

2024 No. 42

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads and Waiting Restrictions
(Coalisland) Order (Northern Ireland) 2024**

Made - - - - - *7th March 2024*

Coming into operation *3rd April 2024*

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Articles 4(1), (2) and (3), 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 Articles 4 and 5.

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

The Department has published a notice in compliance with paragraphs 1 and 3 of those Schedules.

The Department, in compliance with paragraph 3(4) of Schedule 4 to that Order, 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.

One written objection has been received and subsequently withdrawn and one written representation has been received and duly considered.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 and Waiting Restrictions (Coalisland) Order (Northern Ireland) 2024 and shall come into operation on 3rd April 2024.

(2) In this Order—

(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

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

“postal packet” has the same meaning as in section 65(1) of the Postal Services Act 2011(b);

“universal service provider” has the same meaning as in section 65(1) of the Postal Services Act 2011.

Lengths of road on which vehicles must not wait

2. Save as provided in Article 3, a person shall not cause or permit a vehicle to wait at any time on a length of road specified in the Schedule.

Exceptions to prohibition of waiting

3.—(1) Nothing in Article 2 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of a length of road specified in the Schedule 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) a person to board or alight from a vehicle provided that such boarding or alighting does not cause the vehicle to wait in the same 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 conveniently be used for such purposes 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 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(c) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(d); 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(e).

(2) Nothing in Article 11 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of a length of road specified in the Schedule for so long as may be reasonably necessary to enable goods to be loaded or unloaded from the vehicle.

(3) For the purposes of paragraph (1)(a) a vehicle shall be deemed to wait in the same place for more than 2 minutes if any one part of the carriageway is below any part of the vehicle or its load (if any) throughout a period exceeding 2 minutes whether or not the vehicle is moved during that period.

(a) 1983 c. 54

(b) 2011 c. 5

(c) 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

(d) 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

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

Amendment to loading bays order

4. The Loading Bays on Roads Order (Northern Ireland) 2007(a) is amended by the addition to Schedule 1 of the following items—

“196.	Main Street, Coalisland (north side in a lay-by) – from a point 34 metres west of its junction with Stewartstown Road for a distance of 16 metres in a westerly direction.	8.00 a.m. to 4.00 p.m.	All Days
197.	Main Street, Coalisland (north side in a lay-by) – from a point 99 metres west of its junction with Stewartstown Road for a distance of 16 metres in a westerly direction.	All Hours	All Days”

Amendment to disabled persons’ vehicles order

5. The Parking Places (Disabled Persons’ Vehicles) Order (Northern Ireland) 2016(b) is amended by the addition to Schedule 1 of the following items—

- “3195. Barrack Street, Coalisland (south-west side in a lay-by) – from a point 27 metres north-west of its junction with The Square for a distance of 7 metres in a north-westerly direction.
- 3196. Main Street, Coalisland (north side in a lay-by) – from a point 64 metres east of its junction with Barrack Street for a distance of 6 metres in an easterly direction.
- 3197. Main Street, Coalisland (north side in a lay-by) – from a point 62 metres west of its junction with Stewartstown Road for a distance of 8 metres in an easterly direction.”

Sealed with the Official Seal of the Department of Infrastructure on 7th March 2024

(L.S.)

D J Millar

A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

WAITING RESTRICTIONS IN COALISLAND

No waiting at any time – loading and unloading permitted

1. Barrack Square (north-east side) – from a point 15 metres south-east of its junction with Lineside for a distance of 45 metres in a south-easterly direction.
2. Stewartstown Road (east side) – from a point 15 metres south of its junction with Washing Bay Road for a distance of 10 metres in a southerly direction.
3. Stewartstown Road (west side) – from a point 15 metres south of its junction with Main Street for a distance of 10 metres in a southerly direction.

(a) S.R. 2007 No. 270 last relevant amending Order is S.R. 2022 No. 268

(b) S.R. 2016 No. 131 last relevant amending Order is S.R. 2024 No. 24

EXPLANATORY NOTE

(This note is not part of the Order)

This Order—

- (a) prohibits vehicles from waiting on the lengths of road specified in the Schedule (Article 2. Vehicles are excepted from the prohibition in certain circumstances (Article 3);
- (b) amends the Loading Bays on Roads Order (Northern Ireland) 2007 by the addition of the items specified in Article 4; and
- (c) amends the Parking Places (Disabled Persons' Vehicles) Order (Northern Ireland) 2016 by the addition of the items specified in Article 5.

A penalty charge (£90) is payable with respect to a vehicle involved in a contravention of this 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 roads.