

THE BOROUGH COUNCIL OF SANDWELL

(Bristnall Hall Oldbury) (Red Route)

(Traffic Regulation Order) 2020.

The Borough Council of Sandwell ("the Council") in exercise of its powers under Sections 1, 2, 45 and 46 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act") and under the Road Traffic Act 1991 as amended (whether generally or in relation to the area of the Council) ("the 1991 Act") and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with paragraph 20 of Schedule 9 to the 1984 Act, has made the following Order:-

- 1** This Order may be cited as The Borough Council of Sandwell (Bristnall Hall Oldbury) (Red Route) (Traffic Regulation Order) 2020 and shall come into operation on 29th November 2020.
- 2** The effects of this order is to continue in force the provisions of The Borough Council of Sandwell (Bristnall Hall Oldbury) (Red Route) (Experimental Traffic Regulation Order) 2019 including subsequent variations 1, 2019 and 2, 2020
- 3** In this Order -
 - a) "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.
 - b) "Bus Stand" has the same meaning as Schedule 7 Part 4 of the Traffic Signs Regulations and General Directions 2016.
 - c) "Bus Stop" has the same meaning as Schedule 7 Part 4 of the Traffic Signs Regulations and General Directions 2016.
 - d) "Business" means one which is registered for Business Rates.
 - e) "*Civil Enforcement Officer*" means an Authorised person by or on behalf of the council to enforce the restrictions in this Order and issue Penalty Contravention Notices,
 - f) "Council" means Sandwell Metropolitan Borough Council;
 - g) "*disabled person's badge*" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
 - h) "*dispensation certificate*" means a certificate issued by or on behalf of the Council for the purposes of this Order permitting a specified vehicle to wait in specified circumstances on a length or lengths of road where the waiting of that vehicle would otherwise be restricted or prohibited;
 - i) "*driver*" in relation to a motor vehicle waiting in a parking area, means the person driving the motor vehicle at the time it was left in the parking place.
 - j) "*electronic communications network*" has the same meaning as in the Communications Act 2003.
 - k) "*goods vehicle*" means a motor vehicle not exceeding 2.3m in height or 5.25m in length, which is constructed or adapted for use for the carriage of goods or of burden of any description and is not drawing a trailer.
 - l) "*household*" means the occupants of a dwelling used or suitable for use as a separate dwelling.
 - m) "*junction*" means the intersection of the outside edge of the first highway with the outside edge of the second highway.

- n) *“motor vehicle”* has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984.
- o) *“Organisation”* means an organisation concerned with the care of disabled persons to which a disabled person’s badge may be issued which has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2007
- p) *“Organisational Badge”* means a disabled person’s badge issued to an organisation.
- q) *“Owner”* in relation to a vehicle, means the person by whom such vehicle is kept and used. In determining who was the Owner at any time it shall be presumed that the Owner was the person named in the vehicle registration document as the registered keeper of the vehicle or the person who has the use of such vehicle in the course of his/her employment and which is entitled to use such vehicles as though he/she were the registered keeper. Owner shall have the meaning in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 in respect of a person who is served a penalty charge notice
- pedal cycle and local service has the same meaning as in Schedule 1 of the Traffic Signs Regulations and General Directions 2016.
- r) *“penalty charge”* has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;
- s) *“penalty charge notice”* means a notice issued by a civil Enforcement Officer pursuant to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and the provisions of part 6 of the traffic Management Act 2004
- t) *“relevant position”* in respect of: -
 (a) a disabled person’s badge and parking disc has the same meaning as in the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000; and
 (b) a permit means exhibited behind the windscreen, on the dashboard or fascia of the vehicle or, where the vehicle does not have a windscreen, dashboard or fascia, in conspicuous position on the vehicle so that the whole of the information on the front of the permit is clearly legible from outside the vehicle;
 c) A parking disc is displayed in the “relevant position” if –
 • the disc is exhibited on the dashboard or fascia of the vehicle, or
 • where the vehicle is not fitted with a dashboard or fascia, the disc is exhibited in a conspicuous position on the vehicle,
 so that, when marked to show the quarter-hour period during which a period of waiting began, that period is clearly legible from the outside of the vehicle.
- u) *“taxi”* has the meaning given by Schedule 1 of the Traffic Signs Regulations and General Directions 2016.
- v) *“traffic sign”* means a sign of any size, colour and type prescribed or authorised under, or having effect as though prescribed or authorised under Section 64 of the Road Traffic Regulation Act 1984.
- w) *“universal service provider”* has the same meaning given by Section 65(1) of the Postal Services Act 2011.

Section 13: Red Route No stopping at any time

General prohibition of stopping

1 Except as provided in **Clause 2** no person shall cause any vehicle to stop at any time in the Red Route described in **Schedule 13**.

- i) For the purposes of **1**, a further contravention shall be created if the motor vehicle remains on a length of road continuing the contravention, it will be considered a new contravention from midnight on a rolling/daily basis.

Miscellaneous exemptions for parking

2 (1) The controls specified in **Clause 1** do not apply in respect of a person causing 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 for police, ambulance, fire brigade, local authority, parking attendant/civil enforcement officers or water authority, sewage authority electronic communications network and national rivers authority purposes, when used in pursuance of their statutory powers or duties.
- (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 length of road specified in **Schedule 13**;
- (i) using the vehicle under a licence under section 37 of the Town Police Clauses Act 1847 to stop for so long only as may be required to enable a passenger to board or alight from the vehicle;
- (j) using 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 board or alight from the vehicle;
- (k) using the vehicle for the purpose of collecting refuse by or on behalf of a local authority;
- (l) using a vehicle which bears the livery of a universal service provider which is waiting at the edge of a carriageway for so long as may be necessary for the purposes of the provision of a universal postal service (as defined by Section 4 of the Postal Services Act 2000).

- (2) The controls specified in **Clause 1** of this Order do not apply to anything done with the permission of an authorised person or with the permission or at the direction of a police officer in uniform or of a Civil Enforcement Officer.
- (3) The controls specified in **Clause 1** of this Order do not apply in respect of a person causing 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.

Exceptions at bus stops and stands

- 3. (1) The controls specified in clause 1 do not apply in respect of a person causing:
 - (a) a bus to stop within a red route bus stop clearway for as long as may be required to enable passengers to board or alight; or
 - (b) a bus in the provision of a local service to stop within a red route bus stop or bus stand clearway if being used for operational reasons or training drivers to allow such a service to be provided.
- (2) In this article "operational reasons" means:
 - (i) to enable passengers to board or alight;
 - (ii) to enable crew changes to take place;
 - (iii) to maintain the scheduled timetable subject, in the case of a red route bus stop clearway, to a maximum wait of two minutes.

Schedule 13: Red Route - No Stopping At Any Time

Col 1	Col 2	Col 3	Col 4
Ref No	Street Name	Side of St	Location
13/01	BRISTNALL HALL LANE	north	from its junction with Bristnall Hall Road to a point 3 metres east of its intersection with the extended eastern building line of number 94 Bristnall Hall Lane.
13/02	BRISTNALL HALL LANE	south	from its junction with Salop Road to a point 2 metres east of its intersection with the extended eastern building line of number 94 Bristnall Hall Lane.
13/03	BRISTNALL HALL ROAD	east	from its junction with Bristnall Hall Lane to a point 37 metres north-east of that junction.
13/04	BRISTNALL HALL ROAD	north west	from a point 24 metres south-west of its junction with Gravity Mews to a point 15 metres north-east of that junction.
13/05	BRISTNALL HALL ROAD	north west	from a point 24 metres south-west of its junction with Gravity Mews to a point 16 metres north-east of that junction.
13/06	BRISTNALL HALL ROAD	north west	from a point 1.5 metres south of its intersection with the extended northern building line of number 165 Bristnall Hall Road to a point 13 metres south of its junction with Pryor Road
13/07	BRISTNALL HALL ROAD	south east	from its junction with Salop Road to a point 28 metres south-west of its intersection with the extended north-eastern building line of number 10 Bristnall Hall Road
13/08	BROOKFIELDS ROAD	east	from its junction with Pryor Road to its intersection with the extended northern building line of number 121 Brookfields Road.
13/09	BROOKFIELDS ROAD	west	from a point 7 metres north of its junction with Moore Crescent (southern junction) to a point 7 metres south of that junction.
13/10	BROOKFIELDS ROAD	west	from a point 6 metres north of its intersection with the extended northern building line of number 121 Brookfields Road to a point 5 metres south of its intersection with the extended south-eastern building line of number 124 Brookfields Road.
13/11	CLEE ROAD	east	from its junction with Matty Road to a point 12 metres south of that junction.
13/12	CLEE ROAD	west	from its junction with Matty Road to a point 12 metres south of that junction.
13/13	DEFFORD DRIVE	east	from its junction with Matty Road to a point 10 metres north of that junction.
13/14	DEFFORD DRIVE	west	from its junction with Matty Road to a point 10 metres north of that junction.
13/15	GRAVITY MEWS	north east	from its junction with Bristnall Hall Road for its entire length.
13/16	GRAVITY MEWS	south west	from its junction with Bristnall Hall Road for its entire length.
13/17	KENDAL RISE	north	from its junction with Moat Road to a point 12 metres east of that junction.
13/18	KENDAL RISE	south	from its junction with Moat Road to a point 12 metres east of that junction.

Schedule 13: Red Route - No Stopping At Any Time

13/19	KNOTTSALL LANE	south	from a point 76 metres east of its junction with Moat Road for a distance of 14 metres in an easterly direction.
13/20	MATTY ROAD	north	from a point 8 metres east of its junction with Defford Drive to a point 8 metres west of that junction.
13/21	MATTY ROAD	north	from its junction with Moat Road to a point 9 metres east of that junction.
13/22	MATTY ROAD	south	from a point 7 metres east of its junction with Clee Road to a point 8 metres west of that junction.
13/23	MATTY ROAD	south	from its junction with Moat Road to a point 8 metres east of that junction.
13/24	MOAT ROAD	east	from a point 9 metres north of its junction with Matty Road to a point 9 metres south of that junction.
13/25	MOAT ROAD	east	from a point 9 metres north of its junction with Kendal Rise to a point 6 metres south of that junction.
13/26	MOAT ROAD	west	from a point 8 metres south of its intersection with the extended northern building line of number 69 Moat Road for a distance of 22 metres in a northerly direction.
13/27	MOAT ROAD	west	from a point on its intersection with the extended northern building line of number 131 Moat Road for distance of 10 metres in a northerly direction.
13/28	MOAT ROAD park entrance road adj No67	north	from the back of path to the car park.
13/29	MOAT ROAD park entrance road adj No67	south	from the back of path to the car park.
13/30	MOORE CRESCENT	north	from its junction with Brookfields Road (southern junction) to a point 19 metres east of its intersection with the extended eastern building line of number 78 Moore Crescent.
13/31	MOORE CRESCENT	south	from its junction with Brookfields Road (southern junction) to a point 19 metres east of its intersection with the extended eastern building line of number 78 Moore Crescent.
13/32	PRYOR ROAD	north east	from its junction with Bristnall Hall Road to a point 108 metres north-west of that junction.
13/33	PRYOR ROAD	south west	from its junction with Bristnall Hall Road to a point 15 metres north-west of that junction.
13/34	PRYOR ROAD	west	from a point 37 metres south of the extended building line of 78 Pryor Road to its junction with Brookfields Road.
13/35	SALOP ROAD	east	from its junction with Bristnall Hall Lane to a point 9 metres south of that junction.
13/36	SALOP ROAD	west	from its junction with Bristnall Hall Road to a point 11 metres south of that junction.

Section 14: Red Route No stopping during prescribed hours

General prohibition of stopping

- 1** Subject to the provisions of this section no person shall, except upon the direction of a Police Officer in uniform or of a Civil Enforcement Officer, cause or permit any motor vehicle to stop at any time in the sides and lengths of roads referred to in Schedule 14 to this order, during the hours prescribed in Column 5 of the said schedule.
- i) "For the purposes of **1**, a further contravention shall be created if the motor vehicle remains on a length of road continuing the contravention, it will be considered a new contravention from midnight on a rolling/daily basis.

Miscellaneous exemptions for parking

- 2** (1) The controls specified in clause 1 do not apply in respect of a person causing 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 for police, ambulance, fire brigade, local authority, parking attendant/civil enforcement officers or water authority, sewage authority, electronic communications network and national rivers authority purposes, when used in pursuance of their statutory powers or duties.
 - (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 length of road specified in schedule 13;
 - (i) using the vehicle under a licence under section 37 of the Town Police Clauses Act 1847 to stop for so long only as may be required to enable a passenger to board or alight from the vehicle;
 - (j) using 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 board or alight from the vehicle;
 - (k) using the vehicle for the purpose of collecting refuse by or on behalf of a local authority;
 - (l) using a vehicle which bears the livery of a universal service provider which is waiting at the edge of a carriageway for so long as may be necessary for the purposes of the provision of a universal postal service (as defined by Section 4 of the Postal Services Act 2000).

- (2) The controls specified in clause 1 of this Order do not apply to anything done with the permission of an authorised person or with the permission or at the direction of a police officer in uniform or of a Civil Enforcement Officer.
- (3) The controls specified in clause 1 of this Order do not apply in respect of a person causing 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.

Exceptions at bus stops and stands

- 3. (1) The controls specified in clause 1 do not apply in respect of a person causing:
 - (a) a bus to stop within a red route bus stop clearway for as long as may be required to enable passengers to board or alight; or
 - (b) a bus in the provision of a local service to stop within a red route bus stop or bus stand clearway if being used for operational reasons or training drivers to allow such a service to be provided.
- (2) In this article "operational reasons" means:
 - (i) to enable passengers to board or alight;
 - (ii) to enable crew changes to take place;
 - (iii) to maintain the scheduled timetable subject, in the case of a red route bus stop clearway, to a maximum wait of two minutes.

Schedule 14: No stopping during prescribed hours.

Col 1	Col 2	Col 3	Col 4	Col 5
Ref No	Street Name	Side of St	Location	Prescribed hours
14/01	KNOTTSALL LANE	north	from a point 33 metres east of its junction with Moat Road to a point 175 metres east of that junction.	Mon-Fri 8am-10am & 3pm-6pm
14/02	MATTY ROAD	south	from a point 8 metres east of its junction with Moat Road to a point 8 metres west of its junction with Clee Road.	Mon-Fri 7am-7pm
14/03	MOAT ROAD	west	from a point 10 metres north of its intersection with the extended northern building line of number 131 Moat Road to a point 8 metres south of its intersection with the extended northern building line of number 69 Moat Road	Mon-Fri 8am-10am & 3pm-6pm
14/04	MOAT ROAD	east	from a point 12 metres north of its junction with Knottsall Lane to a point on its intersection with the extended north-eastern building line of number 316 Moat Road.	Mon-Fri 8am-10am & 3pm-6pm

Section 20: Items Revoked

The Borough Council of Sandwell (Sandwell Borough, Consolidation of Waiting and Loading Restrictions)
(Traffic Regulation Order No.14) 2019

20/01. The following Items are hereby Revoked from Schedule One of the above Order

Schedule One - No Waiting at Any Time

1/630	BRISTNALL HALL LANE OLDBURY	north	from its junction with Bristnall Hall Road to a point 25 metres east of that junction.
1/631	BRISTNALL HALL LANE OLDBURY	south	from its junction with Salop Road to a point 22 metres east of that junction.
1/633	BRISTNALL HALL ROAD OLDBURY	east	from a point 37 metres north of its junction with Bristnall Hall Lane to a point 26 metres south of its junction with Salop Road.
1/639	BRISTNALL HALL ROAD OLDBURY	west	from a point 6 metres north of its junction with Pryor Road to a point 13 metres south of its junction with Pryor Road
1/686	BROOKFIELDS ROAD OLDBURY	east	from a point 40 metres south of the extended southern kerbline of Moore Crescent to its junction with Pryor Road.
1/2471	KNOTTSALL LANE OLDBURY	north	from its junction with Moat Road for a distance of 14 metres in an easterly direction.
1/2472	KNOTTSALL LANE OLDBURY	south	from its junction with Moat Road for a distance of 14 metres in an easterly direction.
1/2828	MATTY ROAD OLDBURY	south	from a point on its intersection with the extended western kerbline of Defford Drive for a distance of 23 metres in a westerly direction.
1/2924	MOAT ROAD OLDBURY	east	from a point 8 metres south of its junction with Knottsall Lane to a point 12 metres north of that junction.
1/3550	PRYOR ROAD OLDBURY	north	from its junction with Bristnall Hall Road to a point 108 metres north-west of that junction.
1/3551	PRYOR ROAD OLDBURY	south	from its junction with Bristnall Hall Road to a point 14 metres west of that junction.
1/3552	PRYOR ROAD OLDBURY	west	from a point 37 metres south of the extended building line of 78 Pryor Road to its junction with Brookfields Road.
1/3788	SALOP ROAD OLDBURY	east	from its junction with Bristnall Hall Lane to a point 12 metres south of that junction.
1/3791	SALOP ROAD OLDBURY	west	from its junction with Bristnall Hall Road to a point 15 metres south of that junction.

THE COMMON SEAL)
of THE BOROUGH COUNCIL)
OF SANDWELL)
was hereunto affixed this)
24th day of November 2020)
in the presence of:-)



SERVICE MANAGER - LEGAL
(Authorised Signatory)

58852

