

Section 5

BYELAWS FOR THE GOOD RULE AND GOVERNMENT OF THE BOROUGH OF
FYLDE AND FOR THE PREVENTION OF NUISANCES, MADE BY THE
COUNCIL OF THE BOROUGH IN PURSUANCE OF SECTION 235 OF
THE LOCAL GOVERNMENT ACT 1972.

VEHICLES LOADED WITH WET SAND, GRAVEL OR OTHER
SIMILAR SUBSTANCE

1. No person shall, so as to injure or be likely to injure a highway or to create or be likely to create a danger or nuisance to persons or traffic using a highway, do any of the following things, that is to say:-
 - a. use or cause or permit to be used on a highway a vehicle loaded with wet sand, gravel or other similar substance if, by reason of the wetness of the load and the condition of the vehicle, water drops or leaks from the vehicle. Provided that a person shall not be convicted of an offence against this sub-paragraph if he proves to the satisfaction of the court that before the vehicle was driven on to a highway all such steps had been taken as were reasonably practicable to prevent water from falling from the vehicle while on a highway.
 - b. use or cause or permit to be used on any highway any vehicle for the carriage of sand, gravel or other loose substance unless the condition of the vehicle is such that no part of the sand, gravel or other loose substance so carried will fall to the ground while the vehicle is on a highway.
 - c. load a vehicle or cause or permit a vehicle to be loaded with sand, gravel or other loose substance for carriage on a highway except in such a manner as will prevent the fall of the sand, gravel or other loose substance so carried to the ground while the vehicle is on a highway and no person shall drive or permit to be driven upon any highway any such vehicle unless the same is loaded in accordance with this byelaw.
 - d. drive any vehicle onto a highway unless he has first taken or caused to be taken such steps as are reasonably practicable to ensure that any mud, clay or other substance adhering to the wheels or tracks of the vehicle is removed.
2. In this byelaw the expression "vehicle" includes any agricultural implement or machine.

3. Every person contravening any provision of this byelaw shall be guilty of an offence and shall for every such offence be liable on summary conviction to a fine not exceeding £50.

THE COMMON SEAL of the)
Fylde Borough Council)
was hereunto affixed)
this fourth day of)
April 1979.)

Signed : R. A. Cork
Chief Executive Officer

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation on the first day of September 1979.

Signed by authority of
the Secretary of State

Signed: R.F.D. Shuffrey
An Assistant Under Secretary
of State

Home Office
LONDON SW1

14th August, 1979

Confirmed by Policy and Resources Committee on 20th
January 1986 and by Council on 27th January 1986.