

2022 No. 278

ROAD TRAFFIC AND VEHICLES

**The Bus Lanes (Ballygowan Road and Castlereagh Road
Corridor, Belfast) Order (Northern Ireland) 2022**

Made - - - - - *27th October 2022*

Coming into operation - *18th November 2022*

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

Thirty nine written objections and twenty two representations have been received and duly considered. One objection and one representation have subsequently been withdrawn. A further fourteen representations in support have been received.

The Department has modified the draft Order.

Citation and commencement

1. This Order may be cited as The Bus Lanes (Ballygowan Road and Castlereagh Road Corridor, Belfast) Order (Northern Ireland) 2022 and shall come into operation on 18th November 2022.

Interpretation

2. In this Order—

“bus” means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

“bus lane” means the areas of those lengths of roads specified in the Schedules;

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

(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

“lay-by” means a surfaced area adjacent to the carriageway intended for the waiting of vehicles;

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

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

“permitted taxi” means a taxi which is either—

- (i) licensed to stand or ply for hire on a road or public place and subject to Bye-Laws made in respect of Motor Hackney Carriages standing or plying for hire made by the Council of the County Borough of Belfast on 4th June 1951 and which meets the specifications prescribed by regulation 41 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(b); or
- (ii) licensed to operate carriage services under the road service licence provision of Part II Of the Transport Act (Northern Ireland) 1967(c).

Prohibitions on traffic

3.—(1) Subject to Article 4 and save as provided in Article 5, a person shall not, during the hours between 7.30 a.m. and 9.30 a.m. on the days Monday to Friday inclusive, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in a bus lane specified in Schedule 1.

(2) Subject to Article 4 and save as provided in Article 5, a person shall not, during the hours between 3.30 p.m. and 6.30 p.m. on the days Monday to Friday inclusive, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in a bus lane specified in Schedule 2.

Restriction of waiting

4. A bus, cycle, motor cycle or permitted taxi may only wait in a bus lane to enable a person to board or alight from the vehicle and the period of waiting shall not exceed two minutes.

Exceptions

5. The prohibitions in Article 3 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in a bus lane so far as such entry, proceeding or waiting is reasonably necessary for the avoidance of an accident or to enable the vehicle to be used—

- (a) in an emergency by a medical practitioner, or for police, military, fire and rescue or ambulance purposes; or
- (b) in the services of the Department in pursuance of its statutory powers or duties; or
- (c) for any of the following operations provided that they can be conveniently carried out only from the bus lane—
 - (i) in an emergency in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(d); or
 - (ii) by or on behalf of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(e) or a licence granted under Article 8 of the Gas

(a) 1983 c. 54

(b) S.R. 1995 No. 447

(c) 1967 c. 37 (N.I.) to which there are no relevant amendments

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

(e) 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

(Northern Ireland) Order 1996(a) in an emergency in connection with the discharge of the holder's functions within the bus lane or an area accessible only from the bus lane; or

- (iii) by or on behalf of a sewerage or a water undertaker in an emergency in connection with the discharge of that undertaker's functions within the bus lane or an area accessible only from the bus lane; or
- (d) for access to or from premises adjacent to or accessible only from the bus lane; or
- (e) for access to or from a lay-by adjacent to or accessible only from the bus lane; or
- (f) for the removal of any obstruction to traffic.

Revocations

6. The provisions specified in column (1) of Schedule 3 are revoked to the extent specified in column (3).

Sealed with the Official Seal of the Department for Infrastructure on 27th October 2022

(L.S.)

E Loughran
A senior officer of the Department for Infrastructure

SCHEDULE 1

Article 3(1)

INBOUND BUS LANES

1. Ballygowan Road, Belfast: The south-western side of the city bound (north-westbound) carriageway of Ballygowan Road, Belfast, from a point 89 metres south-east of the south-eastern kerblines of Lead Hill to a point 133 metres north-west of the north-western kerblines of Lead Hill, bounded on its south-western side by the south-western kerblines of Ballygowan Road, private accesses, and its junction with Lead Hill, and on its north-eastern side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by a gap opposite the junction.

2. Castlereagh Road, Belfast: The south-western side of the city bound (north-westbound) carriageway of Castlereagh Road, Belfast, from a point 131 metres south-east of the north-western kerblines of Marshalls Road to a point 10 metres south-east of the south-eastern kerblines of Cicero Gardens, bounded on its south-western side by the south-western kerblines of Castlereagh Road, private accesses, and its junctions with Marshalls Road, Orangefield Crescent, Ardpatrick Gardens, Blenheim Drive and Trigo Parade, and on its north-eastern side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by gaps opposite the junctions and the controlled areas of pedestrian crossings.

3. Castlereagh Road, Belfast: The south-western side of the city bound (north-westbound) carriageway of Castlereagh Road, Belfast, from a point 32 metres north-west of the north-western kerblines of Ormonde Gardens to a point 8 metres south-east of the south-eastern kerblines of Leitrim Street, bounded on its south-western side by the south-western kerblines of Castlereagh Road, the outer edge of a lay-by, private accesses, and its junctions with Ormonde Crescent, Loopland Park, Loopland Drive, Hillsborough Parade, Hillsborough Drive, Euston Parade, Mashona Street, Newry Street and Moneyrea Street, and on its north-eastern side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by gaps opposite

(a) 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

the junctions, a length of road marking to delineate a traffic lane and the controlled areas of pedestrian crossings.

SCHEDULE 2

Article 3(2)

OUTBOUND BUS LANES

1. Castlereagh Road, Belfast: The north-eastern side of the country bound (south-eastbound) carriageway of Castlereagh Road, Belfast, from a point 42 metres north-west of the north-western kerbline of Orby Park to a point 62 metres north-west of the north-western kerbline of Grand Parade, bounded on its north-eastern side by the north-eastern kerbline of Castlereagh Road and its junction with Orby Park, and on its south-western side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by a gap opposite the junction.

2. Castlereagh Road, Belfast: The north-eastern side of the country bound (south-eastbound) carriageway of Castlereagh Road, Belfast, from a point 104 metres south-east of the south-eastern kerbline of Grand Parade to a point 177 metres south-east of the north-western kerbline of Orby Street, bounded on its north-eastern side by the north-eastern kerbline of Castlereagh Road, a private access, and its junctions with Orby Place, Houston Park and Orby Street, and on its south-western side by the outer edge of a road marking in the form of a continuous longitudinal white line broken only by gaps opposite the junctions and the controlled areas of pedestrian crossings.

SCHEDULE 3

Article 6

Revocations

<i>Column (1) Title</i>	<i>Column (2) S.R reference</i>	<i>Column (3) Extent of revocation</i>
Bus Lanes Order (Northern Ireland) 2002	S.R. 2002 No. 173	Items 4, 5 and 28 of Schedule 1
Bus Lane (Castlereagh Road, Belfast) Order (Northern Ireland) 2002	S.R. 2002 No. 178	The whole Order

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for with-flow bus lanes during the hours specified in Article 3 on the lengths of road specified in the Schedules.

The Order also restricts the waiting by buses, cycles, motor cycles and permitted taxis using those bus lanes (Article 4).

Vehicles requiring access are excepted from the provisions of the Order (Article 5).

The Order revokes certain existing provisions (Article 6).

Any person who acts in contravention of Article 3 of the Order by causing or permitting any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in a bus lane, or in contravention of Article 4 by causing or permitting a bus, cycle, motor cycle or permitted taxi to wait in a bus lane for longer than two minutes shall be liable to a penalty charge (£90) payable in accordance with the Traffic Management (Northern Ireland) Order 1995 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 indicating the effect of the Order will in due course be placed on the roads.