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BIRMINGHAM CITY COUNCIL  
(BIRMINGHAM CITY CENTRE)  
(PEDESTRIANISED STREETS ETC) ORDER 1991

Birmingham City Council ("the Council") in exercise of its powers under Section 1(1), 2(1) to (3), 3(2), 4(2), 32(1) and 35(1) of the Road Traffic Regulation Act 1984 ("the Act") (as amended) 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:

GENERAL

1. This Order shall come into operation on the 22nd Day of September One thousand nine hundred and ninety one and may be cited as "Birmingham City Council (Birmingham City Centre) (Pedestrianised Streets etc) Order 1991".

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 1028.1 in Schedule 2 of The Traffic Signs Regulations and General Directions 1981 as amended;

"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;

"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;

"disabled person's vehicle parking place" means a part of a road authorised for use as a parking place for a vehicle which displays in the relevant position a disabled person's badge issued by any local authority in accordance with the provisions of the Disabled Person's (Badges for Motor Vehicles) Regulations 1982 or a badge having effect under those Regulations as if it were a disabled person's badge;

"hackney carriage" has the same meaning as in Section 38(1) of the Vehicles (Excise) Act 1971;

"licensed hire car" has the same meaning as in Sections 13 (3) of the Transport Act 1965;

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

"permit" means a permit issued by the Council for the purposes of this Order.

- (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.
- (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.
- (6) The Council is satisfied that, for avoiding danger, and preventing the likelihood of danger, arising to persons or other traffic using the roads to which this Order relates, it is requisite that Section 3(1) of the Act shall not apply in relation to this Order.

**PART ONE**  
**PROHIBITION OF DRIVING**

3. Save as provided in Article 4 no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause any motor vehicle to enter or proceed in the lengths of road specified in the FIRST SCHEDULE to this Order.
4. The provisions of Article 3 do not apply to any vehicle being used in connection with any of the following operations namely:
  - (1)
    - (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 or a water undertaker or a sewerage undertaker in pursuance of statutory powers or duties;
    - (f) the delivery of goods to or collection of goods from premises fronting the said lengths of road;
    - (g) gaining access to or egress from off-street parking or off-street loading/unloading facilities of premises fronting or adjacent to the said lengths of road;
    - (h) for the purpose of delivering or collecting by the Post Office of postal packets as defined in Section 87 of the Post Office Act 1953;
    - (i) 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; or
    - (j) 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.
  - (2) Nothing in Article 3 shall apply so as to prevent access to a disabled person's vehicle.

5. Save as provided in Article 6 no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause any motor vehicle to enter or proceed in the length of road specified in the SECOND SCHEDULE to this Order.
6. The provisions of Article 5 do not apply to any 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 or a water undertaker or a sewerage undertaker in pursuance of statutory powers or duties; or
  - (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.
7. Save as provided in Article 8 no person shall, except upon the direction of or with the permission of a police constable in uniform or a traffic warden, cause any motor vehicle to enter or proceed in the lengths of road specified in the THIRD SCHEDULE to this Order.
8. The provisions of Article 7 do not apply to any vehicle being used in connection with any of the following operations, namely;
  - (1)
    - (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) 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;
  - (f) 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;
  - (g) requiring access to or egress from premises fronting or adjacent to the roads specified for the purpose of loading or unloading BEFORE 1000 HOURS OR AFTER 1800 HOURS Monday to Saturday inclusive and ALL DAY Sunday;
  - (h) requiring access to or egress from properties situated off the roads or lengths of road specified BEFORE 1000 HOURS OR AFTER 1800 HOURS Monday to Saturday inclusive and ALL DAY Sunday; or
  - (i) for the purpose of delivering or collecting by the Post Office of postal packets as defined in Section 87 of the Post Office Act 1953 BEFORE 1130 HOURS OR AFTER 1600 HOURS Monday to Saturday inclusive and ALL DAY Sunday.
- (2) Nothing in Article 7 shall apply so as to prevent any vehicle displaying a permit gaining access to or egress from Union Passage, Union Street or Warwick Passage (as defined by the Third Schedule) between 1000 HOURS and 1200 HOURS and between 1630 HOURS and 1800 HOURS Monday to Saturday inclusive.
- (3) Nothing in Article 7 shall apply so as to prevent a hackney carriage being used for the purpose of picking up or setting down passengers gaining access to or egress from that length of New Street which extends from its junction with Stephenson Place for a distance of 20 metres in a westerly direction.

PROVIDED ALWAYS that nothing in this Article shall permit a hackney carriage to wait in the said length of road.

9. Save as provided in Article 10 no person shall, except upon the direction or with the permission of a police constable in uniform or a traffic warden, cause any motor vehicle to enter or proceed in the lengths of road specified in the FOURTH SCHEDULE to this Order.
10. The provisions of Article 9 do not apply to any 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;

- (j) gaining access to or egress from the said length of road to load or unload luggage of visitors to property number 6 Union Passage (currently known as the Britannia Hotel); or
  - (k) 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.
- (2) Nothing in Article 12E shall apply so as to prevent a hackney carriage being used for the purpose of picking up or setting down passengers gaining access to or egress from the said length of road. PROVIDED ALWAYS that nothing in this Article shall permit a hackney carriage to wait in the said length of road.
- (3) Nothing in Article 12E shall apply to prevent access by licenses hire cars to the said length of road between 1900 hours and 0600 hours the following day for the purpose of picking up or setting down passengers in the said lengths of road.

**PART TWO**  
**NO WAITING AT ANY TIME**

13. Save as provided in Article 14 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, THIRD, FOURTH AND FIFTH SCHEDULE B, FIFTH SCHEDULE C, AND FIFTH SCHEDULE D to this Order.
14. Nothing in Article 13 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 specified 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 or essential maintenance;
    - (ii) the removal of any obstruction to traffic;
    - (iii) the maintenance, improvement, cleansing or reconstruction of the said lengths of road or side or road; or
    - (iv) 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;

- (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 undertaker or a sewerage undertaker in pursuance of statutory powers or duties;
- (d) the vehicle to be used for the purpose of delivering or collecting by the Post Office of postal packets as defined in Section 87 of the Post Office Act 1953;
- (e) the vehicle to be used for fire brigade, ambulance or police purposes; or
- (f) the vehicle to be used in 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.

(2) Nothing in Article 13 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 specified in the FIRST and FIFTH SCHEDULES at any time on any day; or
- (b) in the lengths of road specified in the THIRD SCHEDULE (i) at any time on a Sunday (ii) in the case of a vehicle displaying a permit on any day other than a Sunday between 1000 hours and 1200 hours and between 1630 hours and 1800 hours and (iii) in the case of a vehicle not displaying a permit at any time except between 1000 hours and 1800 hours on any day other than a Sunday; and
- (c) in the lengths of road specified in the FOURTH SCHEDULE at any time on Sunday or in the case of any vehicle displaying a permit at any time on any day other than a Sunday or in the case of a vehicle not displaying a permit at any time except between 1000 HOURS and 1800 HOURS on any day other than Sunday.
- (d) in the length of road specified in the FIFTH SCHEDULE 'B' at any time on any day provided the prior written consent of the Highway Authority has been obtained.
- (e) in the lengths of road specified in the FIFTH SCHEDULE 'C' at any time except between 1000 HOURS and 1800 HOURS on any day.

PROVIDED ALWAYS that nothing in this Sub Article shall prevent loading or unloading deliveries to or collections from property number 6 Union Passage (currently known as the Britannia Hotel) between 1000 hours and 1800 hours on any day provided that such deliveries or collections cannot reasonably be carried out before 1000 hours or after 1800 hours on any day;

- (f) in the length of road specified in the FIFTH SCHEDULE 'D' at any time except between 1000 hours and 1800 hours on any day.

PROVIDED ALWAYS that nothing in this Sub Article shall prevent loading or unloading of luggage of visitors to property number 6 Union Passage (currently known as Britannia Hotel).

- (3) Nothing in Article 13 shall render it unlawful to cause or permit any vehicle:
- (a) to wait upon an authorised parking place, or
  - (b) being a hackney carriage, to wait upon an authorised cab rank.
- (4) Nothing in Article 13 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) provided that in respect of either of the lengths 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 paragraphs (2)(b) and 2(c) of this Article applies.

### PART THREE ONE WAY TRAFFIC

15. No person shall, except upon the direction or with the permission of a police constable in uniform or of a traffic warden cause any vehicle to proceed in any length of road specified in column 1 of the SIXTH SCHEDULE to this Order in a direction other than that specified in relation to that road or length of road in column 2 of the said Schedule.
- 15A. Nothing in Article 15 shall render it unlawful to cause or permit a pedal cycle to proceed in any direction in the length of highway specified in the first reference to High Street and in the reference to New Street in Schedule 6.

### PART FOUR PROHIBITION OF ENTRY

16. No person shall cause any vehicle proceeding in TEMPLE STREET to enter into that length of New Street which extends between its junctions with Temple Street and Stephenson Place.

**PART FIVE**  
**DISABLED PERSON'S PARKING PLACES**

Designation of parking places

17. Each area on a highway in Birmingham City Centre and which is described as a designated parking place in the SEVENTH SCHEDULE to this Order is designated as a disabled person's parking place.

Manner of standing in disabled person's parking place

18. Every disabled person's vehicle left in a disabled person's vehicle parking place shall stand in accordance with the provisions as to the manner of standing specified in Column 3 of the SEVENTH SCHEDULE to this Order.

Power to suspend use of disabled person's vehicle parking place

19. (1) A police constable in uniform or a traffic warden may suspend the use of a disabled person's vehicle parking place or any part thereof for up to seven days and for longer periods with the permission of the Council whenever he considers such suspension reasonably necessary for any of the purposes or in any of the circumstances specified below.
- (a) for the purpose of facilitating the movement of traffic or promoting its safety;
  - (b) for the purpose of any building operation, demolition or excavation in or adjacent to the parking place or the laying, erection, alteration, removal or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of water, gas or electricity or of any telecommunications apparatus or traffic sign;
  - (c) for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture from one office or dwellinghouse to another or the removal of furniture from such premises to a depository or to such premises from a depository;
  - (d) on any occasion on which it is likely by reason of some special attraction that any street will be thronged or obstructed; or
  - (e) for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions;
- (2) A police constable in uniform or a traffic warden suspending the use of disabled person's vehicle parking place or any part thereof in accordance with the provisions of paragraph (1) of this Article shall thereupon place or cause to be placed in or adjacent to the parking place or part thereof the use of which is suspended a traffic sign indicating that waiting by vehicles is prohibited.

- (3) No person shall cause or permit a disabled person's vehicle to be left in any part of a disabled person's vehicle parking place during such period as there is in or adjacent to that part of the parking place a traffic sign placed in pursuance of paragraph (2) of this Article;

Provided that nothing in this paragraph shall render it unlawful to cause or permit any vehicle being used for fire brigade, ambulance or police purposes to be left in any part of the parking place during such period as is referred to therein, or to any other vehicles so left if that vehicle is left with the permission (i) of the person suspending the use of the parking place or the part thereof in pursuance of paragraph (1) of this Article, (ii) a police constable in uniform, or (iii) of a traffic warden.

#### Restriction of waiting in disabled person's vehicle parking place

20. No person shall leave a vehicle in a disabled person's vehicle parking place unless it is a vehicle displaying a disabled person's badge in the relevant position.

#### Removal of vehicles from disabled person's vehicle parking place

21. When a disabled person's vehicle is left in a disabled person's vehicle parking place in contravention of any of the provisions contained in Article 19(1) of this Order or when a vehicle other than a disabled person's vehicle is left in a disabled person's vehicle parking place in contravention of the provisions of Article 20 of this Order, a traffic warden may remove or arrange for the removal of the vehicle from that parking place.

#### Method of removal of vehicles from disabled person's parking place

22. A traffic warden removing a disabled person's vehicle or other vehicle by virtue of the last preceding Article of this Order may do so by towing or driving the disabled person's vehicle or other vehicle or in such other manner as he may think necessary and may take such measures in relation to the disabled person's vehicle or other vehicle as he may think necessary to enable him to remove it as aforesaid.

#### Safe custody of vehicles removed from disabled person's vehicle parking place

23. When a traffic warden removes or makes arrangements for the removal of a disabled person's vehicle or other vehicle from a disabled person's vehicle parking place by virtue of the last preceding Article of this Order, he shall make such arrangements as may be reasonably necessary for the safe custody of the disabled person's vehicle or other vehicle.

#### Alteration of position of disabled person's vehicle in disabled person's vehicle parking place.

24. Where a disabled person's vehicle is standing in a disabled person's vehicle parking place in contravention of the provisions of Article 18 of this Order, a traffic warden may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.

Movement of disabled person's vehicle in disabled person's vehicle parking place in emergencies

25. A police constable in uniform or a traffic warden may move or cause to be moved, in case of emergency, to any place he thinks fit, any disabled person's vehicle left in a disabled person's vehicle parking place.
26. The Traffic Regulation Orders described in the EIGHTH SCHEDULE to this Order are hereby revoked to the extent therein stated.

FIRST SCHEDULE (ARTICLES 3 AND 13)

CHAMBERLAIN SQUARE whole area

SECOND SCHEDULE (ARTICLE 5)

NEW STREET from a point 20 metres west of the line of the kerb on the west side of Stephenson Place for a distance of approximately 5 metres in a westerly direction

THIRD SCHEDULE (ARTICLES 7 AND 13)

CANNON STREET from its junction with New Street for a distance of approximately 40 metres in a northerly direction

THIRD SCHEDULE (ARTICLES 7 AND 13)

ETHEL STREET whole length

LOWER TEMPLE STREET between its junctions with New Street and Stephenson Street

NEW STREET between its junctions with Victoria Square and Bennetts Hill

from the line of the kerb on the eastern side of Temple Street to a point approximately 25 metres west of the line of the kerb on the western side of Stephenson Place

from the line of the kerb on the western side of Stephenson Place for a distance of 20 metres in a westerly direction

TEMPLE ROW from its junction with Cherry Street to a point approximately 65 metres south west of the line of the kerb on the south west side of Bull Street

UNION PASSAGE between its junctions with Union Street and Warwick Passage

UNION STREET between its junctions with Corporation Street and Union Passage

WARWICK PASSAGE whole length