

2016 No. 155

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads (Coaches) (Belfast) Order
(Northern Ireland) 2016**

Made - - - - *14th March 2016*

Coming into operation - *5th April 2016*

The Department for Regional Development(a) makes the following Order in exercise of the powers conferred by Articles 10(4) and 13(1), (13) and (16) of 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 the roads specified in the Schedule.

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.

No written objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Parking Places on Roads (Coaches) (Belfast) Order (Northern Ireland) 2016 and shall come into operation on 5th April 2016.

(2) In this Order—

“coach” means a motor vehicle with a maximum speed exceeding 60 miles per hour which is constructed or adapted to carry more than 16 seated persons in addition to the driver, and which is not used for the provision of a scheduled local service.

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

(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

(d) 1983 c. 54

“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;

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

“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 parking places of the lengths of road specified in the Schedule is authorised.

Use of a parking place

3. Subject to Article 5, a vehicle other than a coach shall not wait in a parking place specified in the Schedule at any time.

Position within a parking place

4. Save as provided in Article 5, a person shall not leave or cause a vehicle to be left in a parking place unless it is wholly within a parking space where such has been marked out.

Exceptions

5. Nothing in Articles 3 or 4 shall render it unlawful to leave or cause a vehicle to be left in a parking place 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 that 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 or a government department in pursuance of statutory powers or duties;
 - (iv) by or on behalf of a sewerage undertaker or a 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

(a) 2000 c. 26
(b) S.I. 1992/231 (N.I. 1)
(c) S.I. 1996/275 (N.I. 2)

- (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(a).

Suspension of the use of a parking place

6. The Department may suspend the use of a 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 a parking place;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the cleansing, maintenance, improvement or reconstruction of the road; or
 - (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 communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984;
- (b) the implementation of any traffic management scheme; or
- (c) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(b) to be executed.

Prohibition of the use of a suspended parking place

7. A person not using a vehicle in connection with any of the undertakings specified in Article 6 shall not leave or cause that vehicle to be left in a parking place where the use of that parking place has been suspended by the Department in accordance with that Article.

Removal of a vehicle in an emergency

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

Method of removal of a vehicle

9. Any person removing a vehicle by virtue of Article 8 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 that person to remove it.

Custody of a vehicle

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

Sealed with the Official Seal of the Department for Regional Development on 14th March 2016

(L.S.)

G F McKenna
A senior officer of the Department for Regional Development

(a) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 2(2)
(b) S.I. 1995/3210 (N.I. 19)

SCHEDULE

Article 2

All days

All in Belfast

1. Donegall Quay (east side) – from a point 26 metres south of the southern kerbline of Corporation Square for a distance of 80 metres in a southerly direction.
2. Duncrue Road (east side) – from a point 159 metres south of the southern kerbline of Dargan Crescent for a distance of 80 metres in a southerly direction.
3. Falcon Road (east side) – from a point 242 metres south of the southern kerbline of Apollo Road for a distance of 100 metres in a southerly direction.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use as parking places of the lengths of road specified in the Schedule (Article 2), restricts the use of those parking places to coaches (Article 3) and prescribes the conditions under which the parking places may be used (Article 4). Vehicles are excepted from the conditions in certain circumstances (Article 5). The Order also makes provision for the suspension of the use of a parking place (Articles 6 and 7) and for the removal of a vehicle from a parking place in an emergency (Articles 8 and 9) and for its safe custody (Article 10).

A penalty charge (£90) 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.

Traffic signs indicating the effect of the Order will in due course be placed on the roads.