

2015 No. 67

ROAD TRAFFIC AND VEHICLES

**The Parking and Waiting Restrictions (Londonderry) Order
(Northern Ireland) 2015**

Made - - - - - *18th February 2015*

Coming into operation - *10th March 2015*

The Department for Regional Development(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 road specified in Schedules 1 and 2.

The Department has consulted 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.

No written objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Parking and Waiting Restrictions (Londonderry) Order (Northern Ireland) 2015 and shall come into operation on 10th March 2015.

(2) In this Order—

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

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

(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

“parking space” means a space which is marked out in a parking place for the leaving of a vehicle;

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

“specified hours” means the hours between 8.00 a.m. and 6.30 p.m. on Monday to Saturday inclusive; and

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

Authorisation of parking places

2. The use as parking places of the lengths of road specified in Schedules 1 and 2 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 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 specified hours—
- (a) a person shall not leave or cause a vehicle to be left in a parking place specified—
 - (i) in Schedule 1 for longer than 1 hour;
 - (ii) in Schedule 2 for longer than 30 minutes;
 - (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 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;

(a) 2000 c. 26

- (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 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 the 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 communication 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 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 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 other 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)
 (b) S.I. 1996/275 (N.I. 2)
 (c) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 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 —
- (a) on a length of road specified in Schedule 3 or Part I of Schedule 4 at any time; or
 - (b) on a length of road specified in Part II of Schedule 4 during the specified hours.

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 Schedules 3 or 4 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 4 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 for more than 2 minutes in the same place 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.

Revocations

13. The provisions specified in column (1) of Schedule 5 are revoked to the extent specified in column (3).

Sealed with the Official Seal of the Department for Regional Development on 18th February 2015

(L.S.)

G F McKenna

A senior officer of the Department for Regional Development

SCHEDULE 1

Article 2

Parking Places in Londonderry— Monday to Saturday 8.00 a.m. to 6.30 p.m. — Maximum stay 1 hour, no return within 1 hour

1. Clooney Terrace (east side) – from a point 3 metres west of its junction with Melrose Terrace for a distance of 32.5 metres in a southerly direction.
2. Clooney Terrace (east side) – from a point 60.5 metres south of its junction with Melrose Terrace for a distance of 26 metres in a southerly direction.
3. Clooney Terrace (west side) – from a point 15 metres south of its junction with Melrose Terrace for a distance of 60 metres in a southerly direction.
4. Fahan Street (south-east side) – from a point 15 metres north-east of its junction with St. Columbs Wells for a distance of 154 metres in a north-easterly direction.
5. Glenshane Road (south-west side) – from a point 10 metres south-east of its junction with Belt Road for a distance of 18 metres in a south-easterly direction.
6. Glenshane Road (south-west side) – from a point 33.5 metres south-east of its junction with Belt Road for a distance of 40 metres in a south-easterly direction.
7. Horace Street (north-west side) – from a point 105 metres north-east of its junction with Hawkins Street for a distance of 11 metres in a north-easterly direction.
8. Little James Street (west side) – from a point 27 metres north of its junction with William Street for a distance of 78 metres in a northerly direction.
9. Queens Quay (north side) – from a point 9.5 metres east of its junction with Police Court Street for a distance of 28 metres in an easterly direction.
10. Queens Quay (west side) – from a point 14 metres north of its junction with Lower Clarendon Street for a distance of 40 metres in a northerly direction.
11. Queens Quay (west side) – from a point 74 metres north of its junction with Lower Clarendon Street for a distance of 25 metres in a northerly direction.
12. Queens Quay (west side) – from a point 108 metres north of its junction with Lower Clarendon Street for a distance of 12 metres in a northerly direction.
13. Shipquay Street (north-west side) – from a point 21 metres north of its junction with The Diamond for a distance of 36 metres in a north-easterly direction.
14. Shipquay Street (north-west side) – from a point 94 metres north of its junction with The Diamond for a distance of 42 metres in a north-easterly direction.
15. Strand Road (east side) – from a point 92 metres north of its junction with Lower Clarendon Street for a distance of 41 metres in a northerly direction.
16. Strand Road (east side) – from a point 137 metres north of its junction with Lower Clarendon Street for a distance of 30 metres in a northerly direction.
17. Strand Road (east side) – from a point 175 metres north of its junction with Lower Clarendon Street for a distance of 15 metres in a northerly direction.
18. Strand Road (north side) – from a point 15 metres east of its junction with Foyle Embankment for a distance of 30 metres in an easterly direction.
19. Strand Road (south side) – from a point 20 metres east of its junction with Foyle Embankment for a distance of 10 metres in an easterly direction.
20. Strand Road (west side) – from a point 11 metres north of its junction with Clarendon Street for a distance of 17 metres in a northerly direction.
21. Strand Road (west side) – from a point 47 metres north of its junction with Clarendon Street for a distance of 17 metres in a northerly direction.
22. The Diamond (south-east side) – from a point 12 metres south-west of its junction with Ferryquay Street for a distance of 2.5 metres in south-westerly direction.

SCHEDULE 2

Article 2

Parking Places in Londonderry — Monday to Saturday 8.00 a.m. to 6.30 p.m. — Maximum stay 30 minutes, no return within 1 hour

1. Strand Road (west side) – from a point 27.5 metres south of its junction with Sackville Street for a distance of 30 metres in a southerly direction.
2. William Street (north side) – from a point 10 metres west of its junction with Waterloo Street for a distance of 18 metres in a westerly direction.
3. William Street (south-west side) – from a point 39.5 metres north-west of its junction with Chamberlain Street for a distance of 12 metres in a north-westerly direction.

SCHEDULE 3

Article 11

No Waiting at any Time (loading and unloading not permitted) in Londonderry

1. Asylum Road (north side) – from a point 15 metres west of its junction with Strand Road for a distance of 124 metres in a westerly direction.
2. Asylum Road (north side) – from a point 227 metres west of its junction with Strand Road for a distance of 40 metres in a westerly direction.
3. Crawford Square (southern leg) (north-east side) – from a point 110 metres north-west of its junction with Northland Road for a distance of 16 metres in a north-easterly direction.
4. Crawford Square (northern leg) (south-west side) – from a point 78 metres north-west of its junction with Northland Road for a distance of 16 metres in a north-westerly direction.
5. Fletcher Avenue (both sides) – from a point 15 metres south-east of its junction with Strand Road for a distance of 10 metres in a south-easterly direction.
6. Foyle Embankment (entrance to Quayside Car Park) (east side) – from a point 15 metres north of its junction with Foyle Embankment for a distance of 13 metres in a northerly direction.
7. Foyle Embankment (entrance to Quayside Car Park) (west side) – from a point 15 metres north of its junction with Foyle Embankment for a distance of 7 metres in a northerly direction.
8. Henrietta Street (north-east side) – from a point 15 metres north-west of its junction with Bishop Street Without for a distance of 9 metres in a north-westerly direction.
9. Henrietta Street (south-west side) – from a point 15 metres north-west of its junction with Bishop Street Without for a distance of 68 metres in a north-westerly direction.
10. Kennedy Street (north-east side of the hammer head adjacent to No. 129 The Fountain) – commencing at the northern corner of the hammer head for a distance of 13 metres in a south-easterly direction.
11. Kennedy Street (north-west side of the hammer head adjacent to No. 129 The Fountain) – commencing at the northern corner of the hammer head for a distance of 6 metres in a south-westerly direction.
12. Kennedy Street (south-west side of the hammer head adjacent to No. 129 The Fountain) – commencing at the western corner of the hammer head for a distance of 23 metres in a south-easterly and then south-westerly direction.
13. Kennedy Street (south-east side of the hammer head adjacent to No. 129 The Fountain) – commencing at a point 7 metres south-west of the hammer head for a distance of 18 metres in a northerly and then easterly direction.
14. Kennedy Street (south-west side of the hammer head adjacent to No. 172 The Fountain) – commencing at the southern corner of the hammer head for a distance of 20 metres in a north-westerly direction.
15. Kennedy Street (west side of the hammer head adjacent to No. 172 The Fountain) – commencing at the western corner of the hammer head for a distance of 5 metres in a north-easterly direction.
16. Kennedy Street (north side of the hammer head adjacent to No. 172 The Fountain) – commencing at the northern corner of the hammer head for a distance of 12 metres in a south-easterly and then north-easterly direction.
17. Kennedy Street (east side of the hammer head adjacent to No. 172 The Fountain) – commencing at a point 5 metres north-east of the hammer head for a distance of 15 metres in a south-westerly and then south-easterly direction.
18. Linenhall Street (north-west side) – from its junction with Newmarket Street for a distance of 20 metres in a south-westerly direction.
19. Linenhall Street (south-east side) – from its junction with Newmarket Street for a distance of 20 metres in a south-westerly direction.

20. Little James Street (west side) – from a point 15 metres north of its junction with William Street for a distance of 12 metres in a northerly direction.
21. Little James Street (west side) – from a point 105 metres north of its junction with William Street for a distance of 8 metres in a northerly direction.
22. Long Tower Street (north side) – from its junction with Henrietta Street for a distance of 80 metres in a westerly direction.
23. Long Tower Street (south side) – from its junction with Henrietta Street for a distance of 80 metres in a westerly direction.
24. Market Street (north-west side) – from a point 15 metres south-west of its junction with Newmarket Street for a distance of 35 metres in a south-westerly direction.
25. Magazine Street (south-east side) – from a point 15 metres north-east of its junction with Butcher Street for a distance of 183 metres in a north-easterly direction.
26. Newmarket Street (north-east side) – from its junction with Linenhall Street to a point 15 metres north-west of its junction with Orchard Street.
27. Newmarket Street (south-west side) – from its junction with Linenhall Street to a point 15 metres north-west of its junction with Market Street.
28. Orchard Street (north-west side) – from a point 15 metres north-east of its junction with Newmarket Street for a distance of 11 metres in a north-easterly direction.
29. Orchard Street (south-east side) – from opposite its junction with Newmarket Street for a distance of 32 metres in a north-easterly direction.
30. Railway Road (east side of the build-out adjacent to the entrance to Waterside House) – from the junction of Waterside House for a distance of 8 metres in a north-westerly direction.
31. Railway Road (west side of the parking area) – from a point 3 metres from the front of Waterside House for a distance of 6 metres in a north-easterly direction.
32. Strand Road (east side) – from its junction with Sackville Street for a distance of 87.5 metres in a southerly direction.
33. Strand Road (west side) – from a point 15 metres south of its junction with Sackville Street for a distance of 1 metre in a southerly direction.
34. St. Aidan's Terrace (south-west side) – from a point 15 metres south-east of its junction with Racecourse Road for a distance of 111 metres in a south-easterly direction.
35. Waterloo Place (east side) – from its junction with Strand Road for a distance of 60 metres in a southerly direction.
36. Waterloo Place (west side) – from its junction with Strand Road for a distance of 11 metres in a southerly direction.
37. Waterloo Place (west side) – from a point 15 metres north of its junction with William Street for a distance of 2 metres in a northerly direction.
38. William Street (north side) – from a point 53 metres west of its junction with Waterloo Street for a distance of 19 metres in a westerly direction.
39. William Street (south side) – from its junction with Waterloo Street for a distance of 29 metres in a westerly direction.

SCHEDULE 4

Article 11

No Waiting Restrictions (loading and unloading permitted) — All in Londonderry

PART I

No Waiting at any Time

1. Long Tower Court (north side) – from a point 15 metres north-west of its junction with Bishop Street Without for a distance of 15 metres in a north-westerly direction.
2. Long Tower Court (south side) – from a point 15 metres north-west of its junction with Bishop Street Without for a distance of 15 metres in a north-westerly direction.

PART II

No Waiting 8.00 a.m. to 6.30 p.m. Monday to Saturday

Asylum Road (north side) – from a point 139 metres west of its junction with Strand Road for a distance of 88 metres in a westerly direction.

SCHEDULE 5

Article 13

Revocations

<i>Column (1)</i> <i>Title</i>	<i>Column (2)</i> <i>Reference</i>	<i>Column (3)</i> <i>Extent of Revocation</i>
The Parking Places and Loading Bay on Roads (Londonderry) Order (Northern Ireland) 2008	S.R. 2008 No. 10	Article 1(2), Article 2 to Article 10 inclusive and Schedule 1
The Waiting Restrictions (Londonderry) Order (Northern Ireland) 2010	S.R. 2010 No. 256	The whole Order
The Parking Places and Loading Bays on Roads (Londonderry) Order (Northern Ireland) 2010	S.R. 2010 No. 398	Article 1(2), Article 2 to Article 10 inclusive and Schedule 1
The Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2011	S.R. 2011 No. 138	The whole Order
The Parking Places on Roads (Londonderry) Order (Northern Ireland) 2011	S.R. 2011 No. 193	The whole Order
The Parking Places and Loading Bays on Roads (Londonderry) (Amendment) Order (Northern Ireland) 2012	S.R. 2012 No. 80	Article 2 and the Schedule
The Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2012	S.R. 2012 No. 243	The whole Order
The Parking Places and Loading Bays on Roads (Londonderry) (Amendment No. 2) Order (Northern Ireland) 2012	S.R. 2012 No. 346	Article 2 and the Schedule
The Waiting Restrictions (Londonderry) (Amendment No. 2) Order (Northern Ireland) 2012	S.R. 2012 No. 352	The whole Order
The Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2013	S.R. 2013 No. 21	The whole Order
The Waiting Restrictions (Londonderry) (Amendment No. 2) Order (Northern Ireland) 2013	S.R. 2013 No. 100	The whole Order
The Parking Places on Roads (Londonderry) (Amendment) Order (Northern Ireland) 2013	S.R. 2013 No. 136	The whole Order
The Parking Places on Roads (Londonderry) (Amendment) Order (Northern Ireland) 2014	S.R. 2014 No. 83	Article 2(1)
The Waiting Restrictions (Londonderry) (Amendment) Order (Northern Ireland) 2014	S.R. 2014 No. 115	The whole Order

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises the use as parking places of the lengths of roads specified in Schedules 1 and 2 (Article 2) and prescribes the conditions under which the parking places may be used (Articles 3, 4 and 7). Vehicles are excepted in certain circumstances (Articles 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).

The Order also prohibits vehicles from waiting on the roads specified in Schedules 3 and 4 (Article 11). Vehicles are excepted from the prohibition in certain circumstances (Article 12).

The Order also revokes the provisions specified in Schedule 5 and re-enacts the parking and waiting restrictions therein (Article 13).

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.