THE BOROUGH COUNCIL OF SANDWELL

(Sandwell Borough Waiting and Loading Restrictions)

(Traffic Regulation Order No. 30) 2026

Operational Date **XX XXXXXXX XXXX**

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THE BOROUGH COUNCIL OF SANDWELL

(Sandwell Borough Waiting and Loading Restrictions)

(Traffic Regulation order No. XX) XXXX.

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, hereby makes the following Order:-

1 This Order may be cited as The Borough Council of Sandwell (Sandwell Borough Waiting and Loading Restrictions) (Traffic Regulation Order No.XX) XXXX 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) “Handheld Device” means a handheld computer (including mobile phone) used by a Civil Enforcement Officer whilst carrying out duties which is programmed to interface with the Telephone or Electronic Payment System operator;

h) *“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.

i) *“electronic communications network”* has the same meaning as in the Communications Act 2003.

j) *“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.

k) *“household”* means the occupants of a dwelling used or suitable for use as a separate dwelling.

l) *“junction”* means the intersection of the outside edge of the first highway with the outside edge of the second highway.

m) *"Motor cycle”* has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984.

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

r) *“Parking disc”* means the disc issued by the Local Authority complying with the requirements of Regulation 8(5) of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and capable of showing the quarter hour period during which a period of waiting began.

s) *“parking place”* means the part of a road authorised by the Order to be used for the purposes of parking a motor vehicle.

t) *“parking ticket”* means a ticket lawfully obtained from a ticket machine provided by the Council for the issue of parking tickets appropriately dated and time stamped relating to Schedule 19B of this Order

u) *"penalty charge" has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or any subsequant legislation so enableing;*

v) *"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*

w) *“permit”* means a permit issued under the provisions of Clause 18/08, 18/09 and 18/10 of this Order.

x) *“permit holder”* means a person to whom a permit has been issued under the provisions of Clause 18/08, 18/09 and 18/10 of this Order.

y) *"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 facia of the vehicle, or
● where the vehicle is not fitted with a dashboard or facia, 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.

z) *"taxi"* has the meaning given by Schedule 1 of the Traffic Signs Regulations and General Directions 2016.

za) *"ticket machine"* means an approved ticket issuing machine provided by the Council for the issue of parking tickets appropriately dated and time stamped.

zb) *"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.

zc) *"universal service provider"* has the same meaning given by Section 65(1) of the Postal Services Act 2011.

Section 1: No waiting at any time

1/01. Subject to the provisions of this section no person shall, except upon the direction of a Police Officer in uniform or of a uniformed Civil Enforcement Officer, cause or permit any motor vehicle to wait at any time in the sides and lengths of roads referred to in Schedule 1 to this Order.

1/02. For the purposes of **Clause 1/01**, 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 or its load (if any).

iii) "For the purposes of **Clause 1/01**, a further contravention shall be created if the motor vehicle remains on a length of road, it will be considered a new contravention from midnight on a rolling/daily basis.

1/03. Nothing in **Clause 1/01** 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 1** of this Order;

(c) to enable a vehicle, which is a universal service povider for the collection or delivery of postal packets in the course of a universal postal service.;

(d) to enable goods to be loaded onto or unloaded from the vehicle;

(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.

1/04. Nothing in **Clause 1/01** of this Order shall render it unlawful to cause or permit a motor vehicle which displays in the relevant position, a valid disabled person’s badge and a parking disc (on which the driver or other person in charge of the motor vehicle has marked the time at which the period of waiting began) to wait in the sides of lengths of road referred to in **Schedule 1** for a period not exceeding 3 hours (provided that this waiting is not during a period separated by an interval of less than 1 hour from a previous period of waiting by the same motor vehicle in the same sides of lengths of road).

Schedule 1: No Waiting at Any Time

Col 1	Col 2	Col 3	Col 4
Ref No	Street Name	Side of St	Location
01/01	Beacon Road		
01/02	Chudleigh Grove		
01/03	Green Lane		
01/04	Hamstead Road		
01/05	Laburnum		
01/06	Scott Road		

Section 5: Limited waiting during prescribed hours

5/01. Subject to the provisions of this section, no person shall, except upon the direction of a Police Officer in uniform or of a uniformed Civil Enforcement Officer, cause or permit any motor vehicle to wait in the sides and lengths of roads referred to in Schedule 5 to this Order during the hours prescribed in Column 5 of the said schedule -

(a) for a period exceeding the length of time specified in **Column 6** of **Schedule 5**;

(b) during any period separated by an interval of less than the duration specified in **Column 7** of **Schedule 5** from a previous period of waiting by the same motor vehicle in the same side and length of road.

5/02. For the purposes of **Clause 5/01**, 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 5/01**, 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."

5/03. Nothing in **Clause 5/01** 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 5** 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 enable goods to be loaded onto or unloaded from the vehicle;

(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.

5/04. Nothing in **Clause 5/01** of this Order shall apply to a vehicle that is displaying in the relevant position a valid disabled person’s badge.

Schedule 5: Limited waiting during prescribed hours

Col 1	Col 2	Col 3	Col 4	Col 5	Col 6	Col 7
01/01	Stanton Road					

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
01/01	Green Lane			

Section 20: Order(s) Revoked

20/01. The following order(s) are hereby revoked from;
The Borough Council of Sandwell (Sandwell Borough, Consilodation of Waiting and Loading Restrictions) (Traffic Regulation Order No. 14) 2019

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

LEGAL MANAGER
(Authorised Signatory)