

WATFORD BOROUGH COUNCIL

TRAFFIC REGULATION ORDER

**THE BOROUGH OF WATFORD (VARIOUS ROADS, WATFORD) (PROHIBITION OF WAITING)
ORDER 2020**

Coming into operation on 1st February 2021

The Watford Borough Council (hereinafter referred to as "the Council"), pursuant to arrangements made under Section 19 of the Local Government Act 2000¹ and the Local Government (Arrangements for the Discharge of Functions) (England) Regulations 2012² with the Hertfordshire County Council, and in exercise of the powers conferred on that County Council under Sections 1, 2(1), 2(2) and 4 of the Road Traffic Regulation Act 1984³ ("the Act of 1984") and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act of 1984, hereby makes the following Order:-

PART I

Commencement and citation

1. This Order shall come into operation on 1st February 2021 and may be cited as the Borough of Watford (Various Roads, Watford) (Prohibition of Waiting) Order 2020.

Interpretation

2. (1) In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"bus", "local bus" and "local service" have the same meanings as given in the Traffic Signs Regulations and General Directions 2016⁴;

"disabled persons badge" has the same meaning as in The Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000⁵;

"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

"goods" means goods of any kind whether animate or inanimate and includes postal packets of any description; and "delivering" and "collecting", in relation to any goods, include checking the goods for the purpose of their delivery or collection;

"kerb-line" in relation to a restricted street shall mean that imaginary line which is the projection of the line formed by the edge of the main carriageway of the restricted street adjacent to its junction with the side in question of any other street;

"prescribed hours" means, in relation to any street specified in the Schedule to this Order, the time specified in column 4 of the Schedule in relation to that street;

¹ 2000 c.22

² S.I. 2012/1019

³ 1984 c.27

⁴ S.I. 2016/362

⁵ S.I. 2000/683

"restricted street" means any street within the Borough of Watford specified in the Schedule to this Order;

"street" includes any part of a street;

(2) For the purposes of this Order a vehicle shall be deemed to wait:

(a) in a restricted street if any point in that street is below the vehicle or its load (if any) and the vehicle is stationary; or

(b) for more than a specified period in the same place in a restricted street if any one point in that street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period.

(3) Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.

(4) Any reference in this Order to a length of street shall, unless otherwise specified, be construed as a reference to the whole width of that length of street.

(5) The Interpretation Act 1978⁶ shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(6) The restrictions, prohibitions and requirements imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.

Application of Order

3. The restrictions imposed by Part II of this Order are subject to the exceptions and exemptions set out in Part III of this Order, and any such exceptions or exemptions are subject to the provisions of Part IV of this Order.

PART II RESTRICTIONS

Restrictions applicable to streets specified in the Schedule to this Order

4. No person shall cause or permit any vehicle to wait during the prescribed hours in any restricted street except for so long as may be necessary for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street:

Provided that vehicles displaying a disabled persons badge and parking disc are exempted from the waiting restrictions specified in the Schedule to this Order for a period not exceeding three hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same road or length of road on the same day).

⁶ 1978 c.30

PART III
EXCEPTIONS AND EXEMPTIONS FROM RESTRICTIONS

Persons boarding or alighting from vehicles

5. Nothing in Article 4 of this Order shall render it unlawful to cause or permit a vehicle to wait in any restricted street for so long as may be necessary for the purpose of enabling any person to board or alight from the vehicle or to load thereon or unload therefrom his personal luggage.

Excepted vehicles

6. The restrictions imposed by Part II of this Order shall not apply in relation to the following vehicles, that is to say -

- (a) a bus used in the operation of a local service, whilst waiting at an authorised stopping place or at a terminal or turning point;
- (b) vehicles when used for fire brigade, ambulance or police purposes;
- (c) vehicles when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting.

Miscellaneous exemptions

7. (1) Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any street:-

- (a) while postal packets addressed to premises adjacent to any such street in which the vehicle is waiting are being unloaded from the vehicle, or, having been unloaded therefrom, are being delivered;
- (b) while postal packets are being collected for loading on the vehicle from premises or posting boxes in or adjacent to any such street in which the vehicle is waiting or, having been so collected, are being loaded thereon;
- (c) while the vehicle is being used in connection with any building operation, demolition or excavation in or adjacent to any such street, the removal of any obstruction to traffic in any street, the maintenance, improvement, reconstruction, cleansing or lighting of any street, the laying, erection, alteration or repair in or adjacent to any street of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity, or of any electronic communications network (as defined in the Communications Act 2003⁷), or the placing, maintenance or removal of any traffic sign, if the vehicle cannot reasonably be used for that purpose while waiting in any other place;
- (d) while any gate or other barrier at the entrance to premises, to which the vehicle requires access or from which it has emerged is being opened or closed, if it is not reasonably practicable for the vehicle to wait in any other place while such gate or barrier is being opened or closed.

(2) Nothing in Part II of this Order shall apply to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer or where the person in control of the vehicle is required by law to stop or wait or remain at rest or is obliged to do so in order to avoid an accident.

⁷ 2003 c.21

PART IV
ADDITIONAL PROVISIONS

Liability for penalty charge

8. If a vehicle waits in a restricted street without complying with the provisions of this Order, then a contravention of, or failure to comply with, the provisions of this Order shall be deemed to have occurred and the owner of the vehicle in question shall be liable for a penalty charge as set by the Council in accordance with The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and the provisions of Part 6 and Schedule 9 the Traffic Management Act 2004.

THE COMMON SEAL of THE WATFORD)
BOROUGH COUNCIL was hereunto)
affixed on this 27th day of January 2021)
in the presence of:)

AJC
ANDREW COX
GROUP HEAD OF TRANSFORMATION
Watford Borough Council



SCHEDULE 1 'No Waiting At Any Time'

Street	Side of Road	Location
Ganders Ash	north-west	(i) Between the north-eastern kerb-line of Hope Green and a point 10 metres north-east of that kerb-line. (ii) Between the south-western kerb-line of Hope Green and a point 10 metres south-west of that kerb-line.
Hope Green	north-east	Between the north-western kerb-line of Ganders Ash and a point 10 metres north-west of that kerb-line
Hope Green	south-west	Between the north-western kerb-line of Ganders Ash and a point 10 metres north-west of that kerb-line.
Southfield Avenue	south-east	Between a point 10 metres south-west of the south-western kerb-line of Westfield Avenue and a point 10 metres north-east of the north-eastern kerb-line of Westfield Avenue.
Harris Road	North	From the north-eastern kerb-line of Evans Avenue/ Harris Road to a point 10 metres east of that kerb-line
Harris Road	South	From the south-eastern kerb-line of Evans Avenue/ Harris Road to a point 10 metres east of that kerb-line
Evans Avenue	West	i) Between the north-eastern kerb line of Evans Avenue/Harris Road and a point 10 metres north of that kerb-line. ii) Between south eastern kerb line of Evans Avenue/Harris Road and a point 10 metres south of that kerb-line
East Drive	Both	From the junction of North Western Avenue with East Drive to a point 15 metres north of that point
Severn Way	Both	From the junction of Garston Crescent with Severn Way to a point 10 metres south of that point
Garston Crescent	South	i) From the western kerb-line junction of Severn Way/Garston Crescent to a point 13 metres west of that kerb-line. ii) From the eastern kerb-line junction of Severn Way/Garston Crescent to a point 2 metres east of the boundary of 5 and 7 Garston Crescent
Hemingford Road	North	From a point 6 metres east of the property boundary of 9 and 11 Hemingford Road for a distance of 40 metres on the north and western side of Hemingford Road
Hemingford Road	South	From its junction with Greenbank Road to a point 135 metres east of that point

SCHEDULE 2 (No Waiting Monday-Friday 8:00am to 9:30am & 2:30pm to 4:00pm)

Street	Side of Road	Location
Greenbank Road	East	From a point 10 metres north of the junction of The Drive/Greenbank Road to a point 30 metres north of the junction of The Drive/Greenbank Road.