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## STATUTORY INSTRUMENTS

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# 1991 No. 1220

## The Planning (Northern Ireland) Order 1991

### PART IX

#### ROADS

##### Provision of amenity for road reserved to pedestrians

**101**<sup>F1</sup>.—(1) Where in relation to a road an order has been made under Article 100, the Department may carry out and maintain any such works on or in the road, or place on or in it any such objects or structures, as appear to it—

- (a) to be expedient for the purposes of—
    - (i) giving effect to the order;
    - (ii) enhancing the amenity of the road and its immediate surroundings; or
    - (iii) providing a service for the benefit of the public or a section of the public; or
  - (b) to be otherwise desirable for a purpose beneficial to the public.
- (2) The powers exercisable by the Department under this Article shall extend to—
- (a) laying out any part of the road with lawns, trees, shrubs and flower beds;
  - (b) providing toilet facilities and facilities for recreation or refreshment;
  - (c) providing trading kiosks and deriving income therefrom; and
  - (d) providing directional maps or plans.

[<sup>F2</sup>(2A) The Department may sell, let or otherwise dispose of any trading kiosk placed by it in a road under this Article to any other person.]

(3) The Department may so exercise its powers under this Article as to restrict the access of the public to any part of the road, but shall not so exercise them as—

- (a) to prevent persons from entering the road at any place where they could enter it before the order under Article 100 was made; or
- (b) to prevent the passage of the public along the road; or
- (c) to prevent normal access by pedestrians to premises adjoining the road; or
- (d) to prevent any use of vehicles which is permitted by an order made under that Article and applying to the road; or
- (e) to prevent statutory undertakers from having access to any works of theirs under, in, on, over, along or across the road.

(4) An order under Article 100(6) may make provision requiring the removal of any obstruction of the road resulting from the exercise by the Department of its powers under this Article.

(5) A district council may, with the consent of the Department, exercise any of the powers of the Department under this Article.

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**Changes to legislation:** The Planning (Northern Ireland) Order 1991, Section 101 is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- F1** functions transferred SR 1999/481
- F2** [1993 NI 15](#)

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 para. 1(1A)(1B) inserted by [S.I. 2006/1252 \(N.I.\) art. 8\(2\)](#)
- art. 4(2A) inserted by [S.I. 2006/1252 \(N.I.\) art. 4\(1\)](#)
- art. 11(2A) inserted by [S.I. 2006/1252 \(N.I.\) art. 7](#)
- art. 20(2A)(2B) inserted by [S.I. 2006/1252 \(N.I.\) art. 8\(1\)](#)
- art. 124(1)(o) added by [S.I. 2006/1252 \(N.I.\) art. 27\(3\)](#)