

2022 No. 96

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads (Castle Place, Belfast) Order
(Northern Ireland) 2022**

Made - - - - *10th March 2022*

Coming into operation - *1st April 2022*

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 Schedules 1 and 2 to this Order.

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 Order (Northern Ireland) 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 bring specifically to the knowledge of 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 (Castle Place, Belfast) Order (Northern Ireland) 2022 and shall come into operation on 1st April 2022.

(2) In this Order—

“disabled person’s vehicle” means a motor vehicle lawfully displaying a badge of a form prescribed under section 14(1) of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978^(d);

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (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) 1978 c. 53 as amended by S.I. 1981/154 (N.I. 1) Schedule 7, paragraph 21; S.I. 1997/276 (N.I. 2) Article 55, Schedule 8, paragraph 3 and Schedule 9; and S.I. 2005/1964 (N.I. 14) Articles 32, 33 and 34

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

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

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

“postal packet” has the same meaning as in section 65(d) of the Postal Services Act 2011(b);

“universal service provider” has the same meaning as in section 65(d) of the Postal Services Act 2011.

Authorisation of a parking place

2. The use as a parking place of the length of road specified in Schedules 1 and 2 is authorised.

Position within a parking place

3. Subject to 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; 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(c);
- (b) the implementation of any traffic management scheme; or
- (c) street works as defined by Article 3(3) of the Street Works (Northern Ireland) Order 1995(d) 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 that 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.

(a) 1983 c. 54

(b) 2011 c. 5

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

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

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 a 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

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 that person shall make such arrangements as may be necessary for the safe custody of the vehicle.

Restricted use (disabled bay) of the parking place (Schedule 1)

9. Subject to Article 11, a vehicle other than a disabled person's vehicle shall not wait in the parking place specified in Schedule 1 between the hours of 11.00 a.m. and 6.00 p.m. on any day where—

- (a) a person shall not leave or cause a vehicle to be left in the parking place for longer than 3 hours; and
- (b) a person shall not leave or cause that vehicle to be left again in that parking place until the expiration of 1 hour from the time that vehicle is removed from that parking place.

Restricted use (loading bay) of the parking place (Schedule 2)

10. Subject to Article 11, between the hours of 6.00 p.m. and 11.00 a.m. on any day, the driver of a vehicle shall not use the parking place specified in Schedule 2 other than for the purpose of the conveyance of goods to or from premises situated adjacent to that parking place where—

- (a) the goods by reason of their size or weight could not reasonably be conveyed to or from such premises otherwise than by means of a vehicle; and
- (b) the use is no longer than is necessary to convey those goods to or from those premises.

Exceptions to use as a parking place

11. Nothing in Articles 3, 9 or 10 shall render it unlawful to leave or cause a vehicle to be left in the parking place where the person in control of it 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) the vehicle being 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;
- (b) 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;
- (c) the vehicle, if it cannot be conveniently used for such purposes 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^(a) or a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996^(b); or
- (vi) in connection with any laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984.

Amendments

12.—(1) Schedule 1 to the Loading Bays on Roads Order (Northern Ireland) 2007^(c) shall be amended by the deletion of item no. 21 relating to Castle Place, Belfast.

(2) Schedule 3 to the Parking Places on Roads (Belfast City Centre) Order (Northern Ireland) 2012^(d) shall be amended by the deletion of item no. 114 relating to Castle Place, Belfast.

(3) Schedule 11 to the Parking Places (Disabled Persons' Vehicles) Order (Northern Ireland) 2016^(e) shall be amended by the deletion of item no. 1 relating to Castle Place, Belfast.

Sealed with the Official Seal of the Department for Infrastructure on 10th March 2022

(L.S.)

M Toner

A senior officer of the Department for Infrastructure

SCHEDULE 1

Articles 2 and 9

Parking Place for Disabled Persons' Vehicles only – 11.00 a.m. to 6.00 p.m. – Maximum stay 3 hours; No return within 1 hour

Castle Place, Belfast (south side) – from a point 44 metres east of its junction with Donegall Place for a distance of 44 metres in an easterly direction.

SCHEDULE 2

Articles 2 and 10

Parking Place for loading and unloading goods only – 6.00 p.m. to 11.00 a.m.

Castle Place, Belfast (south side) – from a point 44 metres east of its junction with Donegall Place for a distance of 44 metres in an easterly direction.

(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.T. 2006 No. 358, S.R. 2011 No. 155 and S.R. 2013 No. 92
(c) S.R. 2007 No. 270: last relevant amending Order is S.R. 2021 No. 149
(d) S.R. 2012 No. 202 as amended by S.R. 2015 No. 33
(e) S.R. 2016 No. 131

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 Schedules (Article 2) and prescribes the conditions under which it may be used (Articles 9 and 10.) Vehicles are excepted from the conditions in certain circumstances (Article 11).

Between the hours of 11.00 a.m. and 6.00 p.m. the parking place may be used as a disabled bay and between the hours of 6.00 p.m. and 11.00 a.m. the parking place may be used as a loading bay.

The Order will also revoke certain existing parking places on Castle Place, Belfast (Article 12).

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 this Order will in due course be placed on the road.