

WATFORD BOROUGH COUNCIL

THE BOROUGH OF WATFORD (HIGH STREET, WATFORD) (BUS LANE) ORDER 2023

Watford Borough Council, pursuant to arrangements made under Section 19 of the Local Government Act 2000 and the Local Government (Arrangement for discharge of Functions) (England) Regulations 2000 with Hertfordshire County Council, and in exercise of powers conferred on that Council under Sections 1, 2, 4 and 5 of the Road Traffic Regulation Act 1984 ("the 1984 Act") and the Traffic Management Act 2004 Part 6, Schedules 8 and 9 and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the 1984 Act, hereby makes the following Order:

PART ONE - INTRODUCTION

CITATION

- 1.1 This Order may be cited as THE BOROUGH OF WATFORD (HIGH STREET, WATFORD) (BUS LANE) ORDER 2023 and shall come into operation on the 4th August 2023.

INTERPRETATION

- 1.2 In this Order, except where otherwise stated, any reference to an Article or Schedule shall be construed as a reference to that Article or Schedule in this Order.
- 1.3 In this Order any reference to an Act, Statutory Instrument, Regulation or Order shall be construed as a reference to that Act, Statutory Instrument or Order as amended.
- 1.4 In this Order the following expressions shall have the respective meanings assigned to them:

"Approved Device" means a device of a description specified in line with Part 1 Section of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

"Authorised Vehicle" means any vehicle which is required to access the area for the purposes of a) accessing off street areas associated with 103-105 High Street, Atria Shopping Centre and St Mary's Churchyard, b) goods vehicles accessing marked loading areas within High Street during their prescribed hours for loading or unloading, c) goods vehicles accessing marked loading areas within Market Street during their prescribed hours when unable to access by any other route;

"Bus" has the same meaning as in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;

“Bus Lane” means an area of road that may be used only by buses (or a particular description of bus), or only by buses (or a particular description of bus) and some other class or classes of vehicular traffic as provided for in Schedule 1 of this order;

“Council” means Watford Borough Council;

“Cycle”. has the same meaning as given in Section 192 of the Road Traffic Act 1988 meaning a bicycle, tricycle, or cycle having four or more wheels, not being in any case a motor vehicle

“Civil Enforcement Officer” means a person appointed in accordance with the provisions of Section 76 Traffic Management Act 2004;

“Fire & Rescue Authority” has the same meaning as given in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;

“Goods Vehicle” has the same meaning as given in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;

"Goods" means goods or burden of any description and includes postal packets of any description;

“Motor Vehicle” has the same meaning as in Section 136 of the Road Traffic Regulation Act 1984;

“NHS Ambulance” has the same meaning as given in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;

"Hackney Carriage" means a vehicle licensed under Section 37 of the Town Police Clauses Act 1847, Section 6 of the Metropolitan Carriage Act 1869 or any similar enactment;

“Loading & Unloading” applies to the delivery or collection of any goods for the purpose of delivery or collection;

"Owner" in relation to a vehicle means a person who is named in the vehicle registration document as the registered keeper of a goods or passenger vehicle or who has the use of such a vehicle in the course of his employment and who is entitled to use such a vehicle as though he were the registered keeper thereof;

“Passenger Vehicle/s” means a Motor Vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the Driver, and not drawing a trailer;

“Penalty Charge Notice” means a notice issued by an approved local authority on the person appearing to them to be the owner of the vehicle or on the person appearing to them to be the person liable to pay the charge subject to the provisions of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

“Police Vehicle” has the same meaning as given in Schedule 1 to the Traffic Signs Regulations and General Directions 2016;

“Private Hire Vehicle” means a vehicle used as a private hire and licenced under Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 or section 6 of the Private Hire Vehicles (London) Act 1988 for the purposes of setting down a passenger or collecting a passenger who has hired the vehicle in advance through an operator licensed under Section 46 of the 1996 Act of Section 4 of the 1988 Act;

“Taxi” for the purposes of this Order has the same meaning as Hackney Carriage and Private Hire Vehicle given above;

"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 Act of 1984;

“Universal Service Provider” and provision of a universal postal services has the same meaning as in Section 125 of the Postal Services Act 2000.

PART TWO – PROHIBITED MOVEMENTS

- 2.1 Save as provided by Articles 2.2 and 2.3 below, no person shall, except upon the direction or with the permission of a Police Constable in uniform or of a Civil Enforcement Officer, use a vehicle or cause or permit any motor vehicle to be in the length of road designated as a Bus Lane, as described in Schedule 1 of this order.
- 2.2 Nothing in Article 2.1 above shall prevent any person causing or permitting any Bus, Taxi, Cycle or Authorised Vehicle to enter or be in the Bus Lane as described in Schedule 1 of this order, at any time.
- 2.3 Nothing in Article 2.1 shall prevent any person causing or permitting any vehicles to be in the Bus Lane as described in Schedule 1 as the case may be, insofar as it is absolutely necessary, to enable the vehicle to be used for any of the purposes set out hereunder or to wait in the bus lane for so long as may be necessary for any of those purposes:
 - a) The removal of any vehicle or to affect emergency repairs to a vehicle so as to relieve any obstruction;
 - b) Police, Fire or Ambulance purposes;
 - c) The service of any local authority or water authority in pursuance of statutory powers or duties; or in connection with the supply of gas or electricity, or any telecommunications systems as defined in the Telecommunications Act, 1984.
- 2.4 The council will carry out civil enforcement of any contraventions of any prohibitions, restrictions or provisions of this Order by permitting the imposition

of a Penalty Charge Notice on the basis of a record produced by an Approved Device.

PART THREE – CONTRAVENTION OF ORDER

- 3.1 Where a vehicle enters or proceeds in a Bus Lane in contravention of Article 2.1 of this Order or in contravention of any provisions of this Order insofar as it relates to a vehicle proceeding in that Bus Lane, that contravention being enforceable on the basis of a record produced by an Approved Device by the Enforcement Authority by virtue of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022. The Owner of the Vehicle in question shall incur a penalty charge
- 3.2 That penalty charge shall be payable to Watford Borough Council in accordance with the instructions contained on the Penalty Charge Notice.

PART FOUR - REVOCATIONS

- 3.1 The following parts of the below named Order are hereby revoked
- (a) THE BOROUGH OF WATFORD (TOWN CENTRE, WATFORD) (PEDESTRIAN ZONES) ORDER 2018 - for the following extents as described within this Order:

Schedule	Road	Location
2	High Street Watford	Between the north western kerb line of Market Street and the north western kerb line of King Street.

Dated this 20 day of July 2023

THE COMMON SEAL of THE WATFORD)
BOROUGH COUNCIL was hereunto)

Affixed this 20 day of July 2023)

In the presence of:)
Carol Chen
CAROL CHEN

Authorised Officer
Town Hall, Watford, Herts WD17 3EX



SCHEDULE 1

Bus Lane – (Prohibition of vehicles except buses, taxis, cycles and authorised vehicles at any time).

Road	Description	Direction of Travel
High Street, Watford	From its junction with King Street in a northerly direction for a distance of 20 metres.	South to North