

**2017 No. 109**

**ROAD TRAFFIC AND VEHICLES**

**The Parking and Waiting Restrictions (Ballyclare) Order  
(Northern Ireland) 2017**

*Made* - - - - - *12th June 2017*

*Coming into operation* - *3rd July 2017*

The Department for Infrastructure<sup>(a)</sup> 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<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

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 and Article 11.

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.

Four written objections have been received and subsequently withdrawn and no other representation has been received.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The Parking and Waiting Restrictions (Ballyclare) Order (Northern Ireland) 2017 and shall come into operation on 3rd July 2017.

(2) In this Order—

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

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

---

(a) 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 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 9.00 a.m. and 5.00 p.m. on the days 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 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 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 in Schedule 1 for longer than 1 hour;
- (b) a person shall not leave or cause a vehicle to be left again in a parking place specified in Schedule 1 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<sup>(a)</sup> or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996<sup>(b)</sup>;
  - (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<sup>(c)</sup>; 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 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<sup>(d)</sup> 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) 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. 2009/913 (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 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.

### **Disabled bays**

11.—(1) Schedule 7 to The Parking Places (Disabled Persons' Vehicles) Order (Northern Ireland) 2016(a) is amended in accordance with paragraphs (2) and (3).

(2) Delete item no. 1 relating to Main Street, Ballyclare.

(3) After item no. 7 add the following items—

- “8. Main Street, Ballyclare (north-east side) – from a point 97 metres south-east of its junction with Park Street, for a distance of 5.5 metres in a south-easterly direction.
9. Main Street, Ballyclare (south-west side) – from a point 91 metres south-east of its junction with The Square, for a distance of 7 metres in a south-easterly direction.
10. Rashee Road, Ballyclare (north-east side) – from a point 81 metres south-east of its junction with Margaret Avenue for a distance of 6 metres in a south-easterly direction.
11. The Square, Ballyclare (south-east side, outer edge of carriageway) – from a point 4 metres north-east of its junction with Harrier Way, for a distance of 6 metres in a north-easterly direction.”

### **Lengths of road on which vehicles must not wait**

12. Save as provided in Article 13, a person shall not cause or permit a vehicle to wait—

- (a) at any time on the roads and lengths of road specified in Part 1 of Schedule 2;
- (b) between the hours of 8.00 a.m. and 6.00 p.m. on the days Monday to Saturday inclusive on the lengths of the roads specified in Part 2 of Schedule 2; or
- (c) between the hours of 8.00 a.m. and 6.00 p.m. on the days Monday to Friday inclusive on the length of the road specified in Part 3 of Schedule 2.

### **Exceptions to prohibition of waiting**

13.—(1) Nothing in Article 12 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;

---

(a) S.R. 2016 No. 131 to which there are no relevant amendments

- (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.
- (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 a period exceeding 2 minutes whether or not the vehicle is moved during that period.

Sealed with the Official Seal of the Department for Infrastructure on 12th June 2017

(L.S.)

*G F McKenna*  
A senior officer of the Department for Infrastructure

## SCHEDULE 1

Article 2

### PARKING PLACES IN BALLYCLARE — Monday to Saturday 9.00 a.m. to 5.00 p.m. — Maximum stay 1 hour, No return within 1 hour

1. Ballyeaston Road (east side) – from a point 30 metres north of its junction with North End for a distance of 10 metres in a northerly direction.
2. Ballyeaston Road (east side) – from a point 45 metres north of its junction with North End for a distance of 15 metres in a northerly direction.
3. Doagh Road (north-west side) – from a point 25 metres south-west of its junction with The Square for a distance of 73 metres in a south-westerly direction.
4. Doagh Road (south-east side) – from a point 31 metres south-west of its junction with The Square for a distance of 27 metres in a south-westerly direction.
5. George Avenue (north-west side) – from a point 47 metres south-west of its junction with Rashee Road for a distance of 64 metres in a south-westerly direction.
6. George Avenue (south-east side) – from a point 24 metres south-west of its junction with Rashee Road to a point 15 metres north-east of its junction with George Gardens.
7. Main Street (north-east side) – from a point 60 metres south-east of its junction with Park Street for a distance of 11 metres in a south-easterly direction.
8. Main Street (north-east side) – from a point 102.5 metres south-east of its junction with Park Street for a distance of 24.5 metres in a south-easterly direction.
9. Main Street (north-east side) – from a point 8 metres north-west of its junction with Abercorn Drive for a distance of 27 metres in a north-westerly direction.
10. Main Street (north-east side) – from a point 5 metres south-east of its junction with Abercorn Drive for a distance of 15 metres in a south-easterly direction.
11. Main Street (south-west side) – from a point 52 metres north-west of its junction with Avondale Drive for a distance of 16 metres in a north-westerly direction.
12. Main Street (south-west side) – from a point 76 metres south-east of its junction with The Square for a distance of 15 metres in a south-easterly direction.
13. Rashee Road (north-east side) – from a point 65 metres south-east of its junction with Margaret Avenue for a distance of 16 metres in a south-easterly direction.
14. Rashee Road (north-east side) – from a point 87 metres south-east of its junction with Margaret Avenue for a distance of 50 metres in a south-easterly direction.
15. Rashee Road (south-west side) – from a point 15 metres south-east of its junction with George Avenue for a distance of 92 metres in a south-easterly direction.
16. The Square (north-west side, outer edge of carriageway) – from a point 15 metres south-west of its junction with North End to its junction with Doagh Road.
17. The Square (north-east side, outer edge of carriageway) – from a point 6 metres north-west of its junction with Grange's Street for a distance of 13 metres in a north-westerly direction.
18. The Square (north-east side, outer edge of carriageway) – from a point 10 metres south-east of its junction with Grange's Street for a distance of 11 metres in a south-easterly direction.
19. The Square (north-east side, outer edge of carriageway) – from a point 18 metres north-west of its junction with Park Street for a distance of 12 metres in a north-westerly direction.
20. The Square (south-east side, outer edge of carriageway) – from a point 10 metres north-east of its junction with Harrier Way for a distance of 20 metres in a north-easterly direction.
21. The Square (south-west side, outer edge of carriageway) – from a point 3 metres north-west of its junction with Harrier Way for a distance of 17 metres in a north-westerly direction.
22. The Square (south-west side, outer edge of carriageway) – from a point 4 metres north-west of its junction with School Street for a distance of 13 metres in a north-westerly direction.

## WAITING RESTRICTIONS IN BALLYCLARE

## PART 1

No Waiting at any time — Loading and unloading permitted

1. Abercorn Drive (north-west side) – from a point 15 metres north-east of its junction with Main Street for a distance of 12 metres in a north-easterly direction.
2. Abercorn Drive (south-west side) – from a point 15 metres north-east of its junction with Main Street for a distance of 22 metres in a north-easterly direction.
3. Avondale Drive (north-west side) – from a point 80 metres south-west of its junction with Harrier Way for a distance of 125 metres in a south-westerly direction.
4. Avondale Drive (south-east side) – from a point 15 metres south-west of its junction with Main Street for a distance of 230 metres in a south-westerly direction.
5. Ballyeaston Road (east side) – from a point 15 metres north of its junction with North End for a distance of 15 metres in a northerly direction.
6. Ballyeaston Road (east side) – from a point 15 metres north of its junction with Ballycorr Road for a distance of 10 metres in a northerly direction.
7. Ballyeaston Road (west side) – from a point 15 metres north of its junction with Rashee Road for a distance of 16 metres in a northerly direction.
8. Ballynure Road (north side) – from a point 15 metres east of its junction with Mill Road for a distance of 15 metres in an easterly direction.
9. Ballynure Road (south side) – from a point 15 metres west of its junction with Green Road to its junction with Mill Road.
10. Ballynure Road (south-east side) – from a point 15 metres north-east of its junction with Green Road for a distance of 90 metres in a north-easterly direction.
11. Doagh Road (north-west side) – from its junction with The Square for a distance of 25 metres in a south-westerly direction.
12. Doagh Road (south-east side) – from a point 15 metres south-west of its junction with The Square for a distance of 16 metres in a south-westerly direction.
13. George Avenue (south-east side) – from a point 15 metres south-west of its junction with Rashee Road for a distance of 10 metres in a south-westerly direction.
14. George Close (both sides) – from a point 15 metres north-east of its junction with George Gardens for a distance of 13 metres in a north-easterly direction.
15. George Gardens (north-east side) – from a point 15 metres south-east of its junction with George Avenue for a distance of 4 metres in a south-easterly direction.
16. George Gardens (south-west side) – from a point 15 metres south-east of its junction with George Avenue for a distance of 5 metres in a south-easterly direction.
17. Green Road (north side) – from a point 15 metres east of its junction with Ballynure Road to a point 15 metres west of its junction with Bellevue Street.
18. Harrier Way (both sides) – from a point 15 metres north-west of its junction with Avondale Drive to a point 15 metres south-east of its junction with The Square.
19. Hillhead Road (south-west side) – from a point 15 metres south-east of its junction with Mill Road for a distance of 160 metres in a south-easterly direction.
20. Main Street (north-east side) – from a point 15 metres north-west of its junction with Ballynure Road for a distance of 30 metres in a north-westerly direction.
21. Main Street (north-east side) – from a point 35 metres north-west of Abercorn Drive for a distance of 104 metres in a north-westerly direction.
22. Main Street (north-east side) – from a point 15 metres south-east of its junction with Park Street for a distance of 45 metres in a south-easterly direction.
23. Main Street (south-west side) – from a point 15 metres north-west of its junction with Mill Road to a point 15 metres south-east of its junction with Avondale Drive.

24. Main Street (south-west side) – from a point 15 metres north-west of its junction with Avondale Drive for a distance of 37 metres in a north-westerly direction.
25. Main Street (south-west side) – from a point 15 metres south-east of its junction with The Square for a distance of 61 metres in a south-easterly direction.
26. Mill Road (north-west side) – from a point 15 metres south-west of its junction with Millburn Mews for a distance 45 metres in a south-westerly direction.
27. Mill Road (south side and then east side) – from its junction with Ballynure Road to a point 15 metres north-west of its junction with Hillhead Road.
28. Mill Road (south-east side) – from a point 15 metres south-west of its junction with Hillhead Road for a distance 20 metres in a south-westerly direction.
29. North End (both sides) – from a point 15 metres north of its junction with The Square to a point 15 metres south of its junction with Rashee Road.
30. The Square (all sides of central edge of carriageway) – for its entire length.

## PART 2

No Waiting — Monday to Saturday 8.00 a.m. to 6.00 p.m. — Loading and unloading permitted

1. Ballyeaston Road (west side) – from a point 31 metres north of its junction with Rashee Road for a distance of 30 metres in a northerly direction.
2. George Avenue (north-west side) – from a point 15 metres south-west of its junction with Rashee Road for a distance of 32 metres in a south-westerly direction.
3. Rashee Road (north-east side) – from a point 15 metres south-east of its junction with Margaret Avenue for a distance for 50 metres in a south-easterly direction.
4. Rashee Road (north-east side) – from a point 15 metres north-west of its junction with Ballyeaston Road for a distance of 16 metres in a north-westerly direction.
5. Rashee Road (south-west side) – from a point 15 metres north-west of its junction with George Avenue for a distance of 28 metres in a north-westerly direction.

## PART 3

No Waiting — Monday to Friday 8.00 a.m. to 6.00 p.m. — Loading and unloading permitted

George Gardens (east side) – from a point 19 metres south-east of its junction with George Avenue to a point 15 metres north of its junction with George Close.



## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order 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).

The Order also authorises the use as parking places, for Disabled Persons' Vehicles only, of the lengths of the roads specified in Article 11.

The Order also prohibits vehicles from waiting on the lengths of road specified in Schedule 2 (Article 12). Vehicles are excepted from the prohibition in certain circumstances (Article 13).

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 Order will in due course be placed on the roads.