

2015 No. 270

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads and Waiting Restrictions (Newry)
Order (Northern Ireland) 2015**

Made - - - - - *8th June 2015*

Coming into operation - *29th June 2015*

The Department for Regional Development(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 road specified in Schedule 1.

The Department has consulted 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.

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 and Waiting Restrictions (Newry) Order (Northern Ireland) 2015 and shall come into operation on 29th June 2015.

(2) In this Order—

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

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

(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

“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); and

“universal service provider” has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

Authorisation of parking places

2. The use as parking places of the lengths of road specified in Schedule 1 is authorised.

Position within a parking place

3. Save as provided in Article 5, a person shall not leave or cause a vehicle to be left in a parking place unless it is wholly within a parking space where such has been marked out.

Maximum period of waiting in and further use of a parking place

4.—(1) Subject to paragraph (2) and save as provided in Article 5, during the hours between 8.30 a.m. and 6.15 p.m. on the days Monday to Saturday inclusive—

- (a) (i) a person shall not leave or cause a vehicle to be left in a parking place specified in Part 1 of Schedule 1 for longer than 1 hour;
- (ii) 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.
- (b) (i) a person shall not leave or cause a vehicle to be left in a parking place specified in Part 2 of Schedule 1 for longer than 2 hours;
- (ii) 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.
- (c) (i) a person shall not leave or cause a vehicle to be left in a parking place specified in Part 3 of Schedule 1 for longer than 2 hours;
- (ii) a person shall not leave or cause that vehicle to be left again in that parking place, until the expiration of 3 hours from the time that vehicle is removed from that parking place.

(2) The prohibitions in paragraph (1) shall not apply to a disabled person’s vehicle.

Exceptions

5.—(1) Nothing in Articles 3 or 4(1) shall render it unlawful to leave or cause a vehicle to be left in a 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) a person to board or alight from a vehicle left in a parking place—
 - (i) specified in Parts 1 or 2 of Schedule 1 before the expiration of 1 hour; or
 - (ii) specified in Part 3 of Schedule 1 before the expiration of 3 hours;from the time that vehicle is removed from that parking place provided that such boarding or alighting does not cause that vehicle to be left again in that parking place for more than 2 minutes;

(a) 2000 c. 26

- (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 conveniently 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;
 - (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); or
- (e) goods to be loaded or unloaded from the vehicle.

(2) 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 the period exceeding 2 minutes whether or not the vehicle is moved during that period.

Suspension of the use of a parking place

6. The Department may suspend the use of a 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;
- (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.

(a) S.I. 1992/231 (N.I. 1)
 (b) S.I. 1996/275 (N.I. 2)
 (c) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 2(2)
 (d) S.I. 1995/3210 (N.I. 19)

Prohibition of the use of a suspended parking place

7. A person not using a vehicle in connection with any of the undertakings specified in Article 6 shall not leave or cause that vehicle to be left in a 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

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

Method of removal of a vehicle

9. Any person removing a vehicle by virtue of Article 8 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.

Custody of a vehicle

10. When a person authorised by the Department removes or makes arrangements for the removal of a vehicle from a parking place by virtue of Article 8 that person shall make such arrangements as may be necessary for the safe custody of the vehicle.

Lengths of road on which vehicles must not wait

11. Save as provided in Article 12, a person shall not cause or permit a vehicle to wait —
- (a) at any time on a length of road specified in Parts 1 or 2 of Schedule 2;
 - (b) during the hours between 8.00 a.m. and 6.15 p.m. on the days Monday to Saturday inclusive on the length of road specified in Part 3 of Schedule 2;
 - (c) during the hours between 8.30 a.m. and 6.15 p.m. on the days Monday to Saturday inclusive on a length of road specified in Parts 4 or 5 of Schedule 2;
 - (d) during the hours between 8.00 a.m. and 6.15 p.m. on the days Monday to Friday inclusive on a length of road specified in Part 6 of Schedule 2; and
 - (e) during the hours between 8.30 a.m. and 5.00 p.m. on the days Monday to Friday inclusive on a length of road specified in Part 7 of Schedule 2.

Exceptions to prohibition of waiting

12.—(1) 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 Schedule 2 during the hours specified in relation thereto in Article 11 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 or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996; 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.

(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 parts 2, 3 or 5 of Schedule 2 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 the period exceeding 2 minutes whether or not the vehicle is moved during that period.

Revocations

13. The Orders specified in Schedule 3 are revoked.

Sealed with the Official Seal of the Department for Regional Development on 8th June 2015

(L.S.)

G F McKenna
A senior officer of the Department for Regional Development

SCHEDULE 1
PARKING PLACES

Articles 1(2) and 2

PART 1

Monday to Saturday 8.30 a.m. to 6.15 p.m. — Maximum stay 1 hour; No return
within 1 hour

All in Newry

1. Basin Walk (west side) – from a point 15 metres north of its junction with Sugar Island for a distance of 30 metres in a north-easterly direction.
2. St. Mary’s Street (east side) – from a point 5 metres south of its junction with Mill Street for a distance of 70 metres in a southerly direction.
3. Merchants Quay (west side) (within a lay-by) – from a point 5 metres north of its junction with Edward Street for a distance of 20 metres in a northerly direction.

PART 2

Monday to Saturday 8.30 a.m. to 6.15 p.m. — Maximum stay 2 hours; No return
within 1 hour

All in Newry

1. Bridge Street (north side) – from a point 27 metres north-east of its junction with Dominic Street for a distance of 13 metres in a north-easterly direction.
2. Lower Water Street (east side of cul-de-sac) – from a point 25 metres west of its junction with Lower Water Street for a distance of 14 metres in a southerly direction.
3. Lower Water Street (west side of cul-de-sac) – from a point 25 metres west of its junction with Lower Water Street for a distance of 12 metres in a southerly direction.
4. Lower Water Street (west side of cul-de-sac) – from a point 70 metres west of its junction with Lower Water Street for a distance of 27 metres in a northerly direction.
5. Trevor Hill (north side) – from a point 60 metres south-west of its junction with Downshire Road Roundabout for a distance of 32 metres in a south-westerly direction.

PART 3

Monday to Saturday 8.30 a.m. to 6.15 p.m. — Maximum stay 2 hours; No return
within 3 hours

Merchants Quay, Newry (west side) – from a point 35 metres north of its junction with Monaghan Street for a distance of 41 metres in a northerly direction.

SCHEDULE 2

Article 11

NO WAITING

PART 1

No Waiting at any Time (Loading and Unloading Not Permitted).

All in Newry

1. Abbey Way (east side) – from a point 30 metres north of its junction with High Street for a distance of 100 metres in a northerly direction.
2. Abbey Way (west side) – from a point 14 metres south of its junction with St. Colmans Park for a distance of 46 metres in a southerly direction.
3. Abbey Way (west side) – from a point 15 metres south of its junction with Lower Water Street for a distance of 40 metres in a southerly direction.
4. Bridge Street (north-west side) – from a point 26 metres south-west of its junction with Buttercrane Quay for a distance of 80 metres in a south-westerly direction.
5. Canal Quay (east side) – from a point 15 metres north of its junction with New Street for a distance of 90 metres in a northerly direction.
6. Canal Quay (west side) – from a point 15 metres north of its junction with New Street for a distance of 85 metres in a northerly direction.
7. Catherine Street (west side) – from a point 15 metres north of its junction with Edward Street for a distance of 30 metres in a northerly direction.
8. Cronin Park (south-east side) – from a point 15 metres south-west of its junction with Boat Street for distance of 32 metres.
9. James Connolly Park (south side) – from a point 50 metres west of its junction with Patrick Street for a distance of 44 metres in a westerly and southerly direction.
10. Patrick Street (west side) – from a point 15 metres north of its junction with Dorans Hill for a distance of 50 metres in a northerly direction.
11. Pool Lane (east side) – from a point 100 metres north-east of its junction with Thomas Street for a distance of 46 metres in a northerly direction.
12. Pool Lane (east side) – from a point 43 metres east of its junction with Thomas Street for a distance of 30 metres in a northerly direction.
13. Wood Hill (south-east and north-east sides) – from a point 15 metres south-west of its junction with Hospital Road for a distance of 25 metres in a south-westerly and south-easterly direction.
14. Wood Hill (north-west and south-west sides) – from a point 15 metres south-west of its junction with Hospital Road for a distance of 35 metres in a south-westerly and south-easterly direction.

PART 2

No Waiting at any Time (Loading and Unloading Permitted)

All in Newry

1. B79 Drumalane Road (east side) – from a point 68 metres south-east of its junction with the A2 Dublin Road for a distance of 110 metres in a south-easterly direction.
2. B79 Drumalane Road (west side) – from a point 53 metres south-east of its junction with the A2 Dublin Road for a distance of 30 metres in a south-easterly direction.
3. Glen Hill (north side) – from a point 15 metres west of its junction with the A2 Dublin Road for a distance of 70 metres in a westerly direction.
4. Buttercrane Quay (east side) – from a point 15 metres north of its junction with William Street for a distance of 19 metres in a northerly direction.
5. Buttercrane Quay (east side) – from a point 179 metres north of its junction with William Street for a distance of 93 metres in a northerly direction.
6. Buttercrane Quay (west side) – from a point 15 metres north of its junction with Bridge Street for a distance of 25 metres in a northerly direction.
7. Buttercrane Quay (west side) – from a point 216 metres north of its junction with Bridge Street for a distance of 9 metres in a northerly direction.
8. Buttercrane Quay (west side) – from a point 249 metres north of its junction with Bridge Street for a distance of 24 metres in a northerly direction.
9. Merchants Quay (east side) – from a point 15 metres north of its junction with Needham Bridge for a distance of 220 metres in a northerly direction.
10. Merchants Quay (east side) – from a point 15 metres north of its junction with Mill Street for a distance of 329 metres in a northerly direction.
11. Merchants Quay (west side) – from a point 24 metres north of its junction with Edward Street for a distance of 5 metres in a northerly direction.
12. Merchants Quay (west side) – from a point 43 metres north of its junction with Edward Street for a distance of 10 metres in a northerly direction.
13. Merchants Quay (west side) – from a point 15 metres north of its junction with Monaghan Street for a distance of 14 metres in a northerly direction.
14. Merchants Quay (west side) – from a point 137 metres north of its junction with Monaghan Street for a distance of 9 metres in a northerly direction.
15. Merchants Quay (west side) – from a point 15 metres north of its junction with Cornmarket for a distance of 6 metres in a northerly direction.
16. Merchants Quay (west side) – from a point 224 metres north of its junction with Cornmarket for a distance of 17 metres in a northerly direction.

PART 3

Waiting Restriction Monday to Saturday 8.00 a.m. to 6.15 p.m. (Loading and Unloading Permitted)

Hospital Road, Newry (west side) – from a point 320 metres south-east of its junction with Carnagat Road for a distance of 48 metres in a south-easterly direction.

PART 4

Waiting Restriction Monday to Saturday 8.30 a.m. to 6.15 p.m. (Loading and Unloading Not Permitted)

Boat Street, Newry (west side) – from a point 15 metres south of its junction with Cronin Park for a distance of 55 metres in a southerly direction.

PART 5

Waiting Restriction Monday to Saturday 8.30 a.m. to 6.15 p.m. (Loading and Unloading Permitted)

All in Newry

1. Buttercrane Quay (east side) – from a point 34 metres north of its junction with William Street for a distance of 87 metres in a northerly direction.
2. Buttercrane Quay (west side) – from a point 39 metres north of its junction with Bridge Street for a distance of 107 metres in a northerly direction.
3. Buttercrane Quay (west side) – from a point 168 metres north of its junction with Bridge Street for a distance of 30 metres in a northerly direction.
4. Buttercrane Quay (west side) – from a point 225 metres north of its junction with Bridge Street for a distance of 24 metres in a northerly direction.
5. Merchants Quay (west side) – from a point 29 metres north of its junction with Edward Street for a distance of 15 metres in a northerly direction.
6. Merchants Quay (west side) – from a point 15 metres north of its junction with Francis Street for a distance of 63 metres in a northerly direction
7. Merchants Quay (west side) – from a point 78 metres north of its junction with Monaghan Street for a distance of 59 metres in a northerly direction.
8. Merchants Quay (west side) – from a point 36 metres north of its junction with Monaghan Street for a distance of 41 metres in a northerly direction.

PART 6

Waiting Restriction Monday to Friday 8.00 a.m. to 6.15 p.m. (Loading and Unloading Not Permitted)

All in Newry

1. Chequer Hill (north-west side) – from a point 15 metres south-west of its junction with Armagh Road for a distance of 64 metres in a south-westerly direction.
2. Dominican Court (west and south sides) – from a point 15 metres south of its junction with Kiln Street for a distance of 67 metres in a southerly direction.
3. Kiln Street (north and west sides) – from a point 15 metres north-west of its junction with Patrick Street for a distance of 68 metres in a north-westerly direction.
4. Sandy Street (north side) – from a point 50 metres east of its junction with Downshire Road for a distance of 136 metres in a north-easterly direction.

PART 7

Waiting Restriction Monday to Friday 8.30 a.m. to 5.00 p.m. (Loading and Unloading Not Permitted)

All in Newry

1. Plunkett Street (north side) – from a point 15 metres east of its junction with Armagh Road for a distance of 63 metres in a north-easterly direction.
2. Plunkett Street (south side) – from a point 15 metres east of its junction with Armagh Road for a distance of 30 metres in a north-easterly direction.

SCHEDULE 3

Article 13

Orders Revoked

1. The Waiting Restrictions (Newry) Order (Northern Ireland) 2008**(a)**.
2. The Waiting Restrictions (Newry) (Amendment) Order (Northern Ireland) 2008**(b)**.
3. The Waiting Restrictions (Newry) (Amendment) Order (Northern Ireland) 2009**(c)**.
4. The Parking Places on Roads (Newry) Order (Northern Ireland) 2009**(d)**.
5. The Waiting Restrictions (Newry) (Amendment No. 2) Order (Northern Ireland) 2009**(e)**.
6. The Waiting Restrictions (Newry) (Amendment) Order (Northern Ireland) 2010**(f)**.
7. The Parking Places on Roads (Newry) (Amendment) Order (Northern Ireland) 2010 **(g)**.
8. The Waiting Restrictions (Newry) (Amendment No. 2) Order (Northern Ireland) 2010**(h)**.
9. The Waiting Restrictions (Newry) (Amendment No. 3) Order (Northern Ireland) 2010**(i)**.
10. The Waiting Restrictions (Newry) Order (Northern Ireland) 2011**(j)**.
11. The Waiting Restrictions (Newry) (Amendment) Order (Northern Ireland) 2011**(k)**.
12. The Parking Places on Roads (Newry) (Amendment) Order (Northern Ireland) 2011 **(l)**.
13. The Waiting Restrictions (Newry) (No. 2) Order (Northern Ireland) 2011**(m)**.
14. The Waiting Restrictions (Newry) (2011 Order) (Amendment) Order (Northern Ireland) 2011**(n)**.

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- (a)** S.R. 2008 No. 313
(b) S.R. 2008 No. 449
(c) S.R. 2009 No. 165
(d) S.R. 2009 No. 214
(e) S.R. 2009 No. 299
(f) S.R. 2010 No. 211
(g) S.R. 2010 No. 240
(h) S.R. 2010 No. 257
(i) S.R. 2010 No. 428
(j) S.R. 2011 No. 96
(k) S.R. 2011 No. 198
(l) S.R. 2011 No. 267
(m) S.R. 2011 No. 334
(n) S.R. 2011 No. 361

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use as parking places of the lengths of the roads specified in Schedule 1 (Article 2) and prescribes the conditions under which the parking places may be used (Articles 3, 4, and 7). Vehicles are excepted from the conditions in certain circumstances (Article 5).

The Order also makes provision for the suspension of the use of a parking place (Article 6) and for the removal of a vehicle from a parking place in an emergency (Articles 8 and 9) and for its safe custody (Article 10).

The Order also prohibits vehicles from waiting (Article 11) on the lengths of road specified in:—

- (a) Part 1 of Schedule 2 at any time (loading and unloading not permitted);
- (b) Part 2 of Schedule 2 at any time (loading and unloading permitted);
- (c) Part 3 of Schedule 2 during the hours 8.00 a.m. to 6.15 p.m. on the days Monday to Saturday inclusive (loading and unloading permitted);
- (d) Part 4 of Schedule 2 during the hours 8.30 a.m. to 6.15 p.m. on the days Monday to Saturday inclusive (loading and unloading not permitted);
- (e) Part 5 of Schedule 2 during the hours 8.30 a.m. to 6.15 p.m. on the days Monday to Saturday inclusive (loading and unloading permitted);
- (f) Part 6 of Schedule 2 during the hours 8.00 a.m. to 6.15 p.m. on the days Monday to Friday inclusive (loading and unloading not permitted); and
- (g) Part 7 of Schedule 2 during the hours 8.30 a.m. to 5.00 p.m. on the days Monday to Friday inclusive (loading and unloading not permitted).

Vehicles are excepted from the prohibition in certain circumstances (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 the Order will in due course be placed on the roads.