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STATUTORY INSTRUMENTS

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**2005 No. 3173**

**HIGHWAYS, ENGLAND**

**The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004 Confirmation Instrument 2005**

*Made - - - - 10 November 2005*

*Coming into force in accordance with article 1*

The Secretary of State for Transport makes this Instrument in exercise of powers conferred by section 106(3) of the Highways Act 1980<sup>(1)</sup> and now vested in him<sup>(2)</sup> and of all other powers enabling him in that behalf:

**1.** This Instrument may be cited as The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004 Confirmation Instrument 2005 and shall come into force on the date on which notice that it has been confirmed is first published in accordance with paragraph 1 of Schedule 2 to the Highways Act 1980.

**2.** The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004 (“the Scheme”) is hereby confirmed without modifications.

**3.** The Scheme as confirmed is set out in the Schedule hereto (including the plans) and copies of the Scheme with its accompanying plans are deposited at the offices of the Department for Transport, Floor 13 (IMD), Ashdown House, St Leonards on Sea, Hastings, East Sussex TN37 7GA, and at the offices of Birmingham City Council’s Transportation Strategy, 1 Lancaster Circus Queensway, Birmingham B4 7DQ.

Signed by authority of the Secretary of State for Transport

10 November 2005

*J Blackie*  
Regional Director Government Office for the  
North East

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(1) 1980 c. 66.  
(2) S.I.1981/238.

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## THE SCHEDULE

THE BIRMINGHAM CITY COUNCIL (SELLY OAK NEW ROAD TUNNEL) SCHEME 2004  
Birmingham City Council (hereinafter referred to as “the Council”) make this Scheme in exercise of their powers under section 106(3) of the Highways Act 1980 and of all other powers enabling them in that behalf—

1. The Council are authorised to construct under the navigable waters of the Worcester and Birmingham Canal the Tunnel specified in the Schedule to this Scheme as part of the highway which they are proposing to construct and improve between the Harborne Lane/Bristol Road junction and the Edgbaston Park Road/Bristol Road junction in Selly Oak in the City of Birmingham.
2. The Scheme may be cited as The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004.

## THE SCHEDULE TO THE SCHEME

### PLAN AND SPECIFICATIONS OF THE SELLY OAK NEW ROAD TUNNEL

The location and general design of the Tunnel are shown on the plans numbered TCS/2555/161 and TCS/2555/162 marked “The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004”.

### POINTS OF COMMENCEMENT AND TERMINATION

From a point on the west bank of the Birmingham and West Suburban Railway, 35 metres south east of where the Bourn Brook sinks under the Worcester and Birmingham Canal.

To a point on the east bank of the Worcester and Birmingham Canal, 35 metres south of where the Bourn Brook issues from under the Worcester and Birmingham Canal.

### SPAN

A single span of 78 metres.

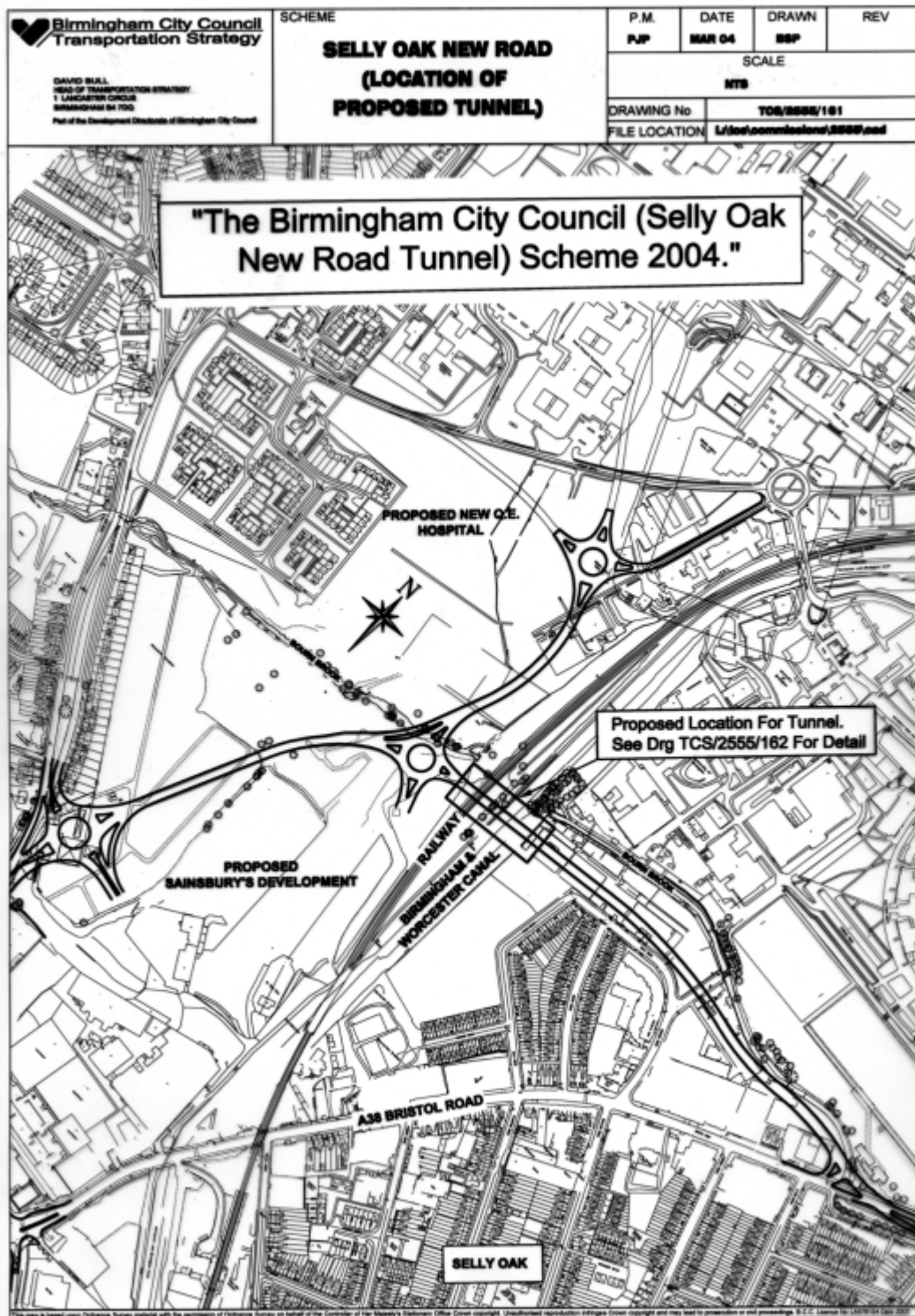
### WATERWAY

A 3 metre minimum clearance from the soffit of the Tunnel to the bed of the Worcester and Birmingham Canal.

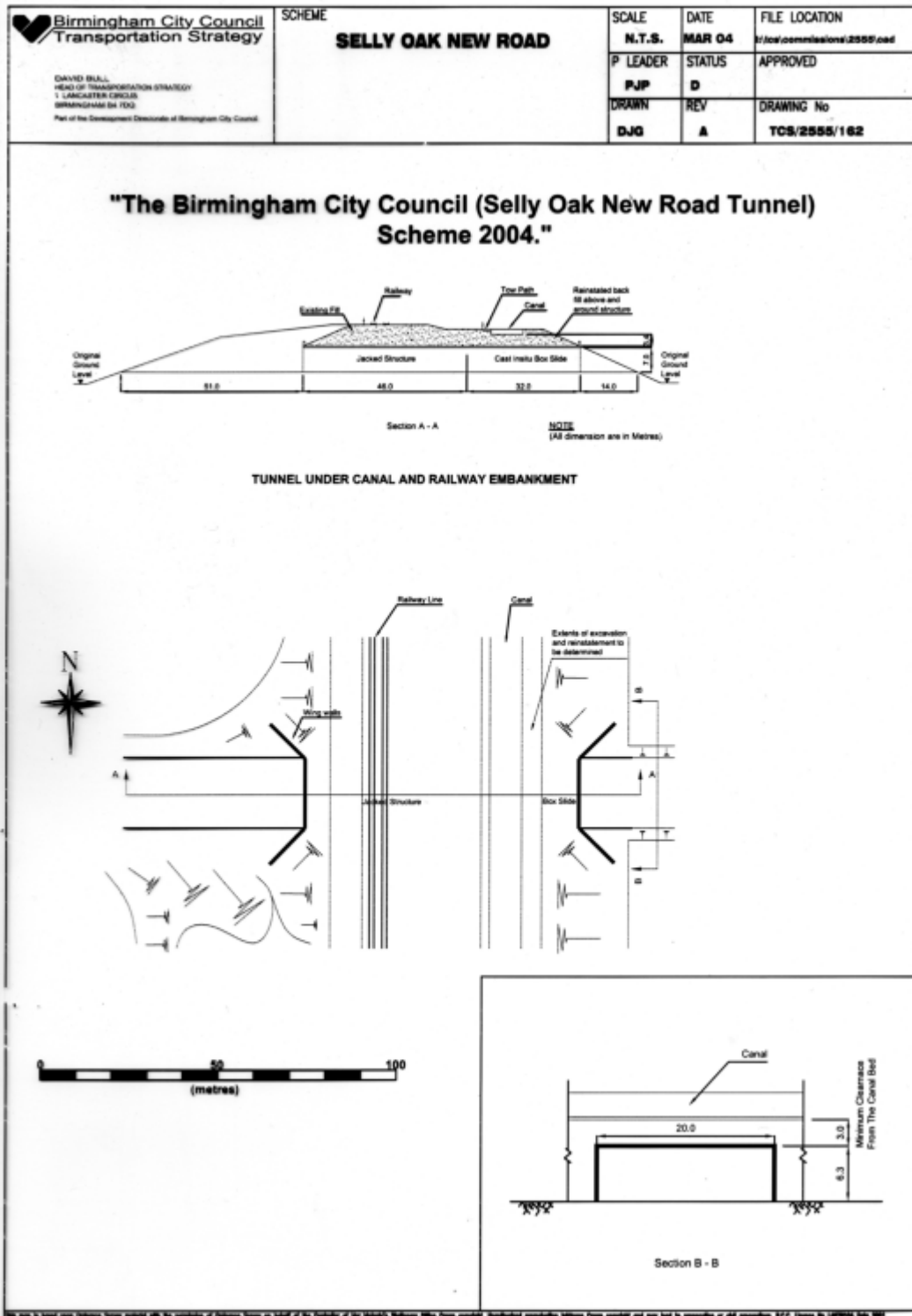
### OVERALL DIMENSIONS

The Tunnel will be 20 metres wide overall and will carry a 10 metre wide single carriageway, with a 0.5 metre wide hard strip and a combined footway/cycleway of 4.5 metres width on either side.

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## EXPLANATORY NOTE

*(This note is not part of the Scheme)*

The Secretary of State has modified this Scheme as follows:

Plan number TCS/2555/162 Rev A, which excludes the reception pit and light well, and is marked “The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2004” has been substituted for Plan number TCS/2555/162 of the same title.