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STATUTORY INSTRUMENTS

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**2005 No. 1794**

**The Midland Metro (Birmingham City  
Centre Extension, etc.) Order 2005**

**PART 4**

**OPERATION OF TRAMWAY SYSTEM**

**Traffic regulation**

**43.**—(1) Subject to the provisions of this article, the Executive or the Council may, in connection with the construction or operation of the authorised tramway, at any time prior to the expiry of 12 months from the opening of the tramway for use—

- (a) prohibit or restrict in the manner specified in any of the tables in Part 1 of Schedule 6 to this Order the waiting, loading and unloading of vehicles on any road in the City specified in column (1) of those tables and as described in relation to the road in column (2) of those tables;
- (b) make provision in the manner specified in any of the tables in Part 2 of Schedule 6 to this Order as to the permitted direction of movement of vehicular traffic on any road in the City specified in column (1) of those tables and as described in relation to the road in column (2) of those tables;
- (c) prohibit in the manner specified in any of the tables in Part 3 of Schedule 6 to this Order vehicles remaining stationary on any road in the City specified in column (1) of those tables and as described in relation to the road in column (2) of those tables;
- (d) prohibit in the manner specified in any of the tables in Part 4 of Schedule 6 to this Order vehicular access on any road in the City specified in column (1) of those tables and as described in relation to the road in column (2) of those tables;
- (e) revoke in whole or in part any traffic regulation order in so far as the revocation is consequential on any prohibition, restriction or other provision made under this paragraph.

(2) The Executive or the Council shall not exercise the powers of this article unless it has given not less than 12 weeks' notice in writing of its intention so to do to the chief officer of police in whose area the road is situated; and the Executive shall not exercise the powers of this article unless it has in addition obtained the prior consent of the Council.

(3) The Council shall not exercise the powers of this article unless it has consulted the Executive.

(4) Any prohibition, restriction or other provision made by the Executive or the Council under this article shall have effect as if duly made by the traffic authority in whose area the road is situated as a traffic regulation order under the 1984 Act, and the instrument by which it is effected may specify savings to which the prohibition, restriction or other provision is subject which are in addition to any exceptions provided for in Schedule 6 to this Order.

(5) Any prohibition, restriction or other provision made under this article may be varied or revoked from time to time by subsequent exercises of the powers of this article by the Executive or the Council (whether or not prior to the expiry of the period of 12 months referred to in paragraph (1)),

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but the Executive shall not vary or revoke any provision previously made by the Council under this article without the consent of the Council, and the Council shall not vary or revoke any provision previously made by the Executive under this article without the consent of the Executive.

(6) Any prohibition, restriction or other provision made under this article may also be varied or revoked from time to time by the Council by a traffic regulation order under the 1984 Act, but the Council shall not by such an order vary or revoke any provision previously made by the Executive under this article without the consent of the Executive.

(7) Any consent required under paragraph (2), (5) or (6) shall not be unreasonably withheld.

(8) In this article “the Council” means Birmingham City Council.