

**2016 No. 351**

**ROAD TRAFFIC AND VEHICLES**

**The Parking and Waiting Restrictions (Bangor) Order (Northern Ireland) 2016**

*Made* - - - - - *26th September 2016*

*Coming into operation* - *17th October 2016*

The Department for Infrastructure<sup>(a)</sup> 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, and paragraph 5 of Schedules 1 and 4 to, the Road Traffic Regulation (Northern Ireland) Order 1997<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

It appears to the Department to be necessary to provide suitable parking places for vehicles on the lengths of the roads specified in Schedule 1 and Articles 11 and 12.

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.

Four written objections were received and subsequently withdrawn. No other representation was received.

The Department has modified the draft Order.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The Parking and Waiting Restrictions (Bangor) Order (Northern Ireland) 2016 and shall come into operation on 17th October 2016.

(2) In this Order—

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(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

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

“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(b); 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 the roads 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—

- (a) a person shall not leave or cause a vehicle to be left in a parking place specified in Part 1 of Schedule 1 between the hours of 8.00 a.m. and 6.00 p.m. on the days Monday to Saturday inclusive for longer than 1 hour;
- (b) a person shall not leave or cause a vehicle to be left in a parking place specified in Part 2 of Schedule 1 between the hours 8.00 a.m. and 6.30 p.m. on the days Monday to Saturday inclusive for longer than 1 hour;
- (c) a person shall not leave or cause a vehicle to be left again in a parking place specified in Schedule 1 until the expiration of 1 hour 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 before the expiration of 1 hour 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;
- (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 purposes outside that parking place, to be used—

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(a) 1983 c. 54

(b) 2000 c. 26

- (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);
  - (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.

### **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.

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(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)

### 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.

### Loading bays

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

|       |  |                        |                               |
|-------|--|------------------------|-------------------------------|
| “160. | Bridge Street, Bangor (south-east side of the south-eastern carriageway) – from a point 33.2 metres south of its junction with High Street for a distance of 16.2 metres in a southerly direction. | 8.00 a.m. to 6.30 p.m. | Monday to Saturday inclusive  |
| 161.  | Main Street, Bangor (north-west side) – from a point 64.9 metres north-east of its junction with Dufferin Avenue for a distance of 20.8 metres in a north-easterly direction.                      | 8.00 a.m. to 6.30 p.m. | Monday to Saturday inclusive  |
| 162.  | Main Street, Bangor (west side) – from a point 6.7 metres south of its junction with King Street for a distance of 16.5 metres in a southerly direction.   | 8.00 a.m. to 6.30 p.m. | Monday to Saturday inclusive” |

### Electric vehicle bay

12.—(1) The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012(b) is amended in accordance with paragraph (2).

(2) For item 1 in the Schedule relating to Quay Street, Bangor, substitute the following item—

|     |  |           |          |          |           |
|-----|--|-----------|----------|----------|-----------|
| “1. | Quay Street, Bangor (west side) – from a point 92.5 metres north of its junction with High Street for a distance of 5 metres in a northerly direction. | All hours | All days | No limit | No limit” |
|-----|--|-----------|----------|----------|-----------|

### Lengths of road on which vehicles must not wait

13. Save as provided in Article 14, a person shall not cause or permit a vehicle to wait at any time on the lengths of road specified in Schedule 2.

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(a) S.R. 2007 No. 270: last amending order is S.R. 2016 No. 342

(b) S.R. 2012 No. 290: relevant amending order is S.R. 2014 No. 240

### **Exceptions to prohibition of waiting**

**14.**—(1) Nothing in Article 13 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of a length of road specified in Schedule 2 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) 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.

Sealed with the Official Seal of the Department for Infrastructure on 26th September 2016

(L.S.)

*G F McKenna*  
A senior officer of the Department for Infrastructure

## SCHEDULE 1

Articles 1(2) and 2

### PARKING PLACES IN BANGOR

#### PART 1

Monday to Saturday 8.00 a.m. to 6.00 p.m. — Maximum stay 1 hour; No return within 1 hour

1. Abbey Street (north-west side of the north-west carriageway) – from a point 25.2 metres north-east of its junction with Brunswick Road for a distance of 31.3 metres in a north-easterly direction.
2. Abbey Street (north-west side of the north-west carriageway) – from a point 74 metres north-east of its junction with Brunswick Road for a distance of 32.4 metres in a north-easterly direction.
3. Abbey Street (north-west side of the north-west carriageway) – from a point 112.4 metres north-east of its junction with Brunswick Road for a distance of 60.3 metres in a north-easterly direction.
4. Abbey Street (north-west side of the north-west carriageway) – from a point 188.4 metres north-east of its junction with Brunswick Road for a distance of 19.1 metres in a north-easterly direction.
5. Abbey Street (north-west side of the north-west carriageway) – from a point 219.7 metres north-east of its junction with Brunswick Road for a distance of 55 metres in a north-easterly direction.
6. Abbey Street (south-east side of the south-east carriageway) – from a point 214.2 metres north-east of its junction with Newtownards Road for a distance of 75.4 metres in a north-easterly direction.
7. High Street (north side) – from a point 23.5 metres west of its junction with Clifton Road for a distance of 46 metres in a westerly direction.
8. High Street (north side) – from a point 84.9 metres west of its junction with Clifton Road for a distance of 44.1 metres in a westerly direction.
9. High Street (north side) – from a point 132 metres west of its junction with Clifton Road for a distance of 12.1 metres in a westerly direction.
10. High Street (north side) – from a point 38.5 metres east of its junction with Albert Street for a distance of 38 metres in an easterly direction.
11. High Street (north side) – from a point 20 metres west of its junction with Albert Street for a distance of 8 metres in a westerly direction.
12. High Street (north side) – from a point 39.2 metres west of its junction with Albert Street for a distance of 25.7 metres in a westerly direction.
13. High Street (south side) – from a point 31.9 metres west of its junction with Prospect Road for a distance of 7.4 metres in a westerly direction.
14. High Street (south side) – from a point 42.3 metres west of its junction with Prospect Road for a distance of 27.2 metres in westerly direction.
15. High Street (south side) – from a point 5.5 metres east of its junction with Alfred Street for a distance of 15 metres in an easterly direction.
16. High Street (south side) – from a point 96 metres east of its junction with Bingham Street for a distance of 21 metres in an easterly direction.
17. High Street (south side) – from a point 63.8 metres east of its junction with Bingham Street for a distance of 22 metres in an easterly direction.
18. High Street (south side) – from a point 32 metres east of its junction with Bingham Street for a distance of 28.3 metres in an easterly direction.

19. High Street (south side) – from a point 9 metres east of its junction with Bingham Street for a distance of 15.7 metres in an easterly direction.
20. High Street (south side) – from a point 56 metres west of its junction with Bingham Street for a distance of 20 metres in a westerly direction.

## PART 2

Monday to Saturday 8.00 a.m. to 6.30 p.m. — Maximum stay 1 hour; No return within 1 hour

1. Main Street (north-west side) – from a point 52.7 metres north-east of its junction with Dufferin Avenue for a distance of 12.2 metres in a north-easterly direction.
2. Main Street (north-west side) – from a point 99.1 metres north-east of its junction with Dufferin Avenue for a distance of 8.1 metres in a north-easterly direction.
3. Main Street (north-west side) – from a point 121.5 metres north-east of its junction with Dufferin Avenue for a distance of 18 metres in a north-easterly direction.
4. Main Street (west side) – from a point 106.6 metres south of its junction with Queen’s Parade for a distance of 32 metres in a southerly direction.
5. Main Street (west side) – from a point 67.7 metres south of its junction with Queen’s Parade for a distance of 15.9 metres in a southerly direction.
6. Main Street (south-east side) – from a point 4.7 metres south-west of its junction with Market Street for a distance of 21.8 metres in a south-westerly direction.
7. Main Street (south-east side) – from a point 6.6 metres north-east of its junction with Market Street for a distance of 16.4 metres in a north-easterly direction.
8. Main Street (south-east side) – from a point 30.2 metres north-east of its junction with Market Street for a distance of 32.9 metres in a north-easterly direction.
9. Main Street (south-east side) – from a point 65.6 metres north-east of its junction with Market Street for a distance of 7.2 metres in a north-easterly direction.
10. Main Street (east side) – from a point 158 metres south of its junction with Mill Row for a distance of 35 metres in a southerly direction.
11. Main Street (east side) – from a point 109.5 metres south of its junction with Mill Row for a distance of 32.2 metres in a southerly direction.
12. Main Street (east side) – from a point 70 metres south of its junction of Mill Row for a distance of 16.5 metres in a southerly direction.

## SCHEDULE 2

Article 13

### WAITING RESTRICTIONS IN BANGOR — No Waiting at any time (Loading and unloading not permitted)

1. Abbey Street (north-west side of the north-west carriageway) – from a point 56.5 metres north-east of its junction with Brunswick Road for a distance of 17.5 metres in a north-easterly direction.
2. Abbey Street (north-west side of the north-west carriageway) – from a point 68 metres south-west of its junction with Dufferin Avenue for a distance of 35.4 metres in a south-westerly direction.
3. Abbey Street (north-west side of the north-west carriageway) – from a point 49 metres south-west of its junction with Dufferin Avenue for a distance of 5 metres in a south-westerly direction.
4. Abbey Street (north-west side of the north-west carriageway) – from a point 127.9 metres south-west of its junction with Dufferin Avenue for a distance of 29 metres in a south-westerly direction.
5. Abbey Street (south-east side of the north-west carriageway) – from a point 9 metres north-east of its junction with Newtownards Road for a distance of 62.7 metres in a north-easterly direction.
6. Abbey Street (south-east side of the north-west carriageway) – from a point 86.5 metres north-east of its junction with Newtownards Road for a distance of 220 metres in a north-easterly direction.
7. Abbey Street (north-west side of the south-east carriageway) – from a point 81.7 metres north-east of its junction with Newtownards Road for a distance of 220 metres in a north-easterly direction.
8. Abbey Street (north-west side of the south-east carriageway) – from a point 81 metres south-west of its junction with Castle Park Avenue for a distance of 53 metres in a south-westerly direction.
9. Abbey Street (north-west side of the south-east carriageway) – from a point 7 metres south-west of its junction with Castle Park Avenue for a distance of 26 metres in a south-westerly direction.
10. Abbey Street (south-east side of the south-east carriageway) – from its junction with Newtownards Road for a distance of 76.6 metres in a north-easterly direction.
11. Abbey Street (south-east side of the south-east carriageway) – from a point 81.7 metres north-east of its junction with Newtownards Road for a distance of 107.5 metres in a north-easterly direction.
12. Abbey Street (south-east side of the south-east carriageway) – from a point 289.6 metres north-east of its junction with Newtownards Road for a distance of 26.4 metres in a north-easterly direction.
13. Abbey Street (south-east side of the south-east carriageway) – from a point 74 metres south-west of its junction with Castle Park Avenue for a distance of 33 metres in a south-westerly direction.
14. Abbey Street (south-east side of the south-east carriageway) – from a point 15 metres south-west of its junction with Castle Park Avenue for a distance of 18 metres in a south-westerly direction.
15. Bridge Street (south-east side of the north-west carriageway) – from a point 2.8 metres south-west of its junction with High Street for a distance of 74.5 metres in a south-westerly direction.
16. Bridge Street (north-west side of the south-east carriageway) – from a point 2.8 metres south-west of its junction with High Street for a distance of 72.5 metres in a south-westerly direction.



17. Bridge Street (south-east side of the south-east carriageway) – from a point 15 metres south-west of its junction with High Street for a distance of 18.2 metres in a south-westerly direction.
18. Bridge Street (south-east side of the south-east carriageway) – from a point 49.4 metres south-west of its junction with High Street for a distance of 9 metres in a south-westerly direction.
19. High Street (north side) – from a point 69.5 metres west of its junction with Clifton Road for a distance of 7 metres in a westerly direction.
20. High Street (north side) – from a point 129 metres west of its junction with Clifton Road for a distance of 3 metres in a westerly direction.
21. High Street (north side) – from a point 15 metres west of its junction with Holburn Avenue for a distance of 5 metres in a westerly direction.
22. High Street (north side) – from a point 15 metres east of its junction with Albert Street for a distance of 23.5 metres in an easterly direction.
23. High Street (north side) – from a point 15 metres west of its junction with Albert Street for a distance of 5 metres in a westerly direction.
24. High Street (north side) – from a point 36.2 metres west of its junction with Albert Street for a distance of 3 metres in a westerly direction.
25. High Street (south side) – from a point 39.3 metres west of its junction with Prospect Road for a distance of 3 metres in a westerly direction.
26. High Street (south side) – from a point 85.8 metres east of its junction with Bingham Street for a distance of 10.2 metres in an easterly direction.
27. High Street (south side) – from a point 60.3 metres east of its junction with Bingham Street for a distance of 3.5 metres in an easterly direction.
28. High Street (south side) – from a point 24.7 metres east of its junction with Bingham Street for a distance of 7.3 metres in an easterly direction.
29. High Street (south side) – from a point 15 metres west of its junction with Bingham Street for a distance of 10 metres in a westerly direction.
30. Main Street (north-west side) – from a point 85.7 metres north-east of its junction with Dufferin Avenue for a distance of 5 metres in a north-easterly direction.
31. Main Street (north-west side) – from a point 155.7 metres north-east of its junction with Dufferin Avenue for a distance of 30.5 metres in a north-easterly direction.
32. Main Street (west side) – from a point 15 metres north of its junction with Central Avenue for a distance of 13 metres in a northerly direction.
33. Main Street (west side) – from a point 83.7 metres south of its junction with Queen’s Parade for a distance of 10 metres in a southerly direction.
34. Main Street (west side) – from a point 15 metres south of its junction with Queen’s Parade for a distance of 52.7 metres in a southerly direction.
35. Main Street (south-east side) – from a point 26.5 metres south-west of its junction with Market Street for a distance of 45.5 metres in a south-westerly direction.
36. Main Street (south-east side) – from a point 45.2 metres south-west of its junction with Castle Street for a distance of 2.3 metres in a south-westerly direction.
37. Main Street (south-east side) – from a point 15 metres south-west of its junction with Castle Street for a distance of 14 metres in a south-westerly direction.
38. Main Street (east side) – from a point 15 metres north of its junction with Hamilton Road for a distance of 46 metres in a northerly direction.
39. Main Street (east side) – from a point 150.2 metres south of its junction with Mill Row for a distance of 7.8 metres in a southerly direction.
40. Main Street (east side) – from a point 86.5 metres south of its junction with Mill Row for a distance of 10 metres in a southerly direction.
41. Main Street (east side) – from a point 15 metres south of its junction with Mill Row for a distance of 55 metres in a southerly direction.

## **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 they 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 on the lengths of road specified in Schedule 2 (Article 13). Vehicles are excepted from the prohibition in certain circumstances (Article 14).

The Order also amends The Loading Bays on Roads Order (Northern Ireland) 2007 by adding three parking places specified in Article 11 and The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012 by the substitution for the item in Quay Street, Bangor of the item in Article 12.

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 the Order will in due course be placed on the roads.