

**THE BOROUGH COUNCIL OF SANDWELL**  
**(Sandwell Borough, Consolidation of Waiting and Loading**  
**Restrictions)**  
**(Traffic Regulation Order No. 14) (Amendment Order 3) 2024.**

**Operational Date:** xx xxxxxxxx xxxx

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# THE BOROUGH COUNCIL OF SANDWELL

## (Sandwell Borough, Consolidation of Waiting and Loading Restrictions)

### (Traffic Regulation order No. 14) (Amendment Order 3) 2024.

The Borough Council of Sandwell ("the Council") in exercise of its powers under Sections 1, 2 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, hereby makes the following Order:-

- 1 This Order may be cited as The Borough Council of Sandwell (Sandwell Borough, Consolidation of Waiting and Loading Restrictions) (Traffic Regulation Order No.14) (Amendment order 3) 2024 and shall come into operation on xx xxxxxxxx xxxx
- 2 The restrictions imposed by this order shall be in addition to and not in derogation from any restriction or requirements imposed by any regulations made or having effect as if made under any other enactment.
- 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) "Business" means one which is registered for Business Rates.
  - c) "*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,
  - d) "Council" means Sandwell Metropolitan Borough Council;
  - e) "*disabled person's badge*" has the same meaning as in the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000.
  - f) "*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;
  - g) "*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.
  - h) "*electronic communications network*" has the same meaning as in the Communications Act 2003.
  - i) "*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.
  - j) "*household*" means the occupants of a dwelling used or suitable for use as a separate dwelling.
  - k) "*junction*" means the intersection of the outside edge of the first highway with the outside edge of the second highway.
  - l) "*Motor cycle*" has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984.
  - m) "*Motor vehicle*" has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984.

- n) "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
- o) *"penalty charge" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequent legislation so enabling;*
- p) *"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*
- q) *"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.*
- r) *"universal service provider" has the same meaning given by Section 65(1) of the Postal Services Act 2011.*

## Section 6: No Loading and Unloading during prescribed hours

- 6/01.** Subject to the provisions of this section, no person shall, cause or permit any motor vehicle to be loaded or unloaded in the sides and lengths of roads referred to in **Schedule 6** to this Order during the hours prescribed in **Column 5** of the said schedule.
- 6/02.** For the purposes of **Clause 6/01**, a motor vehicle shall be taken to wait on a length of road if-
- i)** the motor vehicle is stationary; and
  - ii)** any point in that length of road is below the vehicle of its load (if any)
  - iii)** "For the purposes of **Clause 6/01**, a further contravention shall be created if the motor vehicle remains on a length of road at the beginning of a period in which vehicles may be left there in pursuance of the order and shall be treated as if it had been left there at the beginning of that period."
- 6/03.** Nothing in **Clause 6/01** of this order shall render it unlawful to cause or permit any motor vehicle to wait as specified therein for so long as may be necessary -
- (a)** to enable a person to board or alight from the vehicle;
  - (b)** to enable the vehicle to be used for the purposes of-
    - i)** any building operation, demolition or excavation;
    - ii)** the removal of any obstruction to traffic;
    - iii)** the maintenance, improvement or reconstruction of a road;
    - iv)** the laying, erection, alteration, repair or cleaning of any sewer, or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any telecommunication system lawfully kept installed in any position;
    - v)** the collection of household refuse from, or the cleaning of cesspools at, premises situated on or near the sides and lengths of roads specified in **Schedule 6** of this Order;
  - (c)** to enable a vehicle which is a universal service provider for the collection or delivery of postal packets in the course of a universal postal service.
  - (d)** to a motor vehicle which is stationary to enable it to be used for the purposes of the collection and delivery of monies, provided that vehicles referred to in this paragraph shall be only those security vehicles which have been specially made or adapted for that purpose;
  - (e)** to enable a motor vehicle to be used for police, ambulance, fire brigade, local authority, parking attendant/civil enforcement officers or water authority, sewage authority and national rivers authority purposes, when used in pursuance of their statutory powers or duty.

**Schedule 6: No Loading or Unloading during prescribed hours.**

Col 1	Col 2	Col 3	Col 4	Col 5
Ref No	Street Name	Side of St	Location	Prescribed hours
06/01	Park Lane, Oldbury	East	From its junction with Park Street for a distance of 42 metres north	At Any Time
06/02	Park Lane, Oldbury	East	From its junction with Trinity Street to a point 271 metres north-west and then north-east of that junction.	At Any Time
06/03	Park Lane, Oldbury	West	From its junction with Park Street for a distance of 35 metres north	At Any Time
06/04	Park Street, Oldbury	North	From its junction with Park Lane to a point 40 metres north-west of that junction	At Any Time
06/05	Park Street, Oldbury	South	From a point 126 metres east of its junction with demuth way for a distance of 61 metres in a south-eastern direction	At Any Time

**Section 20: Order(s) Revoked**

**20/01. The following order(s) are hereby revoked.**

THE COMMON SEAL )  
of THE BOROUGH COUNCIL )  
OF SANDWELL )  
was hereunto affixed this )  
xxst day of XXXXXXXX 202X )  
in the presence of:- )

**LEGAL MANAGER  
(Authorised Signatory)**