

SANDWELL METROPOLITAN BOROUGH COUNCIL

The Borough Council of Sandwell (Cronehills Linkway Loading Area, West Bromwich) (Prohibition of Parking) Order 2019

The Borough Council of Sandwell ("the Council") in exercise of its powers under Section 61 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 and with the consent of the owner and occupiers of the loading area(s) mentioned below hereby makes the following Order:-

1. This Order may be cited as The Borough Council of Sandwell (Cronehills Linkway Loading Area, West Bromwich) (Prohibition of Parking) Order 2019 and shall come into operation on 16th September 2019.

2. In this Order :-

"business" means one which is registered for Business Rates.

"Council" means Sandwell Metropolitan Borough Council.

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to enforce the restrictions in this Order and issue Penalty Contravention Notices.

"goods vehicle" has the meaning as a motor vehicle or trailer constructed or adapted for use of the carriage or haulage of goods of any description (as defined in Section 196 (1) of the Road Traffic Act 1984) which is in one of the loading areas for the purpose of being loaded or unloaded in connection with a trade or business specified in **Clause 4(ii)**.

"the loading areas" means the areas of land designated by **Clause 4 (i)**.

3. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an act of Parliament.
4.
 - (i) The areas of land described in Schedule 1 of this Order and are shown on plan number **40133 S/4** the area of which is shaded in red, which have been set apart by the occupiers for the use as places where vehicles may be driven and parked for the purpose of being loaded or unloaded in connection with a trade or business specified in **Clause 4.(ii)** are hereby designated as areas to which the provisions of sub-sections (2) to (8) of Section 61 of the Act of 1984 apply
 - (ii) The trades or businesses carried on from the retail premises which are carried on or in the vicinity of the land described in **Schedule 1** of this Order and are trades or businesses in connection with which vehicles may be driven and parked on that land for the purpose of being loaded or unloaded

5. Subject to **Clause 6** the parking of vehicles in the loading areas at any time in any week is prohibited
6. Nothing in **Clause 5** shall affect the parking of:-
- (i) any authorised vehicle while it is being loaded or unloaded
 - (ii) any vehicle the presence of which in the loading areas is required by the police, ambulance, fire brigade, local authority, Civil Enforcement Officers or water authority, sewage authority and national rivers authority purposes, when used in pursuance of their statutory powers or duties
 - (iii) any vehicle engaged in any building operation, demolition or excavation
 - (iv) any vehicle engaged in 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 electronic communications network lawfully kept installed in any position
 - (v) any refuse vehicle engaged in the collection of refuse
 - (vi) any vehicle being used for the collection and deliveries 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
 - (vii) any vehicle the presence of which in the loading area is specifically authorised by the Council

THE COMMON SEAL)
Of THE BOROUGH COUNCIL)
OF SANDWELL)
Was hereunto affixed this)
12th day of September 2019)
In the presence of:-)



58132

Schedule 1 Designated Loading Areas (At any time)

1. Rear of 10 – 16 New Street, West Bromwich and adjacent to Guardian House, Cronehills Linkway, West Bromwich shown on Plan Number **40133 S/4.**

