

# **WATFORD BOROUGH COUNCIL**

## **TRAFFIC REGULATION ORDER**

**2020 No 849**

### **THE BOROUGH OF WATFORD (WATFORD LEISURE CENTRE - WOODSIDE AND WOODSIDE STADIUM AND PLAYING FIELDS, WATFORD) (OFF-STREET PARKING PLACE) ORDER 2020**

The Watford Borough Council, in exercise of the powers conferred under sections 32, 35, 35A and 124 to the Road Traffic Regulation Act 1984 ("the 1984 Act") and Schedule 3 of the Road Traffic Act 1991 ("the 1991 Act") and in accordance with the provisions of Part 6 of the Traffic Management Act 2004 and of all other enabling powers, and after consulting with the Chief Officer of Police in accordance with Part III of Schedule 9 to that Act, hereby makes the following Order:-

#### **Citation and commencement**

1. This Order may be cited as The Borough of Watford (Watford Leisure Centre-Woodside and Woodside Stadium and Playing Fields, Watford) (Off-Street Parking Place) Order 2020 and shall come into operation on 16<sup>th</sup> January 2020.

#### **Interpretation**

2. (1) In this Order:-

"access way" means an access way that enables vehicles to gain access to or egress from a parking place;

"civil enforcement officer" means a civil enforcement officer appointed by the Council under section 76 of the Traffic Management Act 2004;

"coach" means a motor vehicle constructed or adapted to carry more than 8 passengers in addition to the driver;

"Council" means Watford Borough Council and includes any parking services contractor or authorised agent appointed by and acting on behalf of the Council for the purposes of any function or provision provided under the provisions of this Order;

"designated officer" means an officer of the Council nominated by the Head of Regeneration and Development or equivalent to carry out Council functions associated with the provisions of this Order;

"disabled person's badge" has the same meaning as in regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;

"driver" in relation to a vehicle waiting in the parking place, means the person driving the vehicle at the time it was left in the parking place;

"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 carrying vehicle" means a motor vehicle which is constructed or adapted for use for the carriage of goods or burden of any description and is not drawing a trailer;

"invalid carriage" has the same meaning as in section 136(5) of the 1984 Act;

"loading area" means an area within the parking place or part thereof which is provided solely for the purpose of loading or unloading a vehicle and is indicated as such by signs or markings placed on the surface of the car park;

"minibus" means a motor vehicle which is constructed to carry more than 8 but not more than 16 seated passengers in addition to the driver;

"motor cycle" means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 4 wheels, of which the weight unladen does not exceed 410 kilograms;

"operating times" in relation to the Parking place, means the days and times specified in column 4 and 5 of the schedule 1 and 2, excluding any time during which the parking place is either closed, suspended or reserved under the provisions of Article 9.

"Order maps" means the drawing numbers **WBC/TRO/849/JY/01a** and **WBC/TRO/849/JY/01b** which accompanies this Order;

"owner", in relation to a vehicle, means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Exercise and Registration Act 1994 (c.22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered;

"parking bay" means any area within the parking place or part thereof which is provided for the leaving of one vehicle only at a time, unless specifically provided for more than one vehicle, and is indicated as such by markings placed on the surface of the parking place to show the limits of each individual parking bay;

"parking place" means the Watford Leisure Centre – Woodside (Lower Car Park) and Woodside Stadium and Playing Fields Car Park(Upper Car Park) which is depicted on the Order maps, being an area of land, including any access way, that is provided by the Council under section 32 of the 1984 Act for use as an off-street parking place;

"Particulars", in relation to a ticket, means those particulars which indicate the date and time at which the ticket was issued and the date and time at which the parking period expires;



“passenger vehicle” means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;

“permit” means a permit issued under the provisions of Article 10;

“permit holder” means a person to whom a permit has been issued under the provisions of Article 10;

“relevant position” means –

- (a) in relation to the display on a vehicle of a disabled person’s badge, when it is displayed in accordance with the provisions of Regulation 4 of the Local Authorities’ Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000;
- (b) in relation to the display on a vehicle of a valid permit, on the front or nearside of the vehicle as specified in relation thereto in the definition of “valid” hereafter;

“solo motor cycle” means a mechanically propelled vehicle (not being an invalid carriage) with fewer than 3 wheels, of which the weight unladen does not exceed 410 kilograms;

“Ticket” means a ticket issued by a ticket parking meter in accordance with Article 6(1) which indicates the date and time at which the parking period starts and the time at which that parking period expires;

“Ticket Machine” means an apparatus or device installed in the parking place which, for the purposes of this Order, is designed to issue ticket.

“valid”, in relation to a disabled person’s badge means that –

- (a) the badge is clearly displayed in the relevant position on the vehicle left in the parking place; and
- (b) the date of expiry of the badge has not elapsed;

“valid”, in relation to a permit means that –

- (a) the permit is clearly displayed on the dashboard or fascia of the vehicle; or
- (b) where the vehicle is not fitted with a dashboard or fascia, the permit is displayed in a conspicuous position on the vehicle so that the front of the permit is clearly legible from the outside of the vehicle; and
- (c) the date of expiry of the permit has not elapsed or that the permit has

not been surrendered or withdrawn.

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

(3) Any reference in this Order to a numbered Article shall, unless the context otherwise requires, be construed as a reference to the Article bearing that number in this Order.

### **Use of the parking place during operating times**

3. The parking place may only be used, subject to the provisions of this Order, for the parking of such classes of vehicles, during such operating times and for such parking period as are specified in columns 2, 3, 4 and 5 respectively of the schedules.

### **Conditions of use of the parking place during its operating times**

4. During the operating times of the parking place-

(a) No person shall cause or permit any vehicle to enter or be left in the parking place or part thereof unless the vehicle is of a class specified in column 3 of the schedule1 and 2:

Provided that nothing in this paragraph shall apply in relation to a vehicle being used for fire brigade, ambulance or police purposes, or in the service of the Council whilst being used in pursuance of statutory powers or duties

(b) No person shall cause or permit any vehicle to be left in the parking place other than wholly within the limits of either a parking bay, loading area or solo motor cycle area, as appropriate;

(c) where there is a sign or surface marking within or adjacent to a parking bay indicating that the parking bay may be used only by –

(i) vehicles displaying a disabled person's badge, no person shall leave any vehicle in that parking bay other than a vehicle displaying a valid disabled person's badge in the relevant position;

(ii) vehicles displaying a permit, no person shall leave any vehicle in that parking bay other than a vehicle displaying a valid permit in the relevant position;

(iii) solo motor cycles, no person shall leave any vehicle in that parking bay other than a solo motor cycle;



- (iv) Coaches, no person shall leave any vehicle in that parking bay other than a coach;
- (v) Minibus, no person shall leave any vehicle in that parking bay other than a minibus;
- (d) where there is a sign or surface marking within the parking place indicating that an area may only be used for the purpose of loading and unloading a vehicle, no person shall leave any vehicle in that area other than for the purposes of such loading and unloading;
- (e) Where in the parking place signs or surface markings are placed for the purpose of indicating –
  - (i) the entrance to or exit from the parking place, no person shall cause or permit any vehicle to enter the parking place other than by that entrance so indicated or to leave the parking place other than by the exit so indicated;
  - (ii) the direction in which or the speed at which a vehicle shall proceed, no person shall cause or permit any vehicle to proceed in the parking place otherwise than in the direction or at the speed indicated, as the case may be;
- (f) No person shall cause or permit any vehicle to be left in the parking place so as to cause an obstruction;
- (g) No person shall cause or permit any vehicle to be left or to wait at any time, including waiting for the purposes of loading or unloading that vehicle, in the parking place or access way, otherwise than in a parking bay or loading area.
- (h) A vehicle left in a parking place shall at all times display on either the dashboard or facia, or where the vehicle is fitted with a ticket holder on the windscreen, in that ticket holder, or where there is no dashboard or fascia, in a conspicuous position on the front of the vehicle a valid ticket or permit issued under the provisions of 6, so that all the particulars on that vehicle are readily visible from outside the vehicle:

Provided that nothing in this paragraph shall apply in relation to a vehicle which is left in the parking place or part thereof without displaying a valid ticket because all the ticket machines in the parking place are out of Order;

- (i) A ticket shall not be transferred from one vehicle to another and shall only be valid in the parking place being the parking place in which the ticket machine that issued the said ticket is installed;

- (j) No vehicle which has been left in the place specified in schedule 1 and is subsequently taken away from the parking place, shall again be left in the parking place unless a period exceeding 1 hour has elapsed from the time the vehicle was taken away.

Provided that nothing in this paragraph shall apply in relation to a vehicle which is displaying a valid permit

### **Display of tickets on vehicles left in the parking during the operational times**

5. (1) Upon leaving a vehicle in the Parking place during the operating times specified in the schedules, the driver of the vehicle shall obtain a ticket from the ticket machine installed in the parking place by in putting their full vehicle registration number.
- (2) Upon obtaining a ticket in the manner specified in paragraph (1) of this article, the driver of the vehicle shall display or cause or permit to be displayed on the vehicle in accordance with the provisions of paragraph 3 of this Article , the ticket issued by the ticket machine.
- (3) The ticket referred to in paragraph (1) of this Article shall be displayed on the vehicle in respect of which it was issued, either on the dashboard or fascia of the vehicle or where there is no dashboard or fascia, in a conspicuous position on the front of the vehicle at all times during which that vehicle is left in the parking place during the operating times so that all particulars on that ticket are readily visible from outside the vehicle.

### **Indications by ticket and ticket machines**

6. Where a ticket has been obtained from a ticket machine and displayed in accordance with Article 5(3), the expiry of the parking period in respect of a vehicle left in the parking place during the operating times shall be indicated when there is displayed on the vehicle a ticket showing the date and time at which the parking period expired and the date so shown is not the date on which the vehicle is so left or the time shown on the clock of the ticket machine that issues the ticket is later than the time at which the parking period expired as shown on that ticket.

### **Ticket and ticket machine indications as evidence**

7. (1) Subject to the provisions of Article 4(h), if at any time while a vehicle is left in the parking place during the operating times, no ticket is displayed on that vehicle in accordance with the provisions of Articles 5(2) and 5(3), it shall be presumed that a ticket has not been obtained in accordance with Article 5(1).
- (2) If at any time while a vehicle is left in the parking place during the operating times, the ticket displayed on the vehicle in accordance with the provisions of Article 5(2) and (3) shows a date that is not the date on which



the vehicle is left or the time shown by the clock on the ticket machine that issued the ticket is later than the time at which the parking period expired as shown on the ticket, it shall be presumed that the parking period has expired.

(3) If it is presumed, in accordance with the provisions of paragraph (1) of this Article that a ticket has not been duly obtained, or in accordance with paragraph (2) of this Article that the parking period has expired, then these indications shall be evidence that a contravention of or a failure to comply with the provisions of this Order has occurred for the purpose of Article 17.

(4) A ticket shall be presumed in all cases to have been issued on the date shown thereon.

### **No Further Tickets Displayed**

8. (1) Where on the leaving of a vehicle in the parking place a ticket has been obtained from a ticket machine in respect of that vehicle and that ticket has been displayed on that vehicle by the way of procuring a further parking period in respect of that vehicle so as to extend the parking period beyond that originally sought.

(2) No additional ticket or tickets shall be displayed on a vehicle while it is in the parking place other than the ticket originally displayed on that vehicle at the time of the vehicle was first left in the parking place for that particular period of parking.

### **Restriction on the removal of tickets**

9. Where a ticket has been displayed on a vehicle in accordance with the provisions of Article 5(2) and (3), no person, other than the driver of the vehicle shall remove the ticket from the vehicle unless authorised to do so by the driver of the vehicle:

Provided that nothing in this Article shall apply in relation to a civil enforcement officer or an officer of the Council or a representative of the authorised agent who removes the ticket in the process of the vehicle being removed in accordance with Article 13.

### **General Conditions on using**

10. During the hours of operation of the parking place as specified in columns 4 and 5 of Schedules 1 and 2 no person shall cause or permit any vehicle to be left in a parking place unless displaying a valid permit issued by the Council under the provisions of Article 16 or a ticket issued by a ticket machine under the provisions of Article 5.

11. No person shall cause or permit a vehicle to wait longer than the maximum period specified in column 6 of Schedule 1 and 2.

#### **Movement of a vehicle in the parking place**

12. A civil enforcement officer may, in an emergency, move, cause or permit to be moved any vehicle left in the parking place to any place they think fit.

#### **Removal of a vehicle from the parking place**

13. (1) Where a civil enforcement officer is of the opinion that any of the provisions of this Order have been contravened or not complied with, they may remove or cause or permit to be removed the vehicle from the parking place and where it is so removed, shall provide for the safe custody of the vehicle.

(2) Where a vehicle has been removed from the parking place in accordance with the provisions of paragraph (1) of this Article, a fee shall be payable to the Council in respect of the removal of that vehicle and a daily charge shall be payable in respect of the storage of that vehicle.

#### **Installation of Machines and Signage**

14. The Council shall:

- (a). Install and maintain in proper working order, a ticket machine or machines in such position or positions as they think fit within the parking place;
- (b). Cause the limits of each parking bay to be indicated on the surface of the parking place, by replacing and maintaining bay markings and thereon;
- (c). Install signs in the parking place indicating the conditions of use of the parking place and the parking periods that apply in the parking place as imposed by the provisions of this Order;
- (d). Carry out such other work as is reasonably required for the purposes of the satisfactory operation of the parking place

#### **Closure or suspension of the parking place or any part thereof**

15. (1) The Council may by notice or sign displayed at or near the parking place close, suspend or reserve for particular vehicles the use of the parking place or any part thereof for any purpose.

(2) No person shall cause or permit any vehicle to be in the parking place or any part thereof if there is a notice or sign indicating that the use of the parking place or part thereof is closed, suspended or reserved for particular vehicles:



Provided that nothing in this sub-paragraph shall apply in relation to a vehicle in respect of which the parking place or part thereof has been reserved.

### **Permits for the use of the parking place**

16. (1) Subject to such terms and conditions as the Council shall think fit, they may issue a permit to employees of Watford leisure centre, Woodside or to contractors of the Leisure Centre for the leaving during the operating times in any parking bay identified in schedule 1 to this Order

(2) A permit shall be valid for such period as the Council shall think fit, but in any event no longer than a period of twelve months running from the date the permit first becomes valid.

(3) The Council may either issue a permit free of charge or may make such a charge as appears to be reasonable in the circumstances of each application.

(4) A permit holder who surrenders a permit to the Council whether before or after it becomes valid, shall not be entitled to a refund of any charges paid, unless the Council in its discretion considers that there are exceptional circumstances to justify refunding that charge, either in full or in part.

(4) The Council may by notice in writing served on the permit holder by sending the same by recorder delivery service or similar to the permit holder at the address shown by that person on the application for the permit or any other address believed to be that person's place of abode, withdraw a permit if it appears to the Council that there are sufficient reasons to justify such withdrawal having regard to the circumstances of the permit holder, so far as they may be known, and the permit holder shall surrender the permit within 48 hours of receipt of the aforementioned notice.

(5) A permit shall be in writing and shall include the following particulars –

- (a) the registration mark of the vehicle in respect of which the permit was issued unless, at the discretion of the Council, the permit is issued as an open permit;
- (b) the period during which the permit shall remain valid;
- (c) an indication that the permit has been issued by the Council; and
- (d) an indication of the car park or parks within which it is valid.

### **Contravention of this Order**

17. (1). If a vehicle is left in the parking place at any time, without complying with the provisions of this Order, then a contravention of or a failure to comply with the provisions of this Order shall be deemed to have occurred and a penalty

charge shall be payable.

(2). In the case of a vehicle in respect of which a penalty charge is payable, a penalty charge notice showing the information required by Section 66 (3) of the Traffic Management Act 2004 may be issued by a civil enforcement officer in uniform in accordance with the requirement of section 66(1) of the said Act.

### **Other supplementary provisions**

18. (1) The driver of a motor vehicle using the parking place shall stop the engine as soon as the vehicle is in position in the parking place and shall not start the engine again except when about to change the position of the vehicle in or to depart from the parking place.

(2) No person shall, except with the permission of a designated officer, use a vehicle while it is in the parking place, in connection with the sale of any article to persons in or near the parking place (except in a demonstration of goods given with the express consent of the Council at which no sale takes place) or in connection with the selling or offering for hire of that person's skills or services.

(3) No person shall use any part of the parking place or any vehicle left in the parking place –

(a) for sleeping or camping or cooking purposes;

(b) for the purpose of servicing or washing any vehicle or part thereof other than is reasonably necessary to enable that vehicle to depart from the parking place.

(4) No person shall, except with the permission of a designated officer, allow a vehicle to be left in the parking place overnight, outside the opening and operating times.

(5) The driver of a motor vehicle using the parking place shall not sound any horn or similar instrument except when about to change the position of a vehicle in or to depart from the parking place.

### **REVOCATIONS**

19. The provisions of **“THE BOROUGH OF WATFORD (WATFORD LEISURE CENTRE - WOODSIDE AND WOODSIDE STADIUM AND PLAYING FIELDS, WATFORD) (OFF-STREET PARKING PLACE) ORDER 2013”** are hereby revoked but only in so far as they are affected by the provisions of this Order.



THE COMMON SEAL of THE WATFORD)  
BOROUGH COUNCIL was hereunto )  
Affixed on this 9<sup>th</sup> day of January 2020 )  
In the presence of: )

NAZMA AMALOU

HEAD OF LEGAL SERVICES  
~~Group Head of Democracy and Governance~~



506837/20

VERIFIED	
MIN No	Delegated Authority Anely Smith
O/O S/H	19/1/20 HS

**SCHEDULE 1 –LONG STAY (PERMIT HOLDERS) OR SHORT STAY (OBTAIN AND DISPLAY) PARKING AREAS**  
**LOWER CAR PARK**

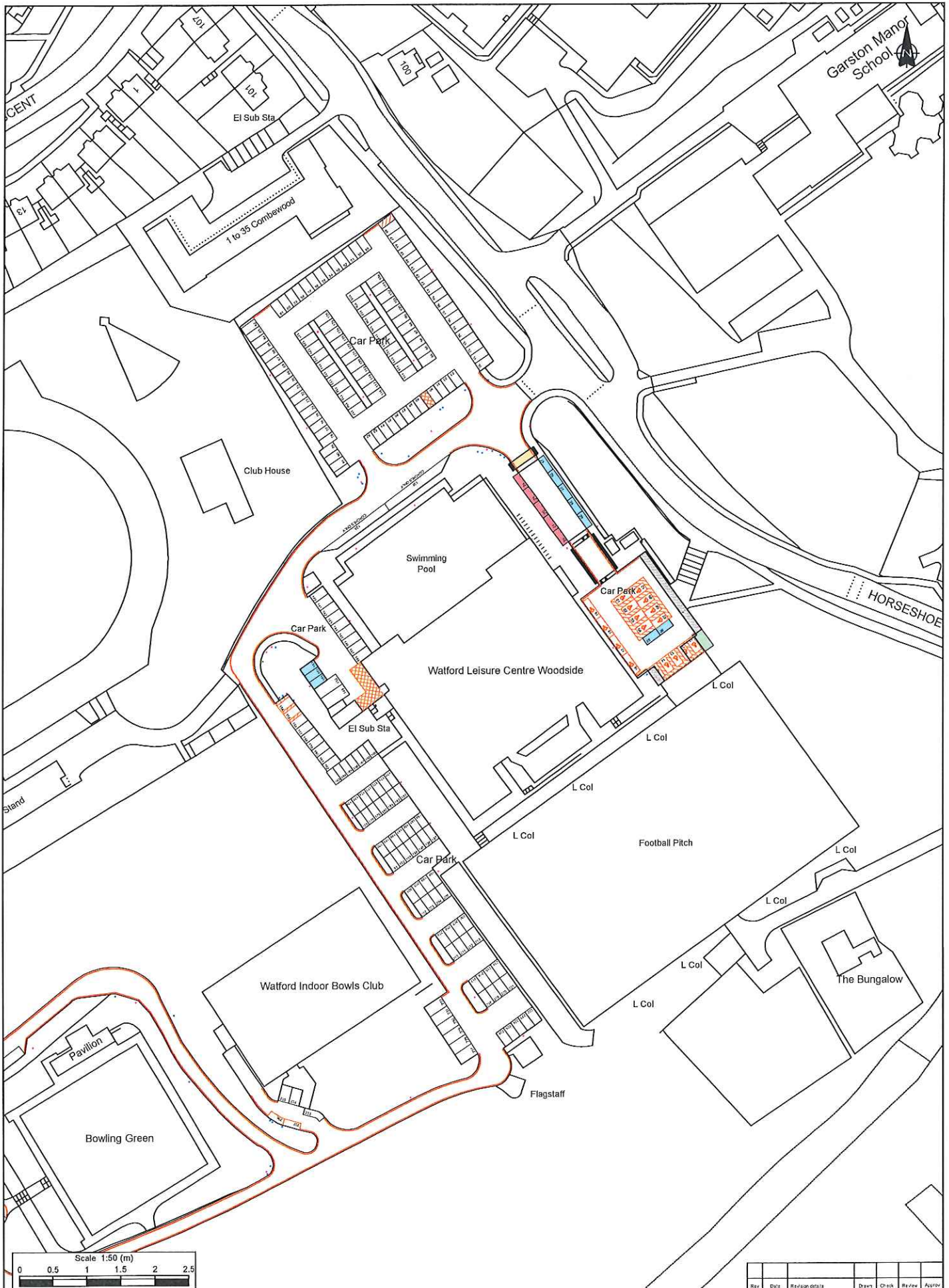
Name of Parking Place	Position in which a vehicle may wait	Classes of vehicles	Days of operation of parking place	Hours of operation of parking place	Maximum Period for which vehicles may wait	Charge payable for each period of waiting	Season Tickets (Mon to Sun Inclusive)
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>Watford Leisure Centre, Woodside</b>  <b>Permit Holder or Obtain and display parking bays.</b>  Comprises of parking bays 05, 06, 25-153, 156 – 232 inclusive as shown on drawing number WBC/TRO/849/JY/01a	Wholly within a parking bay	(i) Motor cars within the provisions of s.136 (2)(a) of the 1984 Act. (ii) Motor cycles with side cars (iii) Invalid Carriages; disabled persons vehicles.	Mondays- Sundays	Monday to Friday 6.30am-10.30pm  Saturday and Sunday 7.30am to 8.00pm	Maximum stay 4hours No return within 1hr for obtain and display  Or 24 hours for Permit Holders	Non Specified	None Specified
<b>Watford Leisure Centre, Woodside</b>  <b>Obtain and display Disabled Parking bays</b>  Comprises of parking bays 01-19 inclusive and 154 and 155 as shown on drawing number WBC/TRO/849/JY/01a	Wholly within a parking bay	(i) Motor cars within the provisions of s.136(2)(a) of the 1984 Act. (ii) Motor cycles with side cars (iii) Invalid Carriages; disabled persons vehicles.	Mondays- Sundays	Monday to Friday 6.30am-10.30pm  Saturday and Sunday 7.30am to 8.00pm	Maximum stay 4hours No return within 1hr Obtain and display	Non Specified	None Specified



<b>Watford Leisure Centre , Woodside</b>	Wholly within a parking bay	(i) Motor cars within the provisions of s.136(2)(a) of the 1984 Act. (ii) Motor cycles with side cars (iii) Invalid Carriages; disabled persons vehicles.	Mondays-Sundays	Monday to Friday 6.30am-10.30pm  Saturday and Sunday 7.30am to 8.00pm	Maximum stay 20 minutes No return within 1hr	None Specified	None Specified
<b>Pick-ups and drop off parking bays</b>							
Comprises of parking bays 20-24 inclusive as shown on drawing number WBC/TRO/849/JY/01a							

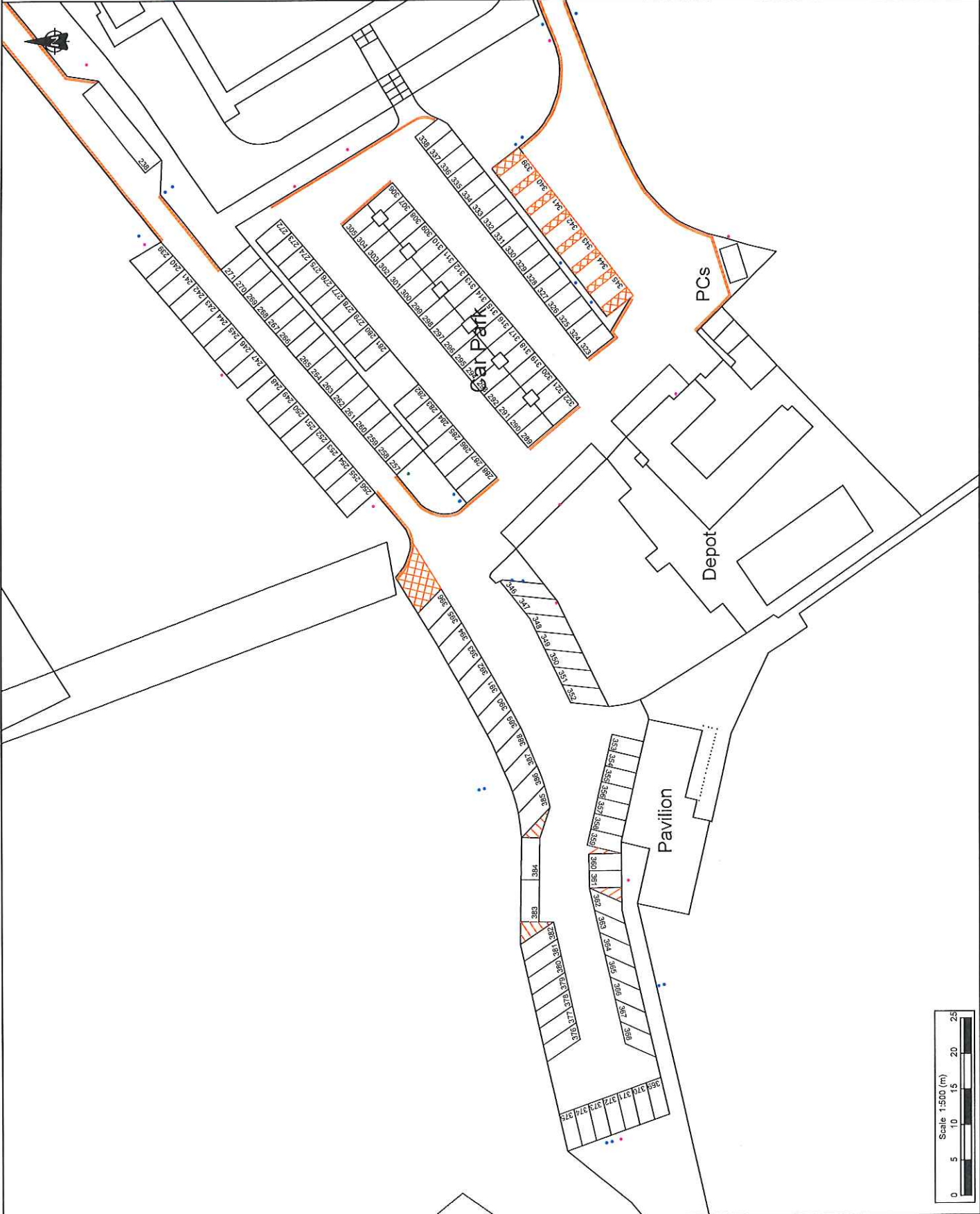
**SCHEDULE 2 – LONGSTAY PARKING AREAS**  
**UPPER CAR PARK**

Name of Parking Place	Position in which a vehicle may wait	Classes of vehicles	Days of operation of parking place	Hours of operation of parking place	Maximum Period for which vehicles may wait	Charge payable for each period of waiting	Season Tickets (Mon to Sun Inclusive)
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>Woodside Stadium and Playing Fields</b>	Wholly within a parking bay	(i) Motor cars within the provisions of s.136(2)(a) of the 1984 Act. (ii) Motor cycles with side cars (iii) Invalid Carriages; disabled persons vehicles.	Mondays-Sundays	Monday to Friday 6.30am-10.30pm  Saturday and Sunday 7.30am to 8.00pm	24 hours	Non Specified	None Specified
Comprises of parking bays 233- 237 inclusive as shown on drawing number WBC/TRO/849/JY/01a  and 238-396 inclusive as shown on drawing number WBC/TRO/849/JY/01b							



<b>SYSTRA</b> 5 Old Bailey London EC4A 3DF E: uk_london@systra.com W: www.systra.co.uk		Client	 <b>WATFORD</b> Football Club		Project	Watford Leisure Centre Woodside		Title	Parking Layout Short Stay Parking	
Drawn: MIE Original drawing size: A3		Checked: MH Date of issue: 16/08/2019		Reviewed: Reviewed Scale: 1:500		Approved: Approved Drawing Status: Information		Drawing Number: WBC/TRO/849/JY/01a		Rev
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Key:

— Item 1

■ Item 2

■

Rev	Date	Revision details	Drawn	Checked	Reviewed	Approved

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Client: 

Project: Watford Leisure Centre Woodside

Title: Parking Layout  
Long Stay Parking

Drawn	MIE	Checked	MH	Reviewed	REV	Approved	APP
Original file no.	A3	Date	15/08/2019	Scale	1:500	Information	Information
Drawing Number	WBC/TRO/849/JY/01b						
Rev.	-						

