

2019 No. 130

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads (Coaches) (Bangor) Order
(Northern Ireland) 2019**

Made - - - - - *8th July 2019*

Coming into operation - - - - - *31st July 2019*

The Department for Infrastructure^(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 a suitable parking place for vehicles on the length of the road 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 place 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) (Bangor) Order (Northern Ireland) 2019 and shall come into operation on 31st July 2019.

(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) 2016 c. 5 (N.I.)
(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);
“specified hours” means the hours between 7.00 a.m. to 7.00 p.m. on any day; 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 the Schedule is authorised.

Use of a parking place

3. Subject to Article 6, a vehicle other than a coach shall not wait in the parking place during the specified hours.

Maximum period of waiting and further use of a parking place

- 4.—(1) Save as provided in Article 6, a person shall not leave or cause—
- (a) a coach to be left in the parking place specified in the Schedule for longer than 20 minutes.
 - (b) that coach to be left again in that parking place until the expiration of 1 hour from the time that coach is removed from that parking place.

Position within a parking place

5. Save as provided in Article 6, 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.

Exceptions

6. Nothing in Articles 3, 4 or 5 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 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;

(a) 2000 c. 26

- (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(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(c).

Suspension of the use of a parking place

7. 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 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 communication 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(d) to be executed.

Prohibition of the use of a suspended parking place

8. A person not using a vehicle in connection with any of the undertakings specified in Article 7 shall not leave or cause that vehicle to be left in the 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

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

Method of removal of a vehicle

10. Any person removing a vehicle by virtue of Article 9 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.

(a) S.I. 1992/231 (N.I. 1) as amended by S.I. 2003/419 (N.I. 6), S.R. 2007 No. 283, S.R. 2007 No. 284, S.R. 2007 No. 303, S.R. 2007 No. 320, S.R. 2007 No. 321, S.I. 2007/913 (N.I. 7) and S.R. 2011 No. 155
 (b) S.I. 1996/275 (N.I. 2) as amended by S.R. 2006 No. 358, S.R. 2011 No. 155 and S.R. 2013 No. 92
 (c) 1984 c. 12 as amended by 2003 c. 21 Schedule 3 paragraph 2(2)
 (d) S.I. 1995/3210 (N.I. 19)

Custody of a vehicle

11. 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 9 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 Infrastructure on 8th July 2019

(L.S.)

T Reid

A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

PARKING PLACE FOR COACHES IN BANGOR (All days, between the hours of 7.00 a.m. and 7.00 p.m. with waiting limited to 20 minutes and no return within 1 hour)

Bridge Street (north-west side of the north-west carriageway) – from a point 26 metres north-east of its junction with Queens Parade for a distance of 38 metres in a north-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 the Schedule (Article 2), restricts the use of that parking place to coaches during the specified hours (Article 3) and prescribes the conditions under which the parking place may be used (Articles 4, 5 and 8). Vehicles are excepted from the conditions in certain circumstances (Article 6). The Order also makes provision for the suspension of the use of the parking place (Article 7) and for the removal of a vehicle from the parking place in an emergency (Articles 9 and 10) and for its safe custody (Article 11).

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 road.