BIRMINGHAM CITY COUNCIL
(A45 COVENTRY ROAD ETC BIRMINGHAM)
(TRAFFIC REGULATION) (RED ROUTE) ORDER 2013

Birmingham City Council ("the Council") in exercise of its powers under Sections 1 (1), 2 (1) to (3) and 4 (2) and of Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (as amended) ("the Act") and of all other enabling powers and after consulting the Chief Officer of Police in accordance with Parts III of Schedule 9 to the Act, hereby makes the following Order:

1.0 Commencement and citation

1.1 This Order shall come into operation on the 20th day of September Two thousand and thirteen and may be sited as the "Birmingham City Council (A45 Coventry Road etc Birmingham) (Traffic Regulation) (Red Route) Order 2013".

1.2 The Plan Index titled "Birmingham City Council (A45 Coventry Road etc Birmingham) (Traffic Regulation) (Red Route) Order 2013 Plan Index" (attached hereto) is incorporated into this Order.

1.3 The On-Street Plans titled "Birmingham City Council (A45 Coventry Road etc Birmingham) (Traffic Regulation) (Red Route) Order 2013" (plan reference numbers 1 – 21) (attached hereto) are incorporated into this Order.

2.0 Interpretation

2.1 In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"Authorised Person" means an employee or agent of the Council authorised to exercise all or any of the functions of the Council under this Order;

"Bus" has the same meaning as in regulation 22 of the Traffic Signs Regulations and General Directions 2002 (as amended);

"Carriageway(s)" and "Footway(s)" have the same meaning as in section 329 (1) of the Highways Act 1980 (as amended);

"Central Reservation(s)" has the same meaning as in regulation 4 of the Traffic Signs Regulations and General Directions 2002 (as amended);

"Director of Highways and Resilience" means the Director of Highways and Resilience of the Council or such other officer from time to time performing this function;

"Disabled Person's Badge" and "Parking Disc" have the same meaning as in Regulation 3 (1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 (as amended) and "Relevant Position" has the same meaning as in regulation 4 of those regulations;

"Highway" means all Carriageways, Footways, Central Reservations and verges;

"Key" means the key shown on the On-Street Plans to be read in conjunction with the On-Street Plans;

"Licensed Taxi" and "Licensed Hire Car" have the same meaning as in Section 13(3) of the Transport Act 1985 (as amended);

"Local Service" has the same meaning as in regulation 4 of the Traffic Signs Regulations and General Directions 2002 (as amended);

"No Stopping Period", "Specified Hours", "Maximum Period" and "No Return Interval" mean the times and durations specified for different parts of the red route (as applicable) on the On-Street Plans;

"On-Street Plans" means the plans titled "Birmingham City Council (A45 Coventry Road etc Birmingham) (Traffic Regulation) (Red Route) Order 2013" incorporated into this Order, which are recorded as current for the purposes of interpretation of this Order in the Plan Index;

"Pedal Cycle" has the same meaning as in regulation 4 of the Traffic Signs Regulations and General Directions 2002 (as amended);

"Plan Index" means the (sealed) sheet entitled "Birmingham City Council (A45 Coventry Road etc Birmingham) (Traffic Regulation) (Red Route) Order 2013 Plan Index" that records the On-Street Plans that are current for the purposes of interpretation of this Order;

"Red Route Area" means the areas of the Roads on the On-Street Plans which are enclosed within the specified marking shown in the Key;

"Red Route Bus Clearway" means a part of the red route indicated by a road marking that has been authorised by the Secretary of State for Transport exercising his powers under Sections 64 and 65 of the Act.

"Red Route Bus Stand" means a part of the red route indicated by a road marking that has been authorised by the Secretary of State for Transport exercising his powers under Sections 64 and 65 of the Act on which the words "BUS STAND" are marked;

"Red Route Bus Stop" means a part of the red route indicated by a road marking that has been authorised by the Secretary of State for Transport exercising his powers under Sections 64 and 65 of the Act on which the words "BUS STOP" are marked;

"Red Route Clearway" means a part of the red route indicated by a red route clearway road sign that has been authorised by the Secretary of State for Transport exercising his powers under Sections 64 and 65 of the Act.

"Road" has the same meaning as in Section 142 (1) of the Act;

"Shading Type 1", "Shading Type 2", "Shading Type 3", "Shading Type 4", "Shading Type 5", "Shading Type 6", "Shading Type 7", "Shading Type 8", "Shading Type 9" "Shading Type 10" and "Shading Type 11 mean the types of shading so described in the Key on the On-Street Plans;

"Solo Motor Cycle" has the same meaning as in regulation 4 of the Traffic Signs Regulations and General Directions 2002 (as amended);

"Universal Service Provider" has the same meaning as in Section 4 (3) and (4) of the Postal Services Act 2000 (as amended);

2.2 Except where otherwise stated, any reference in this Order to a numbered Article is a reference to the Article bearing that number in this Order;

2.3 Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment;

2.4 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;

2.5 The Interpretation Act 1978 (as amended) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3.0 'No stopping' controls

3.1.1 Any person causing or permitting a vehicle to be inside the Red Route Area is subject to the red route controls specified in this Order.

3.1.2 Subject to the provisions of Articles 3.1.3, 4.1 and 4.7, no person shall cause or permit a vehicle to stop on any Footway, verge or Central Reservation within the Red Route Area.

3.1.3 The controls specified in Article 3.1.2 do not apply in respect of a person causing or permitting:

(a) where specific provision has been made, vehicles to be parked on the Footway or verge;

(b) a Pedal Cycle to be parked at a facility specifically provided for the purpose of Pedal Cycle parking by, or with the consent of, the highway authority.

3.1.4 Where it is permissible to park a vehicle on any Carriageway within the Red Route Area as indicated in Article 3.1.1, that vehicle shall be parked at the edge of the Carriageway and shall so stand:

(a) in the case where special provision as to the manner of standing of vehicles on a particular part of the red route is specified on the On-Street Plans, so as to be in accordance with those provisions;

(b) in any other case:

(i) if the vehicle is not parked in a one-way street, that the left or nearside of the vehicle is adjacent to the left-hand edge of the Carriageway;

(ii) if the vehicle is parked in a one-way street, that the left or nearside of the vehicle is adjacent to the left-hand edge of the Carriageway or that the right or offside of the vehicle is adjacent to the right-hand edge of the Carriageway;

(iii) that the distance between the edge of the Carriageway and the nearest wheel of the vehicle is not more than 0.3 metres;

3.2.1 Subject to the provisions of Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7, no person shall cause or permit any vehicle to stop during the No Stopping Period in any part of the red route shown by Shading Type 1 on the On-Street Plans.

3.3.1 Subject to the provisions of Articles 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7, no person shall cause or permit any vehicle to stop at any time in any part of the red route shown by Shading Type 2 on the On-Street Plans.

3.4.1 Subject to the provisions of Articles 3.4.2, 4.1, 4.3, 4.5 and 4.7, no person shall cause or permit any vehicle to stop at any time in a Red Route Bus Clearway shown by Shading Type 3 on the On-Street Plans.

3.4.2 The controls specified in Article 3.4.1 do not apply in respect of a person causing or permitting:

(i) a Bus to stop within a Red Route Bus Stop for as long as may be required to enable passengers to board or alight; or

(ii) a Bus in the provision of a Local Service to stop within a Red Route Bus Stop or Red Route Bus Stand if it is being used for operational reasons or training drivers to allow such a service to be provided.

(iii) In Article 3.4.2 (ii), "operational reasons" means:

(a) to enable passengers to board and alight;

(b) to enable crew changes to take place;

(c) to maintain the scheduled timetable subject, in the case of a Red Route Bus Stop, to a maximum wait of two minutes.

3.5.1 Subject to the provisions of Articles 3.5.2, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period on a part of the red route shown by Shading Type 4 on the On-Street Plans.

3.5.2 Article 3.5.1 does not apply to a person causing or permitting a vehicle to park during the Specified Hours for parking, for a period not exceeding the Maximum Period of parking, provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.6.1 Subject to the provisions of Articles 3.6.2, 4.1 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period on a part of the red route shown by Shading Type 5 on the On-Street Plans.

3.6.2 Article 3.6.1 does not apply in respect of a person causing or permitting a Solo Motor Cycle to park during the Specified Hours for parking for a period not exceeding the Maximum Period of parking provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.7.1 Subject to the provisions of Articles 3.7.2, 4.1 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period on a part of the red route shown by Shading Type 6 on the On-Street Plans.

3.7.2 Article 3.7.1 does not apply in respect of a person causing or permitting a vehicle displaying a Disabled Persons Badge in the Relevant Position to park during the Specified Hours for parking for a period not exceeding the Maximum Period of parking provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.8.1 Subject to the provisions of Articles 3.8.2, 4.1, 4.5, 4.6 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period on a part of the red route shown by Shading Type 7 on the On-Street Plans.

3.8.2 Article 3.8.1 does not apply in respect of a person causing or permitting a vehicle to park to allow the vehicle to be loaded or unloaded during the Specified Hours for loading or unloading, for a

period not exceeding the Maximum Period of loading or unloading or for as long as is needed to load or unload the vehicle whichever is the less, provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.9.1 Subject to the provisions of Articles 3.9.2, 3.9.3, 4.1, 4.5, 4.6 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period at the edge of the Carriageway on a part of the red route shown by Shading Type 8 on the On-Street Plans.

3.9.2 Article 3.9.1 does not apply in respect of a person causing or permitting a vehicle to park to allow the vehicle to be loaded or unloaded during the Specified Hours for loading or unloading, for a period not exceeding the Maximum Period of loading or unloading or for as long as is needed to load or unload the vehicle whichever is the less, provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.9.3 Article 3.9.1 does not apply in respect of a person causing or permitting a vehicle displaying a Disabled Persons Badge in the Relevant Position and a Parking Disc (on which is shown the time at which the period of parking began) in the Relevant Position to park during the Specified Hours for loading or unloading, for a period not exceeding the Maximum Period of parking, provided that not less than the No Return Interval has elapsed since the vehicle was last parked in the same part of the red route.

3.10.1 Subject to the provisions of Articles 3.10.2, 4.1 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period at the edge of the Carriageway on a part of the red route shown by Shading Type 9 on the On-Street Plans.

3.10.2 Article 3.10.1 does not apply to a person causing or permitting a Bus to park during the Specified Hours for parking, for a period not exceeding the Maximum Period of parking, provided that not less than the No Return Interval has elapsed since the Bus was last parked in the same part of the red route.

3.11.1 Subject to the provisions of Articles 3.11.2, 4.1 and 4.7, no person shall cause or permit any vehicle to be stopped during the No Stopping Period on a part of the red route shown by Shading Type 10 on the On-Street Plans.

3.11.2 Article 3.11.1 does not apply in respect of a person causing or permitting a Licensed Taxi to park during the Specified Hours for parking for a period not exceeding the Maximum Period of parking provided that not less than the No Return Interval has elapsed since the Licensed Taxi was last parked in the same part of the red route.

3.12 Subject to the provisions of Articles 4.1 and 4.7, no person shall cause or permit any vehicle to be stopped at any time on a part of the red route shown by Shading Type 11 on the On-Street Plans.

4.0 Exemptions to 'no stopping' controls

4.1 The controls specified in Articles 3.1.2, 3.2.1, 3.3.1, 3.4.1, 3.5.1, 3.6.1, 3.7.1, 3.8.1, 3.9.1, 3.10.1, 3.11.1 and 3.12 do not apply in respect of a person causing or permitting a vehicle to stop if that person is:

(a) required by law to cause the vehicle to stop or not to proceed;
(b) obliged to stop the vehicle so as to avoid an accident;
(c) prevented from proceeding in the vehicle by circumstances beyond the person's control;
(d) getting or giving help in consequence of an accident or an emergency, or otherwise taking action for public safety;

(e) opening or closing a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged if it is not reasonably practicable to cause the vehicle to stop elsewhere for the purpose;

(f) using the vehicle for fire brigade, ambulance or police purposes;

(g) using the vehicle in connection with the removal of any obstruction to traffic;

(h) using the vehicle in connection with the maintenance, improvement or reconstruction of any part of the red route.

(i) using the vehicle in connection with the laying, erection, alteration or repair in or on land adjacent to the red route of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications apparatus as defined in the Telecommunications Act 1984 (as amended);

(j) using a vehicle in the service of a local authority, water authority or sewerage authority or their agents and in either case the vehicle is being used in pursuance of statutory powers or duties.

4.2 The controls specified in Articles 3.2.1, 3.3.1 and 3.5.1 do not apply in respect of a person causing or permitting a Licensed Taxi to stop on a designated taxi rank during the hours of operation.

4.3 The controls specified in Articles 3.2.1, 3.3.1, 3.4.1 and 3.5.1 do not apply in respect of a person causing or permitting a Licensed Taxi or a Licensed Hire Car to stop for a period not exceeding three minutes or for so long only as may be required whichever is the less to enable passengers to get in to or out of the vehicle.

4.4 The controls specified in Articles 3.2.1, 3.3.1 and 3.5.1 do not apply in respect of a person causing or permitting a vehicle displaying a Disabled Person's Badge in the Relevant Position to stop for so long only as may be required to enable a disabled person to get in to or out of the vehicle.

4.5 The controls specified in Articles 3.2.1, 3.3.1, 3.4.1, 3.5.1, 3.8.1 and 3.9.1 do not apply in respect of a person causing or permitting a vehicle which bears the livery of a Universal Service Provider to stop for as long as may be necessary for the purposes of the provision of a universal postal service (as defined in the Postal Services Act 2000).

4.6 The controls specified in Articles 3.2.1, 3.3.1, 3.5.1, 3.8.1 and 3.9.1 do not apply in respect of any persons causing or permitting a maximum of two vehicles to stop at or near any premises situated on or adjacent to the red route so long as it reasonably necessary to do so in connection with any wedding or funeral.

4.7 The controls specified in Articles 3.1.2, 3.2.1, 3.3.1, 3.4.1, 3.5.1, 3.6.1, 3.7.1, 3.8.1, 3.9.1 and 3.10.1, 3.11.1 and 3.12 do not apply to anything done with the permission of an Authorised Person or with the permission or at the direction of a police constable in uniform or a traffic warden.

GIVEN under the COMMON SEAL of BIRMINGHAM CITY COUNCIL the 19th of September Two thousand and thirteen.

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL was hereunto affixed to this deed in the presence of:-

W R Taylor

Authorised Signatory

116696

BIRMINGHAM CITY COUNCIL (A45 COVENTRY ROAD ETC BIRMINGHAM) (TRAFFIC REGULATION) (RED ROUTE) ORDER 2013 PLAN INDEX

Sealed 19th day of September 2013 Active Date 20th day of September 2013

Plan Number	Effective Date	Plan Revision Dates						
		1	2	3	4	5	6	7
Plan 1 of 21	20/09/2013							
Plan 2 of 21	20/09/2013							
Plan 3 of 21	20/09/2013							
Plan 4 of 21	20/09/2013							
Plan 5 of 21	20/09/2013							
Plan 6 of 21	20/09/2013							
Plan 7 of 21	20/09/2013							
Plan 8 of 21	20/09/2013							
Plan 9 of 21	20/09/2013							
Plan 10 of 21	20/09/2013							
Plan 11 of 21	20/09/2013							
Plan 12 of 21	20/09/2013							
Plan 13 of 21	20/09/2013							
Plan 14 of 21	20/09/2013							
Plan 15 of 21	20/09/2013							
Plan 16 of 21	20/09/2013							
Plan 17 of 21	20/09/2013							
Plan 18 of 21	20/09/2013							
Plan 19 of 21	20/09/2013							
Plan 20 of 21	20/09/2013							
Plan 21 of 21	20/09/2013							

THE COMMON SEAL of BIRMINGHAM CITY COUNCIL
was hereunto affixed to this deed in the presence of:-

W R Taylor

116697

Authorised Signatory