

2012 No. 362

ROAD TRAFFIC AND VEHICLES

The Waiting Restrictions (Lisburn) (No. 2) Order (Northern Ireland) 2012

Made - - - - - *25th September 2012*

Coming into operation - - - - - *17th October 2012*

The Department for Regional Development^(a) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of 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.

No written objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Waiting Restrictions (Lisburn) (No. 2) Order (Northern Ireland) 2012 and shall come into operation on 17th October 2012.

(2) In this Order —

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

“postal packet” means a letter, parcel, packet or other article transmissible by post as defined in section 125 of the Postal Services Act 2000^(e);

“universal service provider” has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

Restriction of waiting

2. Save as provided in Article 3 a person shall not cause or permit a vehicle to wait on the lengths of road specified in Schedules 1 and 2 at any time.

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(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) 2000 c. 26

Exceptions

3.—(1) Nothing in Article 2 shall render it unlawful for a person to cause or permit a vehicle to wait on the carriageway of a length of road specified in the Schedules 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 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 of 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); 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).

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

Sealed with the Official Seal of the Department for Regional Development on 25th September 2012

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

(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)

SCHEDULE 1

Article 2

No Waiting at any Time

All in Lisburn

1. Trinity Terrace (east side) – from a point 15 metres north-west of its junction with Longstone Street for a distance of 24.5 metres in a north-westerly direction.
2. Trinity Terrace (west side) – from a point 15 metres north-west of its junction with Longstone Street for a distance of 33.4 metres in a north-westerly direction.

SCHEDULE 2

Article 2

No Waiting at any Time (including no loading or unloading)

All in Lisburn

1. Chapel Hill (north-west side) – from a point 21 metres south-west of its junction with Bow Street for a distance of 66 metres in a south-westerly direction.
2. Chapel Hill (south-east side) – from a point 15 metres south-west of its junction with Market Place for a distance of 28 metres in a south-westerly direction.
3. Chapel Hill (south-east side) – from a point 55 metres south-west of its junction with Market Place for a distance of 25 metres in a south-westerly direction.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits vehicles from waiting on the lengths of road specified in–

- (a) Schedule 1 at any time; and
- (b) Schedule 2 at any time with loading or unloading also prohibited.

Vehicles are excepted from the prohibition in certain circumstances (Article 3).

A penalty charge (£90) is payable with respect to a vehicle involved in a contravention of the 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.