save as provided in Article 6 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 between 0800 hours and 1800 hours on any day other than Sunday in the lengths of road or on the sides of the road referred to in the THIRD 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.
- 6. Nothing in Articles 3, 4 and 5 of 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;

(f) the vehicle to be used for fire brigade, ambulance or police purposes;

or

(g) goods to be loaded on to 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 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 length or on the same side of road on the same day).

(3) Nothing in Article 5 of 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.

7. 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.

8. The City of Birmingham (Traffic Regulation) (No 5) Order 1967 shall continue in full force and effect subject to the variations described in the FOURTH SCHEDULE to this Order.

FIRST SCHEDULE (ARTICLE 3)

No Waiting at any Time

COVENTRY ROAD

northeast side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Mansel Road to a point approximately 27 metres northwest of the line of the kerb on the northwest side of Mansel Road

northeast side, from a point approximately 38 metres northwest of the line of the kerb on the northwest side of Mansel Road for a distance of approximately 38 metres in a northwesterly direction

northeast side, from a point approximately 10 metres southeast of the line of the kerb on the southeast side of Dora Road to a point approximately 7 metres northwest of the line of the kerb on the northwest side of Dora Road

COVENTRY ROAD (continued)

northeast side, from a point approximately 10 metres southeast of the line of the kerb on the southeast side of St Oswald's Road to a point approximately 7 metres northwest of the line of the kerb on the northwest side of St Oswald's Road

southwest side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Tennyson Road to a point approximately 7 metres northwest of the line of the kerb on the northwest side of Dora Road

southwest side, from a point approximately 10 metres southeast of the line of the kerb on the southeast side of St Oswald's Road for a distance of approximately 70 metres in a northwesterly direction

southwest side, from a point approximately 67 metres northwest of the line of the kerb on the northwest side of Wordsworth Road for a distance of approximately 110 metres in a northwesterly direction

southwest side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Regent Park Road to a point approximately 15 metres northwest of the line of the kerb on the northwest side of Regent Park Road

DORA ROAD

both sides, from the line of the kerb on the northeast side of Coventry Road for a distance of approximately 10 metres in a northeasterly direction

HERBERT ROAD

northeast side, from a point approximately 10 metres southeast of the line of the kerb on the southeast side of Regent Park Road to a point approximately 25 metres northwest of the line of the kerb on the northwest side of Regent Park Road

LANGLEY ROAD

both sides, from the line of the kerb on the southwest side of Coventry Road for a distance of approximately 10 metres in a southwesterly direction

MANSEL ROAD

northwest side, from the line of the kerb on the northeast side of Coventry Road for a distance of approximately 15 metres in a northeasterly direction

southeast side, from the line of the kerb on the northeast side of Coventry Road for a distance of approximately 6 metres in a northeasterly direction

REGENT PARK ROAD

both sides, from the line of the kerb on the southwest side of Coventry Road for a distance of approximately 15 metres in a southwesterly direction

both sides, from the line of the kerb on the northeast side of Herbert Road for a distance of approximately 10 metres in a northeasterly direction

ST OSWALD'S ROAD

both sides, from the line of the kerb on the northeast side of Coventry Road for a distance of approximately 10 metres in a northeasterly direction

TENNYSON ROAD

both sides, from the line of the kerb on the ^{southwest} northeast side of Coventry Road for a distance of approximately 15 metres in a southwesterly direction

SECOND SCHEDULE (ARTICLE 4)

No waiting between 0745 hours and 1845 hours Monday to Saturday inclusive

REGENT PARK ROAD

northwest side, from a point approximately 15 metres southwest of the line of the kerb on the southwest side of Coventry Road to a point approximately 15 metres northeast of the line of the line of the kerb on the northeast side of Herbert Road

THIRD SCHEDULE (ARTICLE 5)

Waiting limited to ONE HOUR return prohibited within ONE HOUR between 0800 hours and 1800 hours Monday to Saturday inclusive

COVENTRY ROAD

northeast side, from a point approximately 27 metres northwest of the line of the kerb on the northwest side of Mansel Road for a distance of approximately 11 metres in a northeasterly direction

northeast side, from a point approximately 76 metres northwest of the line of the kerb on the northwest side of Mansel Road to a point approximately 10 metres southeast of the line of the kerb on the southeast side of Dora Road

both sides, from a point approximately 7 metres northwest of the line of the kerb on the northwest side of Dora Road to a point approximately 10 metres southeast of the line of the kerb on the southeast side of St Oswald's Road

northeast side, from a point approximately 7 metres northwest of the line of the kerb on the northwest side of St Oswald's Road to a point approximately 10 metres southeast of the line of the kerb on the southeast side of Charles Road

northeast side, from a point approximately 20 metres northwest of the line of the kerb on the northwest side of Charles Road for a distance of approximately 155 metres in a northwesterly direction

northeast side, from a point approximately 25 metres northwest of the line of the kerb on the northwest side of Muntz Street for a distance of approximately 30 metres in a northwesterly direction

southwest side, from a point approximately 20 metres southeast of the line of the kerb on the southeast side of Wordsworth Road for a distance of approximately 35 metres in a southeasterly direction

FOURTH SCHEDULE (ARTICLE 8)

Variations to the City of Birmingham (Traffic Regulation) (No 5) Order 1967

FIRST SCHEDULE

REPEAL, No Waiting, Reg. Fr. 745-915, 4.30-6.45

The third reference to Coventry Road shall be deleted and the following references substituted therefor

"COVENTRY ROAD

northeast side, from a point approximately 22 metres northwest of the line of the kerb on the northwest side of Muntz Street to a point approximately 170 metres northwest of the line of the kerb on the northwest side of Wordsworth Road"

southwest side, from a point approximately 27 metres northwest of the line of the kerb on the northwest side of Langley Road to a point approximately 175 metres ^{west} northeast of the line of the kerb on the northwest side of Charles Road"

The fourth reference to Coventry Road shall be deleted and the following references substituted therefor

"COVENTRY ROAD

northeast side, from a point approximately 20 metres northwest of the line of the kerb on the northwest side of Charles Road to a point approximately 10 metres southeast of the line of the kerb on the southeast side of Charles Road

southwest side, from a point approximately 67 metres northwest of the line of the kerb on the northwest side of Wordsworth Road to a point approximately 20 metres southeast of the line of the kerb on the southeast side of Wordsworth Road

SECOND SCHEDULE

*Waiting 1st Sat 7.45-6.45
No Waiting Mon-Fri 7.45-9.15 4.30-6.45*

The second reference to Coventry Road shall be deleted and the following references substituted therefor

"COVENTRY ROAD

northeast side, from a point approximately 63 metres southeast of the line of the kerb on the southeast side of Arthur Street to its junction with Regent Park Road

southwest side, from a point approximately 63 metres southeast of the line of the kerb on the southeast side of Arthur Street to a point approximately 15 metres northwest of the line of the kerb on the northwest side of Regent Park Road"

THIRD SCHEDULE

*No Waiting Mon-Fri 7.45-9.15 4.30-6.45
No Waiting Sat 7.45-9.15 4.30-6.45
Waiting Limited to 60 mins 1-4.30*

The first, second and third references to Coventry Road shall be deleted and the following references substituted therefor

"COVENTRY ROAD

southwest side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Regent Park Road to a point approximately 27 metres northwest of the line of the kerb on the northwest side of Langley Road

southwest side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Tennyson Road to its junction with George Road"

FOURTH SCHEDULE

The second and third references to Coventry Road shall be deleted and the following reference substituted therefor

*Deleted by
1999 7/20*

"COVENTRY ROAD"

northeast side, from a point approximately 15 metres southeast of the line of the kerb on the southeast side of Mansel Road to its junction with George Road"

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 2nd day of November One thousand nine hundred and ninety four

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



Solicitor

TMD/JL/1502

15RA

BLB/L888.1-7