

2012 No. 32

ROAD TRAFFIC AND VEHICLES

The Control of Traffic (Belfast) Order (Northern Ireland) 2012

Made - - - - *6th February 2012*

Coming into operation - *29th February 2012*

The Department for Regional Development(a) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of the Road Traffic Regulation (Northern Ireland) Order 1997(b) and now vested in it(c).

The Department has consulted such persons as it considered appropriate in compliance with paragraphs 1 and 2 of Schedule 1 to that Order.

The Department has published a Notice in compliance with paragraphs 1 and 3 of that Schedule.

No written objection or other representation was received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Control of Traffic (Belfast) Order (Northern Ireland) 2012 and shall come into operation on 29th February 2012.

(2) In this Order—

“cycle” has the same meaning as in the Order of 1995;

“cycle lane” means the southern side of the carriageway of University Square, Belfast from its junction with Botanic Avenue to its junction with University Road bounded on its northern side by a broken white line and on its southern side by the southern kerbline of University Square and the outer edge of lay-bys marked by a broken white line;

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

Prohibition on traffic in cycle lane

2. Save as provided in Article 3 a person shall not except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a cycle to enter, proceed or wait in the cycle lane.

(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

Exceptions to prohibition on traffic in cycle lane

3. The prohibition in Article 2 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in the cycle lane so far as such entry, proceeding or waiting is reasonably necessary to enable the vehicle to be used—

- (a) for access to or from premises, parking spaces and parking places adjacent to or accessible only from the cycle lane;
- (b) in the services of the Department in pursuance of statutory powers or duties;
- (c) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions;
- (d) in connection with any telegraphic line or with the supply of electricity or gas within the cycle lane or an area accessible only from the cycle lane; or
- (e) in an emergency by a medical practitioner, or for police, military, fire and rescue or ambulance purposes.

Use of cycle lane

4. A person riding a cycle along the cycle lane shall do so only in a westerly direction except upon the direction or with the permission of a constable in uniform.

Amendment

5. Schedule 1 to The One-Way Traffic (Belfast) Order (Northern Ireland) 2009(a) shall be amended by the substitution for item 188 of the following item—

“188. University Square, bounded on its northern side by the northern kerbline of University Square or the outer edge of lay-bys marked by a broken white line and on its southern side by a broken white line	Easterly”
--	-----------

Sealed with the Official Seal of the Department for Regional Development on 6th February 2012

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

(a) S.R. 2009 No. 49

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides a contra flow cycle lane on a length of the carriageway of University Square, Belfast (as defined in Article 1) to be used by cyclists only (Article 2). Vehicles are permitted to use the cycle lane in certain circumstances (Article 3). The cycle lane shall be one-way in a westerly direction (Article 4).

It also amends the One-Way Traffic (Belfast) Order (Northern Ireland) 2009 by changing the description of the item relating to University Square to exclude the cycle lane (Article 5).

Any person who acts in contravention of Article 2 of the Order by causing or permitting any vehicle other than a cycle to wait in the cycle lane shall be liable to a penalty charge (£60) payable in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.

Any person who contravenes any other provision of the Order shall be guilty of an offence under the Road Traffic Regulation (Northern Ireland) Order 1997 (“the Regulation Order”) and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000) in accordance with the Road Traffic Offenders (Northern Ireland) Order 1996 as amended by the Regulation Order.

Traffic signs and road markings indicating the effect of the Order will in due course be placed on the road.