

2010 No. 238

PLANNING

**The Extinguishment of Right to Use Vehicles on Roads (Belfast)
(Amendment) Order (Northern Ireland) 2010**

Made - - - - *19th July 2010*

Coming into operation - *10th August 2010*

The Department for Regional Development(a) makes the following Order in exercise of the powers conferred by Article 100(1) and (2) of the Planning (Northern Ireland) Order 1991(b) and now vested in it(c).

The Department for the purpose of improving the amenity of the area, proposes to extinguish any right which persons may have to use vehicles on the length of road specified in Article 2(2).

Notice has been published and served in compliance with Article 103(1) and (2) of that Order.

No objection has been received.

Citation and commencement

1. This Order may be cited as The Extinguishment of Right to Use Vehicles on Roads (Belfast) (Amendment) Order (Northern Ireland) 2010 and shall come into operation on 10th August 2010.

Amendment

2.—(1) The Extinguishment of Right to Use Vehicles on Roads (Belfast) Order (Northern Ireland) 2008(d) shall be amended in accordance with paragraph (2).

(2) In Schedule 2, after item 4 add the following item—

<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Roads</i>	<i>(3)</i> <i>Exceptions</i>
"5.	Callender Street, from a point 21 metres south of its junction with Castle Lane to that junction.	Items 1, 2, 3, 4 and 5 as set out in Schedule 3"

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

(b) S.I. 1991/1220 (N.I. 11). Article 100 was amended by S.I. 1997/276 (N.I. 2)

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

(d) S.R. 2008 No. 137

Sealed with the Official Seal of the Department for Regional Development on 19th July 2010

(L.S.)

D J Millar

A senior officer of the Department for Regional Development

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Extinguishment of Right to Use Vehicles on Roads (Belfast) Order (Northern Ireland) 2008 (“the 2008 Order”). The effect of the Order is to extinguish the right of persons to use motor vehicles on the length of road described in Article 2(2). Provision is made for permitting the use of the length of road in certain cases.

Any person who acts in contravention of the 2008 Order shall be guilty of an offence under the Road Traffic Regulation (Northern Ireland) Order 1997 and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000). In addition, a penalty charge (£60) is payable with respect to a stationary vehicle involved in a contravention of a traffic sign erected on foot of the Order in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.

Paragraph 1 of Article 66B of the Planning (Northern Ireland) Order 1972 (S.I. 1972 No. 1634 (N.I. 17) (as inserted by Article 133(1) of and Schedule 5 to the Planning (Northern Ireland) Order 1991) provides for the payment of compensation by the Department to any person who has an estate in land having lawful access to a road to which the Order relates in respect of any depreciation in the value of his estate which is directly attributable to the Order and any other loss or damage which is so attributable.

Traffic signs indicating the effect of the Order will in due course be erected on the road.