
STATUTORY INSTRUMENTS

2007 No. 2339

HIGHWAYS, ENGLAND

The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2007 Confirmation Instrument 2007

Made - - - - 6th August 2007

Coming into force in accordance with article 1

The Secretary of State for Transport makes this Instrument in exercise of powers conferred by sections 106(3) and 108(4) of the Highways Act 1980⁽¹⁾ and now vested in her ⁽²⁾:

1. This Instrument may be cited as “The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2007 Confirmation Instrument 2007” 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 2007 (“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 the Council of Birmingham City Council’s Transportation Strategy, 1 Lancaster Circus Queensway, Birmingham B4 7DQ.

Signed by authority of the Secretary of State for Transport

6th August 2007

J. Blackie
Regional Director Government Office for the
North East

(1) 1980 c. 66.
(2) SI 1981/238

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THE SCHEDULE

THE BIRMINGHAM CITY COUNCIL (SELLY OAK NEW ROAD TUNNEL) SCHEME 2007
Birmingham City Council (hereinafter referred to as “the Council”) make this Scheme in exercise of their powers under section 106(3) and section 108(4) 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 First Schedule to this Scheme as part of the highway which they are proposing to construct and improve between Harborne Lane/Bristol Lane junction and the Edgbaston Park Road/Bristol Road junction in Selly Oak in the City of Birmingham.
2. The Council are also authorised in connection with the construction of the said Tunnel to temporarily divert the part of the navigable watercourse and also the towing path adjacent to that part specified in the Second Schedule in the manner shown in that Schedule.
3. This Scheme may be cited as The Birmingham City Council (Selly Oak New Road Tunnel) Scheme 2007.

THE FIRST SCHEDULE TO THE SCHEME

PLANS AND SPECIFICATIONS OF THE SELLY OAK BIRMINGHAM CITY COUNCIL NEW ROAD TUNNEL

Points of Commencement and Termination

From point E as marked on the attached plan numbered 2555—379, 464m north of where the A38 Bristol Road crosses the Worcester and Birmingham Canal.

To point F as marked on the attached plan numbered 2555—379, 538.25m north of where the A38 Bristol Road crosses the Worcester and Birmingham Canal.

Span

A single span of 74.25 metres.

Waterway

A new length of watercourse will be provided after the construction of the Selly Oak New Road Tunnel. This new length of watercourse is the length between the two points described under Article 1 of the Second Schedule. The minimum width of the new length shall be 7.0 metres and its minimum depth shall be 1.6 metres throughout its entire length.

Overall Dimensions

The Tunnel will be 11.6 metres wide overall and will carry a 7 metre wide canal with a 2.3 metre wide towpath on either side.

THE SECOND SCHEDULE TO THE SCHEME

1. Length of Watercourse to be temporarily diverted

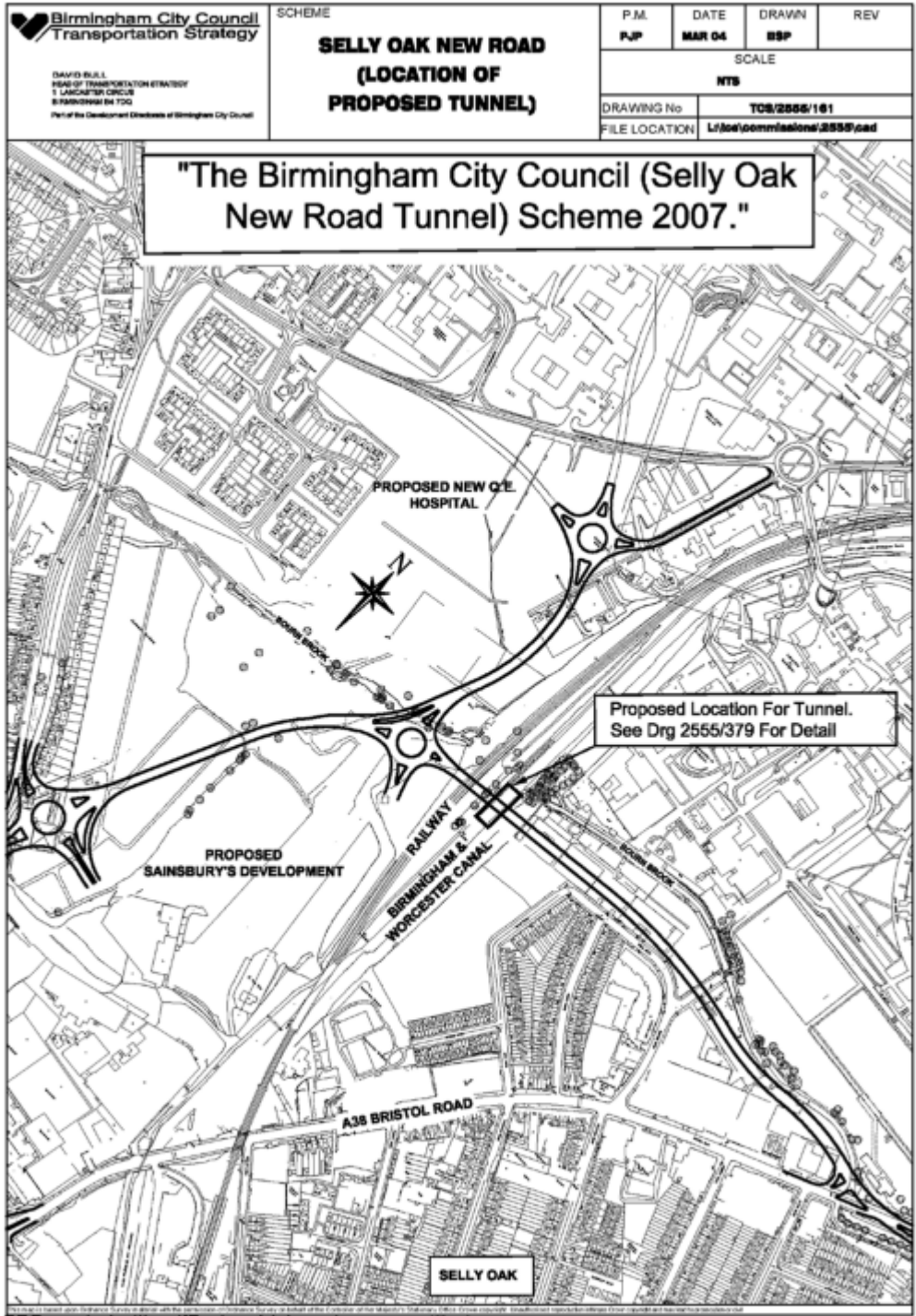
The length of watercourse to be temporarily diverted is the Worcester and Birmingham Canal between point “A”, 575m north of where the A38 Bristol Road crosses the Birmingham and Worcester canal and point “B”, 426m north of where the A38 Bristol Road crosses the Birmingham and Worcester canal as marked on the attached plan numbered 2555—379. This length is shown hatched and is marked “Length of Watercourse to be Temporary Diverted”.

2. Diversion of Watercourse

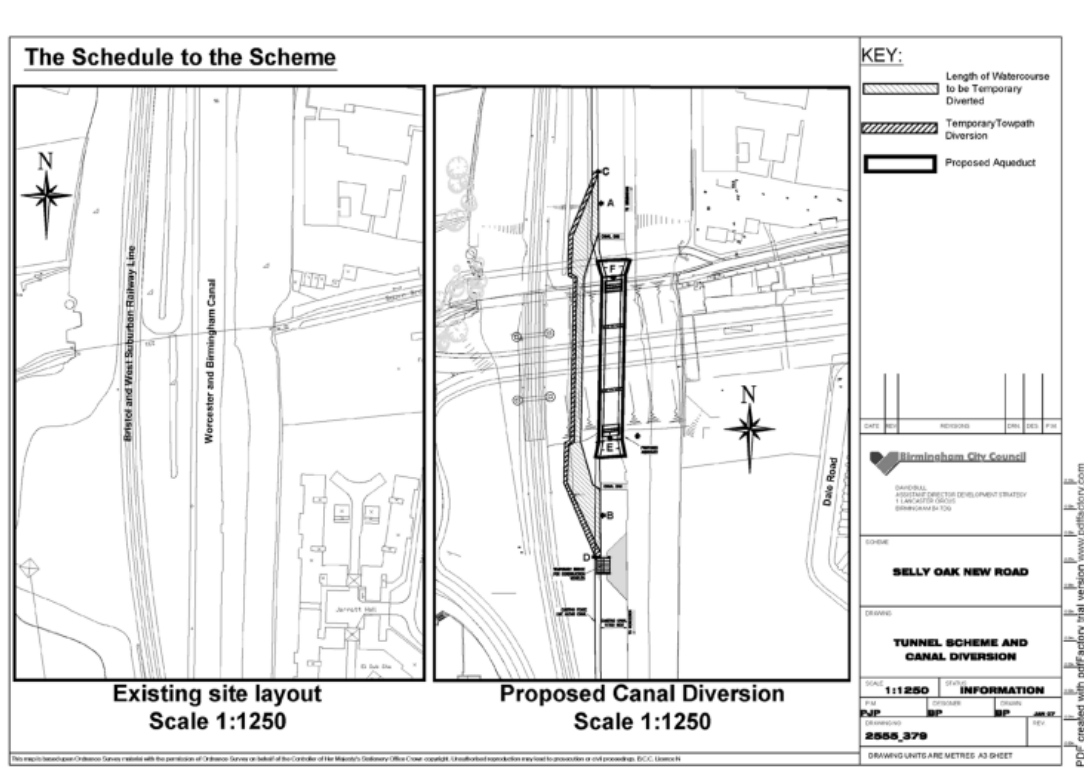
During construction of the Selly Oak New Road Tunnel the watercourse will be diverted (the Diversion) to the points referred to in Article 1 above. The diversion is shown on the attached plan numbered 2555—379. The minimum width of the watercourse for the Diversion shall be 3.0 metres and its minimum depth shall be 1.6 metres throughout its entire length.

3. Length of Towing path to be divertedThe length of towing path to be temporarily diverted during the construction of the tunnel is a length adjacent to and on the west side of the length of watercourse described in Article 1 above. It extends from point “C”, 593m north of where the A38 Bristol Road crosses the Birmingham and Worcester canal, to point “D”, 408m north of where the A38 Bristol Road crosses the Birmingham and Worcester canal as marked on the attached plan numbered 2555—379 and is shown by black zebra hatching. The towpath will be diverted to the west side of the watercourse shown in outline and marked “Temporary Towpath Diversion” on the attached plan numbered 2555—379.

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