

2023 No.

ROAD TRAFFIC AND VEHICLES

**The Parking Places on Roads and Waiting Restrictions
(Coalisland) Order (Northern Ireland) 2023**

Made - - - - 2023

Coming into operation 2023

The Department for Infrastructure^(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 the roads specified in Articles 13 and 14 and Schedule 1 to this Order.

The Department has consulted with 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.

(Here will follow, where appropriate, recitals of the fact of any written objections or other representations received or inquiry held and the outcome thereof).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Parking Places on Roads and Waiting Restrictions (Coalisland) Order (Northern Ireland) 2023 and shall come into operation on 2023.

(2) In this Order—

“medical practitioner” means a registered person within the meaning of the Medical Act 1983^(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) 1983 c. 54

“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” has the same meaning as in section 65(1) of the Postal Services Act 2011(a);
“specified hours” means the hours between 8.15 a.m. and 6.15 p.m. on the days Monday to Saturday inclusive; and
“universal service provider” has the same meaning as in section 65(1) of the Postal Services Act 2011.

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 specified in Schedule 1 unless it is wholly within a parking space where such as 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 specified hours—
- (a) a person shall not leave or cause a vehicle to be left in a parking place specified in Schedule 1 for longer than 2 hours;
 - (b) a person shall not leave or cause that vehicle to be left again in that parking place until the expiration of 2 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 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 2 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;
 - (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 any 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;

(a) 2011 c. 5

- (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 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 purpose outside that 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 specified in Schedule 1 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.

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

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 at any time on a length of road specified in 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 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 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 a period exceeding 2 minutes whether or not the vehicle is moved during that period.

Amendment to loading bays order

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

(a) S.R. 2007 No. 270 last relevant amending Order is S.R. 2022 No. 96

“195.	Main Street, Coalisland (north side in a lay-by) – from a point 34 metres west of its junction with Stewartstown Road for a distance of 16 metres in a westerly direction.	All Hours	All Days
196.	Main Street, Coalisland (north side in a lay-by) – from a point 99 metres west of its junction with Stewartstown Road for a distance of 16 metres in a westerly direction.	All Hours	All Days”

Amendment to disabled persons’ vehicles order

14. The Parking Places (Disabled Persons’ Vehicles) Order (Northern Ireland) 2016(a) is amended by the addition to Schedule 1 of the following items—

- “xxxx. Barrack Street, Coalisland (south-west side in a lay-by) – from a point 27 metres north-west of its junction with The Square for a distance of 7 metres in a north-westerly direction.
- xxxx. Main Street, Coalisland (north side in a lay-by) – from a point 64 metres east of its junction with Barrack Street for a distance of 6 metres in an easterly direction.
- xxxx. Main Street, Coalisland (north side in a lay-by) – from a point 62 metres west of its junction with Stewartstown Road for a distance of 8 metres in an easterly direction.”

Sealed with the Official Seal of the Department for Infrastructure on 2023

(L.S.)

A senior officer of the Department for Infrastructure

SCHEDULE 1

Article 2

PARKING PLACES IN COALISLAND

Monday to Saturday 8.15 a.m. to 6.15 p.m. – Maximum stay 2 hours; no return within 2 hours

1. Barrack Street (south-west side in a lay-by) – from a point 20 metres north-west of its junction with The Square for a distance of 7 metres in a north-westerly direction.
2. Barrack Street (south-west side in a lay-by) – from a point 34 metres north-west of its junction with The Square for a distance of 12 metres in a north-westerly direction.
3. Main Street (north side in a lay-by) – from a point 1 metre east of its junction with Barrack Street for a distance of 13 metres in an easterly direction.
4. Main Street (north side in a lay-by) – from a point 45 metres east of its junction with Barrack Street for a distance of 5 metres in an easterly direction.
5. Main Street (north side in a lay-by) – from a point 54 metres east of its junction with Barrack Street for a distance of 6 metres in an easterly direction.

(a) S.R. 2016 No. 131 last relevant amending Order is S.R. 2022 No. 19

6. Main Street (north side in a lay-by) – from a point 20 metres west of its junction with Stewartstown Road for a distance of 14 metres in a westerly direction.
7. Main Street (north side in a lay-by) – from a point 56 metres west of its junction with Stewartstown Road for a distance of 6 metres in a westerly direction.
8. Main Street (north side in a lay-by) – from a point 70 metres west of its junction with Stewartstown Road for a distance of 13 metres in a westerly direction.
9. Main Street (north side in a lay-by) – from a point 87 metres west of its junction with Stewartstown Road for a distance of 12 metres in a westerly direction.
10. Main Street (north side in a lay-by) – from a point 125 metres west of its junction with Stewartstown Road for a distance of 16 metres in a westerly direction.
11. Main Street (south side in a lay-by) – from a point 66 metres west of its junction with Stewartstown Road for a distance of 51 metres in a westerly direction.
12. The Square (west side in a lay-by) – from a point 8 metres north of its junction/roundabout with Lineside for a distance of 5 metres in a north-easterly direction.
13. The Square (west side in a lay-by) – from a point 19 metres north of its junction/roundabout with Lineside for a distance of 6 metres in a north-easterly direction.
14. The Square (north-west side in a lay-by) – from a point 18 metres north-east of its junction with Barrack Street for a distance of 18 metres in a north-easterly direction.
15. The Square (north-east side) – from a point 18 metres north-east of its junction with Barrack Street for a distance of 19 metres in a north-easterly direction.

SCHEDULE 2

Article 11

WAITING RESTRICTIONS IN COALISLAND

No waiting at any time – Loading and unloading permitted

1. Barrack Square (north-east side) – from a point 15 metres south-east of its junction with Lineside for a distance of 45 metres in a south-easterly direction.
2. Stewartstown Road (east side) – from a point 15 metres south of its junction with Washing Bay Road for a distance of 10 metres in a southerly direction.
3. Stewartstown Road (west side) – from a point 15 metres south of its junction with Main Street for a distance of 10 metres in a southerly direction.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order—

- (a) 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);
- (b) prohibits vehicles from waiting on the lengths of road specified in Schedule 2 (Article 11). Vehicles are excepted from the prohibition in certain circumstances (Article 12);
- (c) amends the Loading Bays on Roads Order (Northern Ireland) 2007 by the addition of the items specified in Article 13; and

- (d) amends the Parking Places (Disabled Persons' Vehicles) Order (Northern Ireland) 2016 by the addition of the items specified in Article 14.

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