

2023 No. 115

ROAD TRAFFIC AND VEHICLES

The Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2023

Made - - - - - *26th July 2023*

Coming into operation - *17th August 2023*

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Articles 10(4), 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 Schedule 1 to this Order.

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

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

The Department in compliance with paragraph 3(4) of that Schedule, 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 objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2023 and shall come into operation on 17th August 2023.

(2) In this Order—

“solo motor cycle” means a motor cycle without a sidecar and having two wheels;

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

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

(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)

(d) 2011 c. 5

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

Authorisation of parking places

2. The use as parking places for solo motor cycles on the lengths of road specified in Schedule 1 is authorised.

Use of parking places

3. Save as provided in Article 4, a person shall not leave or cause a vehicle other than a solo motor cycle to be left within the limits of a parking place.

Exceptions

4. Nothing in Article 3 shall render it unlawful for a person to cause or permit a vehicle to be left in a parking place where the person in control of it is prevented from proceeding by circumstance beyond that person’s control or to avoid an accident or for so long as may be reasonably necessary to enable—

- (a) the vehicle to be used in an emergency by a medical practitioner, or for fire and rescue, ambulance, police or customs purposes or the purposes of the security forces;
- (b) 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;
- (c) the vehicle, if it cannot conveniently be used for such purposes outside that length of road, to be used—
 - (i) by or on behalf of a district council or a government department in pursuance of statutory powers or duties;
 - (ii) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of the undertaker’s functions;
 - (iii) 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 a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(b); or
 - (iv) 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).

Suspension of the use of a parking place

5. The Department may suspend the use of the 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 a 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 a parking place;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the cleansing, maintenance, improvement or reconstruction of the road; or

(a) 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

(b) 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

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

- (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^(a);
- (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^(b) to be executed.

Prohibition of the use of a suspended parking place

6. A person not using a vehicle in connection with any of the undertaking specified in Article 5 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

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

Method of removal of a vehicle

8. Any person removing a vehicle by virtue of Article 7 may do so by towing or driving the vehicle, or, in such a 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

9. 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 7 that person shall make arrangements as may be necessary for the safe custody of the vehicle.

Revocations

10. The provisions specified in column (1) of Schedule 2 are revoked to the extent as specified in column (3).

Sealed with the Official Seal of the Department for Infrastructure on 26th July 2023

(L.S.)

D J Millar
A senior officer of the Department for Infrastructure

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

SCHEDULE 1

Article 2

Motor Cycle Parking Places — Unlimited Waiting

1.	Bankmore Street, Belfast (south side) – from a point 26.1 metres east of its junction with Dublin Road for a distance of 14.3 metres in an easterly direction.
2.	Brunswick Street, Belfast (west side) – from a point 38.2 metres south of its junction with Howard Street for a distance of 21 metres in a southerly direction
3.	College Square East, Belfast (east side) – from a point 44.4 metres south of its junction with Wellington Place for a distance of 16.8 metres in a southerly direction
4.	Linenhall Street, Belfast (east side) – from a point 30.9 metres south of its junction with Donegall Square South for a distance of 13.6 metres in a southerly direction.
5.	May Street, Belfast (north side) – from a point 17.2 metres west of its junction with Oxford Street for a distance of 16.5 metres in a westerly direction.
6.	The Diamond, Londonderry (south-west side of the central island) – from a point 6 metres north-west of its south-eastern corner for a distance of 11.6 metres in a north-westerly direction.
7.	Kerr Street, Portrush (west side) – from a point 54 metres north-west of its junction with Eglinton Street for a distance of 10 metres.
8.	The Crescent, Portstewart (south side) – from a point 30 metres south-west of its junction with The Promenade for a distance of 22 metres.

SCHEDULE 2

Article 10

Revocations

Column (1)	Column (2)	Column (3)
The Parking Places on Roads (Motor Cycles) Order (Northern Ireland) 2010	S.R. 2010 No. 268	The whole Order
The Parking Places and Waiting Restrictions (Belfast City Centre) Order (Northern Ireland) 2015	S.R. 2015 No. 378	Article 5
The Parking Places on Roads (Motor Cycles) (Amendment) Order (Northern Ireland) 2016	S.R. 2016 No. 153	Article 3

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use as a parking place with unlimited waiting for solo motor cycles on a length of The Diamond, Londonderry as specified in Schedule 1.

The Order also revokes the provisions specified in Schedule 2 and re-enacts the parking restrictions (Article 10). The Order also updates the definitions of “postal packet” and “universal service provider”.

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 item relating to The Diamond, Londonderry will in due course be placed on the road.