

Experimental Traffic Control Scheme – Parking Places – Banbridge

The Department for Infrastructure^(a) makes the following experimental traffic control scheme in exercise of the powers conferred by Article 5(1) and (2) of The Road Traffic Regulation (Northern Ireland) Order 1997^(b) (“the 1997 Order”) 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 road specified in Schedule 1 to this Direction Order.

In accordance with Article 5(10) of, and paragraphs 2 and 3 of Schedule 2 to, the 1997 Order, the Department has consulted such persons as it considered appropriate.

The Department has published a notice in compliance with paragraphs 2 and 4 of that Schedule.

(Here will follow, where appropriate, recitals of the fact of any objections or other representations received).

Commencement and interpretation

1.—(1) The experimental traffic control scheme shall come into operation on 2026.

(2) In this scheme—

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

“parking place” means the part of the 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” has the same meaning as in section 65(1) of the Postal Services Act 2011^(e); and

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

(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) 1983 c. 54

(e) 2011 c. 5

Authorisation of parking places

2. The use as a parking place of the lengths of the road specified in Schedule 1 is hereby 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) a person shall not leave or cause a vehicle to be left in the parking place specified in Schedule 1 for longer than 1 hour;
- (b) 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.

(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 specified in Schedule 1 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—
 - (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 3A to the Communications Act 2003(c); 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) 2003 c. 21; Schedule 3A was inserted by section 4 of, and Schedule 1 to, the Digital Economy Act 2017 (2017 c. 20)

(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 specified in Schedule 1 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 operation outside the loading bay or 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 loading bay or parking place;
 - (ii) the removal of any obstruction to traffic;
 - (iii) the cleansing, maintenance, improvement or reconstruction of the road;
 - (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, electricity or of electronic communication apparatus as defined in Schedule 3A to the Communications Act 2003
- (b) street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(a) to be executed; or
- (c) the implementation of any traffic management scheme.

Prohibition of the use of a suspended loading bay or 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 specified in Schedule 1 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 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

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

Modification of Orders

11. The Department directs that, during the period that the experimental traffic control scheme is in force, the provisions specified in column 1 of Schedule 2 are suspended to the extent specified in column 3.

(a) S.I. 1995/3210 (N.I. 19)

(L.S.)

A senior officer of the Department for Infrastructure

SCHEDULE 1

Articles 2 and 4

Parking Places in Banbridge

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

1. Bridge Street (north-west side) – from a point 6 metres north-east of its junction with Scarva Street for a distance of 65 metres in a north-easterly direction.
2. Bridge Street (north-west side) – from a point 15 metres north-east of its junction with Victoria Street for a distance of 134 metres in a north-easterly direction.
3. Bridge Street (south-east side) – from a point 6 metres north-east of its junction with Rathfriland Street for a distance of 245 metres in a north-easterly direction.
4. Newry Street (north-west side) – from a point 15 metres north-east of its junction with Linenhall Street for a distance of 200 metres in a north-easterly direction.
5. Newry Street (north-west side) – from a point 9 metres south-west of its junction with Linenhall Street for a distance of 52 metres in a south-westerly direction.
6. Newry Street (south-east side) – from a point 6 metres north-east of its junction with Old Kenlis Street for a distance of 229 metres in a north-easterly direction.
7. Newry Street (south-east side) – from a point 10 metres south-west of its junction with Old Kenlis Street for a distance of 28 metres in a south-westerly direction.
8. Rathfriland Street (north-east side) – from a point 45 metres south-west of its junction with Bridge Street for a distance of 82 metres in a south-easterly direction.
9. Rathfriland Street (south-west side) – from a point 15 metres south-east of its junction with Newry Street for a distance of 94 metres in a south-easterly direction.
10. Scarva Street (south-west side) – from a point 15 metres north-west of its junction with Newry Street for a distance of 12 metres in a north-westerly direction.
11. Scarva Street (north-east side) – from a point 34 metres north-west of its junction with Newry Street for a distance of 39 metres in a north-westerly direction.

SCHEDULE 2

Article 11

Suspensions

<i>Column 1 (Title)</i>	<i>Column 2 (Reference)</i>	<i>Column 3 (Extent)</i>
The Parking and Waiting Restrictions (Banbridge) Order (Northern Ireland) 2014	S.R. 2014 No. 260	Items 3 and 4 of Schedule 1
The Parking and Waiting Restrictions (Banbridge) (Amendment No. 2) Order (Northern Ireland) 2016	S.R. 2016 No. 288	Items 6 and 7 of Article 2