

2012 No. 202

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads (Belfast City Centre) Order
(Northern Ireland) 2012**

Made - - - - - *17th May 2012*

Coming into operation - *8th June 2012*

The Department for Regional Development^(a) makes the following Order in exercise of the powers conferred by Articles 10(4) and 13(1), (9), (10), (12), (13), (16) and 15(1) of, and paragraph 5 of Schedule 4 to, the Road Traffic Regulation (Northern Ireland) Order 1997^(b) and now vested in it^(c).

It appears to the Department to be necessary to provide suitable parking places for vehicles on the lengths of road specified in Schedules 1, 3, 4, 5 and 6.

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 to the Road Traffic Regulation (Northern Ireland) Order 1997.

The Department has published a Notice in compliance with paragraphs 1 and 3 of that Schedule.

The Department, in compliance with paragraph 3(4) of that Schedule has taken such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking places the particulars specified in paragraph 3(2) of that Schedule.

Two objections were received and subsequently withdrawn and one objection was received and duly considered.

The Department has modified the draft Order.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Parking Places on Roads (Belfast City Centre) Order (Northern Ireland) 2012 and shall come into operation on 8th June 2012.

(2) In this Order—

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(b) S.I. 1997/276 (N.I. 2)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

“medical practitioner” means a registered person within the meaning of the Medical Act 1983(a);

“parking place” means a length of road authorised by Article 2 to be used as a parking place;

“parking space” means a space which is marked out in a parking place for the leaving of a vehicle;

“permit authority” means the Department or a person contracted by the Department to undertake its functions in relation to the issue, surrender and revocation of permits;

“permit holder” means the person to whom a permit has been issued under the provisions of Articles 11 and 12;

“permitted vehicle” means a motor car, light goods vehicle or motor cycle;

“postal packet” means a letter, parcel, packet or other article transmissible by post as defined in section 125 of the Postal Services Act 2000(b);

“specified hours” means the hours between 9.30 a.m. to 3.30 p.m. on all days;

“statutory undertaker” means—

(a) the railway undertaking within the meaning of the Transport Act (Northern Ireland) 1967(c); or

(b) any body or person authorised by any statutory provision to carry out any harbour or dock undertaking; and

“universal service provider” has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

Authorisation of a parking place

2. The use as a parking place of the length of road specified in Schedule 1 during the specified hours is authorised.

Position within a parking place

3. Save as provided in Article 10, a person shall not leave or cause a vehicle to be left in the parking place unless it is wholly within a parking space where such has been marked out.

Suspension of the use of a parking place

4. The Department may suspend the use of the parking place or any part of it for so long as may be necessary for the purpose of enabling—

(a) a vehicle, if it cannot conveniently be used for such purpose outside the parking place, to be used in connection with any of the following purposes—

(i) building, repair or demolition operations, including works to property adjacent to the parking place;

(ii) the removal of any obstruction to traffic;

(iii) the cleansing, maintenance, improvement or reconstruction of the road;

(iv) the laying, erection, alteration or repair in, or in land adjacent to the road, of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of electronic communication apparatus as defined in Schedule 2 to the Telecommunications Act 1984(d);

(b) the implementation of any traffic management scheme; or

(a) 1983 c. 54

(b) 2000 c. 26

(c) 1967 c. 37 (N.I.)

(d) 1984 c. 12 as amended by 2003 c. 21 Schedule 3 para. 2(2)

- (c) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(a) to be executed.

Prohibition of the use of a suspended parking place

5. A person not using a vehicle in connection with any of the undertakings specified in Article 4 shall not leave or cause that vehicle to be left in the parking place where the use of the parking place has been suspended by the Department in accordance with that Article.

Removal of a vehicle in an emergency

6. A person authorised by the Department may remove a vehicle from the parking place in an emergency.

Method of removal of a vehicle

7. Any person removing a vehicle by virtue of Article 6 may do so by towing or driving the vehicle or in such other manner as is reasonably necessary and may take such measures as are reasonably necessary to enable the person to remove it.

Custody of a vehicle

8. When a person authorised by the Department removes or makes arrangements for the removal of a vehicle from the parking place by virtue of Article 6 the person shall make such arrangements as may be necessary for the safe custody of the vehicle.

Restricted use of a parking place

9. The driver of a vehicle may use the parking place during the specified hours provided a valid permit is displayed in accordance with Article 13.

Exceptions

10. Nothing in Articles 3 and 9 shall render it unlawful to leave or cause a vehicle to be left in the parking place during the specified hours where the person in control of it is acting upon the direction or with the permission of a constable in uniform or is prevented from proceeding by circumstances beyond that person's control or to avoid an accident or for so long as may be reasonably necessary to enable—

- (a) a person to board or alight from a vehicle provided that such boarding or alighting does not cause the vehicle to be left in that parking place for more than 2 minutes;
- (b) the vehicle to be used in an emergency by a medical practitioner, or for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;
- (c) the vehicle to be used by or on behalf of a universal service provider for the purposes of the delivery to, or collection from, premises situated adjacent to the parking place of postal packets;
- (d) the vehicle, if it cannot reasonably be used for such purpose outside that parking place, to be used—
 - (i) in connection with any building, repair or demolition operations;
 - (ii) in connection with the removal of any obstruction to traffic;
 - (iii) by or on behalf of a district council, a government department or a statutory undertaker in pursuance of statutory powers or duties;

(a) S.I. 1995/3210 (N.I. 19)

- (iv) by or on behalf of a sewerage undertaker or water undertaker in connection with the discharge of that undertaker's functions;
 - (v) in connection with the discharge of the functions of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992^(a) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996^(b); or
 - (vi) in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984; or
- (e) goods to loaded or unloaded from the vehicle.

Permits

11.—(1) A person may apply to the permit authority for the issue of a permit for the parking of a permitted vehicle within the parking place.

(2) Any such application shall be made on a form issued by or obtainable from the permit authority and shall be completed by including all the necessary information.

(3) The permit authority shall require an applicant for a permit to produce to an officer of the permit authority such evidence in respect of the application as they may reasonably require to verify any particulars or information given to them or in respect of any permit issued by them as they may reasonably require to verify the permit is valid.

(4) On receipt of an application duly made under the foregoing provisions of this Article, the permit authority, upon being satisfied that the issue of a permit is justified in the case of that particular application, may issue to that applicant a permit for the parking of a permitted vehicle during the specified hours.

(5) A permit shall remain the property of the Department at all times.

(6) A permit shall be in the form specified in Schedule 2 and shall include the particulars specified in paragraph 7.

(7) The particulars referred to in paragraph 6 are as follows—

- (a) the permit number;
- (b) the location; and
- (c) the expiry date.

Replacement of permits

12.—(1) If a permit becomes mutilated, defaced or the figures or particulars on it have become illegible or the colour of the permit has become altered by fading or otherwise, the permit holder shall surrender it to the permit authority and may apply to the permit authority for the issue of a replacement permit.

(2) If a permit is lost, stolen or destroyed, the permit holder may apply to the permit authority for the issue of a replacement permit.

(3) The provisions of this Order shall apply to a replacement permit and in the application for a replacement permit to replace a stolen permit, the application must be accompanied by a police crime reference number.

Display of permits

13.—(1) Subject to Article 10 and as provided in paragraph (2), at all times during which a vehicle is left in the parking place specified in Schedule 1 during the specified hours, there shall

(a) S.I. 1992/231 (N.I. 1)
(b) S.I. 1996/275 (N.I. 2)

be displayed in the manner described in paragraph (2) a valid permit issued in respect of that vehicle.

(2) The manner of display of a permit referred to in paragraph (1) shall be—

- (a) in the case of a vehicle which is fitted with a transparent windscreen—
 - (i) on the inside surface of the windscreen on the nearside so that particulars recorded on the front of the permit can be entirely and easily seen by a person standing at the front or side of the vehicle;
 - (ii) on a side window facing the kerb so that the particulars recorded on the front of the permit can be entirely and easily seen by a person standing at the side of the vehicle;
or
 - (iii) on the dashboard area immediately below the windscreen so that the particulars recorded on the front of the permit can be entirely and easily seen by a person standing at the front or side of the vehicle;
- (b) in the case of a vehicle which is not fitted with a transparent windscreen—
 - (i) in a vehicle-mounted disc holder on the front of the vehicle so that the particulars recorded on the front of the permit can be entirely and easily seen by a person standing in front of the vehicle.

Validity of permits

14. A permit shall be valid on a particular day only if that day is before the expiry date shown on the displayed permit and is in use at the location shown on the permit.

Surrender and revocation of permits

15.—(1) A permit holder may surrender a permit to the Department at any time and shall surrender the permit to the Department within 48 hours of the occurrence of one of the events set out in paragraph (3).

(2) The Department may serve on the permit holder a notice revoking a permit if it appears to the Department that one of the events set out in paragraph (3) has occurred, and the permit holder shall surrender the permit to the Department within 48 hours of receipt of that notice.

(3) The events referred to in the foregoing provisions of this Article are—

- (a) the permit holder failing to surrender the permit in accordance with its terms and conditions of use; and
- (b) the vehicle on which a permit is displayed is being used in such a manner that it is not a permitted vehicle.

(4) The notice referred to in paragraph (2) shall be issued within 14 working days of the provisions outlined in paragraph (3) being brought to the Department's attention.

(5) A permit shall cease to be valid on the occurrence of any one of the events set out in paragraph (3) or if it is revoked under paragraph (2).

Amendments

16. The Loading Bays on Roads Order (Northern Ireland) 2007^(a) shall be amended by the addition to Schedule 1 of the items set out in Schedule 3 to this Order.

(a) S.R. 2007 No. 270 relevant amending Order is S.R. 2012 No. 80

17.—(1) The Parking Places (Disabled Persons’ Vehicles) Order (Northern Ireland) 2006(a) shall be amended in accordance with paragraphs (2) to (9).

(2) In Article 2 (authorisation of parking places) for the words “Schedules 1, 2, 3, 4, 5, 6, 7 and 8” substitute “Schedules 1, 2, 3, 4, 5, 6, 7, 8 and 9”.

(3) For Article 3 substitute the following Article—

“**3.** Except as set out in Article 4, or where a parking place has been suspended in accordance with Article 5, a vehicle other than a disabled person’s vehicle shall not wait in a parking place—

- (a) specified in Schedules 1, 2, 3, 4, 6, 7 or 8;
- (b) specified in Schedule 5 between the hours of 9.00 a.m. and 5.00 p.m. on any day from Monday to Friday;
- (c) specified in Schedule 9 between the hours of 11.00 a.m. and 6.00 p.m. on any day.

(4) After Article 3AE insert the following Article—

“**3AF.** Except as set out in Article 4, the driver of a disabled persons’ vehicle shall not permit it to wait in a parking place specified in Schedule 9 for longer than 3 hours between the hours of 11.00 a.m. and 6.00 p.m. on any day.”

(5) After Article 3G insert the following Article—

“**3H.** Except as set out in Article 4, where a disabled persons’ vehicle has waited in a parking place specified in Schedule 9 between the hours of 11.00 a.m. and 6.00 p.m. on any day, then the driver of that vehicle shall not permit it to return to that parking place until the period of 1 hour has elapsed since the previous period of waiting or until 6.00 p.m., whichever is the shorter period.”

(6) In Article 4 (exceptions) for the words “Articles 3, 3A, 3AA, 3AB, 3AC, 3AD, 3AE, 3B, 3C, 3D, 3E, 3F and 3G” substitute “Articles 3, 3A, 3AA, 3AB, 3AC, 3AD, 3AE, 3AF, 3B, 3C, 3D, 3E, 3F, 3G and 3H”.

(7) Add to Schedule 1 the items set out in Schedule 4 to this Order.

(8) Add to Schedule 6 the items set out in Schedule 5 to this Order.

(9) After Schedule 8 add the Schedule set out in Schedule 6 to this Order.

18.—(1) Schedule 1 to The Parking Places on Roads (Disabled Persons’ Vehicles) Order (Northern Ireland) 2006(b) shall be amended in accordance with paragraph (2).

(2) Delete the following items—

- (a) item no. 242 relating to Chichester Street, Belfast;
- (b) item no. 243 relating to Chichester Street, Belfast;
- (c) item no. 244 relating to Chichester Street, Belfast;
- (d) item no. 387 relating to Wellington Place, Belfast; and
- (e) item no. 388 relating to Wellington Place, Belfast.

19. The On-Street Parking Order (Northern Ireland) 2000(c) shall be amended by the substitution for item nos. 2, 11, 23, 27, 28, 49, 51, 66, 77, 78, 88, 106, 108, 110 and 113 of Chapter 1, Part 1 of Schedule 1 of the same descriptions together with a new map.

(a) S.R. 2006 No. 327 as amended by S.R. 2006 No. 457, S.R. 2007 No. 92, S.R. 2007 No. 353, S.R. 2007 No. 445, S.R. 2008 No. 58, S.R. 2008 No. 176, S.R. 2008 No. 227, S.R. 2008 No. 273, S.R. 2008 No. 321, S.R. 2008 No. 386, S.R. 2009 No. 5, S.R. 2009 No. 171, S.R. 2009 No. 175, S.R. 2009 No. 194, S.R. 2009 No. 279, S.R. 2009 No. 368, S.R. 2010 No. 258, S.R. 2010 No. 435, S.R. 2011 No. 8, S.R. 2011 No. 88, S.R. 2011 No. 132, S.R. 2011 No. 170, S.R. 2011 No. 178, S.R. 2011 No. 259, S.R. 2011 No. 273, S.R. 2011 No. 274, S.R. 2011 No. 307, S.R. 2011 No. 355, S.R. 2012 No. 6, S.R. 2012 No. 56 and S.R. 2012 No. 194

(b) S.R. 2006 No. 201 to which there are no relevant amendments

(c) S.R. 2000 No. 383 relevant amending Order is S.R. 2011 No. 132

20.—(1) The Parking Places on Roads (Belfast) Order (Northern Ireland) 2011(a) shall be amended in accordance with paragraphs (2) and (3).

(2) For Article 10 (exceptions) substitute the following Article—

“10. Nothing in Articles 3 and 9(1) shall render it unlawful to leave or cause a vehicle to be left in a parking place during the specified hours where the person in control of it is acting upon the direction or with the permission of a constable in uniform or is prevented from proceeding by circumstances beyond that person’s control or to avoid an accident or for so long as may be reasonably necessary to enable—

- (a) a person to board or alight from a vehicle provided that such boarding or alighting does not cause the vehicle to be left again in that parking place for more than 2 minutes;
- (b) the vehicle to be used in an emergency by a medical practitioner, or for fire and rescue, ambulance, police or customs purposes or for the purposes of the security forces;
- (c) the vehicle to be used by or on behalf of a universal service provider for the purposes of the delivery to, or collection from, premises situated adjacent to the length of road of postal packets;
- (d) the vehicle, if it cannot reasonably be used for such purpose outside that length of road, to be used—
 - (i) in connection with any building, repair or demolition operations;
 - (ii) in connection with the removal of any obstruction to traffic;
 - (iii) by or on behalf of a district council, a government department or a statutory undertaker in pursuance of statutory powers or duties;
 - (iv) by or on behalf of a sewerage undertaker or water undertaker in connection with the discharge of that undertaker’s functions;
 - (v) in connection with the discharge of the functions of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(b) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(c); or
 - (vi) in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984; or
- (e) goods to loaded or unloaded from the vehicle.”.

(3) In Article 11—(2) for the words “Article 13” substitute “Article 15”.

Sealed with the Official Seal of the Department for Regional Development on 17th May 2012

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

(a) S.R. 2011 No. 132
(b) S.I. 1992/231 (N.I. 1)
(c) S.I. 1996/275 (N.I. 2)

SCHEDULE 1

Article 2

Parking Places – Permit Holders Only

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
May Street, Belfast (south side) in front of May Street Presbyterian Church – from a point 20 metres east of its junction with Alfred Street for a distance of 12 metres in an easterly direction.	9.30 a.m. to 3.30 p.m.	All days

SCHEDULE 2

Article 11(6)

Form of permit



SCHEDULE 3

Article 16

Loading Bays

	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
“112.	Adelaide Street, Belfast (west side) – from a point 28 metres south of its junction with Donegall Square South for a distance of 14 metres in a southerly direction.	All hours	All days
113.	Bedford Street, Belfast (east side) – from a point 27 metres south of its junction with Donegall Square South for a distance of 13 metres in a southerly direction.	All hours	All days
114.	Castle Place, Belfast (north side) – from a point 21 metres east of its junction with Royal Avenue for a distance of 36 metres in an easterly direction.	6.00 p.m. to 11.00 a.m.	All days
115.	Castle Place, Belfast (south side) – from a point 89 metres east of its junction with Donegall Place for a distance of 12 metres in an easterly direction.	6.00 p.m. to 11.00 a.m.	All days
116.	Chichester Street, Belfast (north side) – from a point 15 metres east of its junction with Callendar Street, for a distance of 13 metres in an easterly direction.	All hours	All days
117.	Chichester Street, Belfast (south side) – from a point 27 metres east of its junction with Donegall Square East, for a distance of 18 metres in an easterly direction.	All hours	All days
118.	Chichester Street, Belfast (south side) – from a point 10 metres west of its junction with Seymour Street, for a distance of 21 metres in a westerly direction.	All hours	All days
119.	College Square East, Belfast (east side) – from a point 25 metres south of its junction with Wellington Place, for a distance of 18 metres in a southerly direction.	All hours	All days
120.	Wellington Place, Belfast (south side) – from a point 17 metres east of its junction with College Square East, for a distance of 21 metres in an easterly direction.	All hours	All days

121.	Wellington Place, Belfast (south side) – from a point 18 metres east of its junction with Upper Queen Street, for a distance of 23 metres in an easterly direction.	All hours	All days
122.	Wellington Place, Belfast (north side) – from a point 17 metres east of its junction with Queen Street, for a distance of 22 metres in an easterly direction.	All hours	All days
123.	Great Victoria Street, Belfast (east side) – from a point 34 metres north of its junction with Amelia Street for a distance of 20 metres in a northerly direction.	All hours	All days”

SCHEDULE 4

Article 17(7)

Disabled Bays — Unlimited Waiting

- “835 Chichester Street, Belfast (south side) – from a point 10 metres east of its junction with Upper Arthur Street, for a distance of 12 metres in an easterly direction.
- 836 Chichester Street, Belfast (south side) – from a point 5 metres east of its junction with Montgomery Street, for a distance of 12 metres in an easterly direction.
- 837 Chichester Street, Belfast (south side) – from a point 56 metres east of its junction with Montgomery Street, for a distance of 18 metres in an easterly direction.
- 838 Chichester Street, Belfast (south side) – from a point 7 metres east of its junction with Seymour Street, for a distance of 12 metres in an easterly direction.
- 839 College Square East, Belfast (west side) – from a point 45 metres south of its junction with College Square North, for a distance of 12 metres in a southerly direction.
- 840 College Square East, Belfast (east side) – from a point 60 metres south of its junction with Wellington Place, for a distance of 18 metres in a southerly direction.
- 841 Great Victoria Street, Belfast (east side) – from a point 28 metres south of its junction with Howard Street, for a distance of 18 metres in a southerly direction.
- 842 Montgomery Street, Belfast (east side) – from a point 12 metres south of its junction with Chichester Street, for a distance of 12 metres in a southerly direction.
- 843 Upper Arthur Street, Belfast (east side) – from a point 5 metres south of its junction with Chichester Street, for a distance of 6 metres in a southerly direction.
- 844 Wellington Place, Belfast (south side) – from a point 38 metres east of its junction with College Square East, for a distance of 30 metres in an easterly direction.”

SCHEDULE 5

Article 17(8)

Disabled Bays — Waiting limited to 3 hours on Monday to Saturday between 8 a.m. and 6 p.m. with return prohibited within 1 hour or 6 p.m.

- “5. Adelaide Street, Belfast (west side) – from a point 10 metres south of its junction with Donegall Square South for a distance of 18 metres in a southerly direction.
6. Bedford Street, Belfast (east side) – from a point 15 metres south of its junction with Donegall Square South for a distance of 12 metres in a southerly direction.
7. Chichester Street, Belfast (south side) – from a point 15 metres east of its junction with Donegall Square East for a distance of 12 metres in an easterly direction.
8. Wellington Place, Belfast (south side) – from a point 41 metres east of its junction with Upper Queen Street for a distance of 42 metres in an easterly direction.”

SCHEDULE 6

Article 17(9)

Disabled Bays — Waiting limited to 3 hours on all days between 11 a.m. and 6 p.m. with return prohibited within 1 hour or 6 p.m.

“SCHEDULE 9

Article 2

Waiting limited to 3 hours on all days between 11 a.m. and 6 p.m. with return prohibited within 1 hour or 6 p.m.

1. Castle Place, Belfast (north side) – from a point 21 metres east of its junction with Royal Avenue for a distance of 36 metres in an easterly direction.
2. Castle Place, Belfast (south side) – from a point 89 metres east of its junction with Donegall Place for a distance of 12 metres in an easterly direction.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use as a parking place of the length of road specified in Schedule 1 (Article 2) and prescribes the conditions under which it may be used (Articles 3 and 9) during the specified hours. Vehicles are exempted from these conditions in certain circumstances (Article 10).

The Order also makes provision for the suspension of the use of the parking place (Article 4), for the prohibition of the use of the suspended parking place (Article 5), for the removal of a vehicle from the parking place in an emergency (Articles 6 and 7) and for its safe custody (Article 8).

The Order specifies the circumstances in which a person may apply for a permit or a replacement permit, the method of application, how a permit is to be displayed, its details and the circumstances in which the Department may revoke a permit (Articles 11, 12, 13, 14 and 15).

The Order also amends The Loading Bays on Roads Order (Northern Ireland) 2007 (Article 16), The Parking Places (Disabled Persons' Vehicles) Order (Northern Ireland) 2006 (Article 17), The Parking Places on Roads (Disabled Persons' Vehicles) Order (Northern Ireland) 2006 (Article 18) and The On-Street Parking Order (Northern Ireland) 2000 (Article 19).

The two parking places being provided in Castle Street are for the use of disabled persons vehicles between the hours of 11.00 a.m. and 6.00 p.m. (Schedule 6) and for vehicles loading or unloading between the hours of 6.00 p.m. and 11.00 a.m. (items 114 and 115 of Schedule 3).

A penalty charge (£60) is payable with respect to a vehicle involved in a contravention of the Order in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.