

**2015 No. 240**

**ROAD TRAFFIC AND VEHICLES**

**The Off-Street Parking (Amendment) Order (Northern Ireland)  
2015**

*Made* - - - - - *5th May 2015*

*Coming into operation* - *26th May 2015*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Articles 11(1)(c), 13(1), (2), (6), (7), (14) and (16), and 26(1) of, and paragraph 5 of Schedule 4 to, the Road Traffic Regulation (Northern Ireland) Order 1997(**b**) and now vested in it(**c**).

The Department has consulted such persons as the Department considered appropriate in compliance with paragraphs 1 and 2 of Schedule 4 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.

The Department has modified the draft Order.

**Citation and commencement**

**1.** This Order may be cited as The Off-Street Parking (Amendment) Order (Northern Ireland) 2015 and shall come into operation on 26th May 2015.

**Amendments**

**2.** The Off-Street Parking Order (Northern Ireland) 2000(**d**) is amended in accordance with Article 3.

**3.—(1)** In Article 2 (interpretation)—

(a) delete the definition for “pay and display machine”; and

---

(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) S.R. 2000 No. 384 as amended by S.R. 2001 No. 266, S.R. 2001 No. 274, S.R. 2001 No. 425, S.R. 2002 No. 9, S.R. 2002 No. 399, S.R. 2003 No. 127, S.R. 2003 No. 302, S.R. 2003 No. 326, S.R. 2003 No. 335, S.R. 2004 No. 12, S.R. 2004 No. 448, S.R. 2004 No. 456, S.R. 2005 No. 346, S.R. 2006 No. 31, S.R. 2006 No. 363, S.R. 2007 No. 233, S.R. 2007 No. 423, S.R. 2008 No. 74, S.R. 2008 No. 447, S.R. 2009 No. 290, S.R. 2011 No. 176, S.R. 2011 No. 313, S.R. 2012 No. 216, S.R. 2012 No. 253, S.R. 2012 No. 289, S.R. 2012 No. 333, S.R. 2012 No. 382, S.R. 2012 No. 409, S.R. 2013 No. 152 and S.R. 2013 No. 264

(b) insert the following definitions—

“hand-held device” means apparatus used by a traffic attendant which is programmed to interface with the telephone parking system;

“parking charge” means any charge set by the Department for leaving a vehicle in a parking place authorised by this Order.

“parking ticket” means a ticket issued by a ticket machine relating to any parking place for which a charge is made identified in Schedule 1;

“pay and display parking place” means an off-street parking place authorised by this Order where permitted vehicles may park with a parking ticket issued by a ticket machine and displayed in the manner specified in Article 12 or whose driver is a registered driver who has paid the relevant fee via the telephone parking system;

“registered driver” means the driver of a vehicle who has, prior to leaving their vehicle in a pay and display parking place, had registered so many of their personal details with a service provider as that service provider may require to enable the telephone parking system to be activated in favour of said driver;

“service provider” means a person or company providing services to or on behalf of the Department;

“telephone parking system” means a system to facilitate and monitor any parking charge paid using any telephone or internet enabled device via communication with the service provider in accordance with instructions indicated on signs located at each pay and display parking place where the system is operational; and

“ticket machine” means an apparatus designed to issue a ticket indicating payment of a charge and the day and time at which it was issued and the number of hours for which it is valid or the date and time at which the ticket expires;

(2) For Article 8 (use of a parking place other than for parking) substitute the following Article—

“8.—(1) The use of part of the parking places specified in Schedule 1 for advertising is authorised in accordance with a licence issued by the Department.

(2) The use of part of the parking places specified in Schedule 1 for displaying information to the public is authorised in accordance with a licence issued by the Department.

(3) The use of part of the parking places specified in Schedule 1 for the collection of recyclable materials is authorised in accordance with a licence issued by the Department.”

(3) For Articles 11 and 12 substitute the following:—

### “Payment of charges

11.—(1) Save as provided for in Article 14 the driver of a vehicle leaving it in a parking place specified in column 1 of Schedule 1 during the days and hours specified in columns 3 and 4 in relation thereto shall pay the appropriate charge in accordance with the scale of charges specified in column 6 in relation thereto and set out in Schedule 2.

(2) Charges may be paid by—

- (a) inserting into a ticket machine a coin or combination of coins of appropriate denominations;
- (b) inserting into a ticket machine a credit or debit card of a type indicated, and following the instructions displayed, on the machine;
- (c) the purchase of a pre-paid charge card for use in a ticket machine; or
- (d) the use of pre-paid tickets; or
- (e) a registered driver using the telephone parking system.

(3) Telephone charges incurred in the course of making any parking payment transaction shall be the responsibility of the registered driver.

### **Pre-paid tickets**

**11A.** In the case of pre-paid tickets the instructions given on the tickets in respect of making distinct perforations in the tickets or taking other appropriate action to clearly indicate the date and time of arrival shall be carried out by the driver as soon as he takes up position in the parking place.

### **Use of telephone parking system**

**11B.** If at any time a vehicle is left in a parking place during the specified hours and a check is carried out by, or on behalf of, the Department and no indication that a parking charge has been paid using the telephone parking system in respect of that vehicle for that controlled parking zone appears on a traffic attendant's hand-held device it shall be presumed, unless the contrary is proved that either—

- (i) a parking charge had not been paid in respect of that vehicle; or
- (ii) the parking period for which payment was made had already expired.

### **Display of printed tickets**

**12.—**(1) The driver shall attach the ticket (or tickets) issued by the ticket machine or a pre-paid ticket duly perforated on the inside surface of the windscreen or a side window facing the kerb or place the ticket on the dashboard area immediately below the windscreen so that the particulars recorded on the front of the ticket are clearly visible to a person standing at the front or side of the vehicle.

(2) In the case of a motor cycle the ticket shall be placed in a conspicuous position in front of the driver's seat."

(4) For Article 13 (particulars of ticket) substitute the following article—

### **"Particulars of ticket**

**13.—**(1) Where a vehicle is left parked in a parking place where charges may be collected by means of a ticket machine and the particulars on the ticket indicate that the period in respect of which payment was made has expired, for the purposes of any appeal under Articles 13, 16 or 28 of the Traffic Management (Northern Ireland) Order 2005 it shall be presumed, unless the contrary is proved, that said particulars are evidence of the expiry of such period.

(2) Where a vehicle is left parked in a parking place where charges may be collected by means of a ticket machine, and a ticket is not displayed in accordance with the provisions of Articles 12 or 14(6) for the purposes of any appeal under Articles 13, 16 or 28 of the Traffic Management (Northern Ireland) Order 2005 it shall be presumed, unless the contrary is proved, that the absence of a ticket is evidence of the fact that a ticket has not been purchased."

(5) For Article 19 (trading in a parking place) substitute the following Article—

**"19.—**(1) Subject to paragraph (2) and save as provided in Article 24 of the Road Traffic Regulation (Northern Ireland) Order 1997, a person shall not use a parking place in connection with the sale of anything to persons in or near the parking place or in connection with the selling or offering for hire of their skill or services.

(2) Paragraph (1) shall not apply in respect of any fee payable for the use of an electric vehicle charging post."

(6) For Article 25 (consumption of intoxicating liquor) substitute the following Article—

“25. Subject to paragraph (2) a person shall not use any of the parking places specified in Schedule 1, or any vehicle in any of those parking places, for the purpose of consuming intoxicating liquor.”

(7) For Article 28 (supermarket trolleys) substitute the following Article—

“28.—(1) A person shall not cause or permit a supermarket trolley to enter a parking place in or under a building, and any supermarket trolley left there may be removed by a person authorised by the Department.

(2) A person shall not cause or permit a supermarket trolley to be left in any other parking place, other than in an area set aside for that purpose, and any supermarket trolley so left may be removed by a person authorised by the Department.”

(8) Schedule 1 is amended as follows:—

- (a) for item nos. 6, 26, 47, 48, 50, 137, 149, 150, 151, 155, 176, 357 and 383 substitute the items specified in Schedule 1 to this Order.
- (b) for “Downshire Place South, Banbridge” substitute “Downshire Place, Banbridge” in column 1 of item no. 53.
- (c) for “Main Road, Cloghy” substitute “Main Road, Cloughey” in column 1 of item no. 123.
- (d) for “14 hours” substitute “12 hours” in column 5 of item no. 153 relating to Meadowlands, Downpatrick.
- (e) for “TL4” substitute “TS4” in column 6 of item no. 178 relating to Quay Lane South, Enniskillen.
- (f) for “12 hours” substitute “14 hours” in column 5 of item nos. 206 and 367 relating to Newry Street, Kilkeel and East Street, Warrenpoint.
- (g) for “Foyle Road (GNR Site), Londonderry” substitute “Foyle Road, Londonderry” in column 1 of item no. 249.
- (h) for “Queen’s Quay North, Londonderry” substitute “Queen’s Quay, Londonderry” in column 1 of item no. 251.
- (i) the deletion of item nos. 66, 252, 298, 360 and 376 relating to Dufferin Avenue, Bangor; Queen’s Quay South, Londonderry; Railway Avenue, Newry, Market Yard, Strabane and Downshire Place North, Banbridge.
- (j) for “Spencer Road/Hill’s Site, Londonderry” substitute “Spencer Road, Londonderry” in column 1 of item no. 257.
- (k) for “Moore’s Lane 1, Lurgan” substitute “Moore’s Lane, Lurgan” in column 1 of item 269(a).
- (l) for “Moore’s Lane 2, Lurgan” substitute “Connolly Place, Lurgan” in column 1 of item 269(b).
- (m) for “Moore’s Lane 3, Lurgan” substitute “Union Street, Lurgan” in column 1 of item 269(c).
- (n) for “Waring Street 1, Lurgan” substitute “Edward Street, Lurgan” in column 1 of item 271(a).
- (o) for “Waring Street 2, Lurgan” substitute “Waring Street, Lurgan” in column 1 of item 271(b).
- (p) for “Waring Street 3” substitute “Millennium Way” in column 1 of item 271(c).
- (q) for “12 hours” substitute “24 hours” in column 5 of item no. 344 relating to Lansdowne Road, Portrush.
- (r) for “City Hotel, Londonderry” substitute “Foyle Street, Londonderry” in column 1 of item no. 386.

(s) by the addition of item nos. 394, 395, 396, 397 and 398 as specified in Schedule 2 to this Order.

(9) Schedules 3 and 4 are deleted.

(10) The Off-Street Parking (Amendment No. 4) Order (Northern Ireland) 2012(a) is revoked.

Sealed with the Official Seal of the Department for Regional Development on 5th May 2015

(L.S.)

*G F McKenna*

A senior officer of the Department for Regional Development

---

(a) S.R. 2012 No. 333

## SCHEDULE 1

Article 3(8)(a)

<i>Name of Parking Place</i>	<i>Classes of Vehicle</i>	<i>Days of operation of parking place</i>	<i>Hours of operation of parking place</i>	<i>Maximum period for which a vehicle may wait</i>	<i>Scale of Charges</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
"6. Railway Street, Antrim	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TL2 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	12 hours	No charge
		Sunday	All hours	12 hours	No charge
26. Church Street 1, Ballymena	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TL4 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	12 hours	No charge
		Sunday	All hours	12 hours	No charge
47. Lisburn Street (South Side), Ballynahinch	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TS3 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Sunday	All hours	12 hours	No charge
48. Windmill Street, Ballynahinch	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TS3 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Sunday	All hours	12 hours	No charge

<i>Name of Parking Place</i>	<i>Classes of Vehicle</i>	<i>Days of operation of parking place</i>	<i>Hours of operation of parking place</i>	<i>Maximum period for which a vehicle may wait</i>	<i>Scale of Charges</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
50. Bridge Street East, Banbridge	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Wednesday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TS3 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Thursday to Saturday	8.30 a.m. to 9.30 p.m.	13 hours	Tariff TS3 as set out in Schedule 2
			9.30 p.m. to 8.30 a.m.	11 hours	No charge
		Sunday	All hours	24 hours	No charge
137. Castle Street/Bridge Street South, Comber	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 hours	No charge
149. Church Street, Downpatrick	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TS4 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Sunday	All hours	12 hours	No charge
150. Irish Street, Downpatrick	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TL5 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Sunday	All hours	12 hours	No charge
151. Market Street North, Downpatrick	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 hours	No charge
155. Scotch Street, Downpatrick	Motor car, motor cycle, invalid carriage and light goods vehicle	Monday to Saturday	8.30 a.m. to 6.30 p.m.	10 hours	Tariff TS4 as set out in Schedule 2
			6.30 p.m. to 8.30 a.m.	14 hours	No charge
		Sunday	All hours	12 hours	No charge

<i>Name of Parking Place</i>	<i>Classes of Vehicle</i>	<i>Days of operation of parking place</i>	<i>Hours of operation of parking place</i>	<i>Maximum period for which a vehicle may wait</i>	<i>Scale of Charges</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
176. Hollyhill, Enniskillen	All motor vehicles	All days	7.00 a.m. to 7.00 p.m.	12 hours	No charge
357. Canal Basin, Strabane	All motor vehicles	All days	7.00 a.m. to 8.30 p.m.	13½ hours	No charge
383. Canal Basin North, Strabane	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	7.00 a.m. to 8.30 p.m.	13½ hours	No charge''

## SCHEDULE 2

Article 3(8)(s)

<i>Name of Parking Place</i>	<i>Classes of Vehicle</i>	<i>Days of operation of parking place</i>	<i>Hours of operation of parking place</i>	<i>Maximum period for which a vehicle may wait</i>	<i>Scale of Charges</i>
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
“394. Gospel Lane, Banbridge	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	14 hours	No charge
“395. Tamnamore, Dungannon	Motor car, motor cycle, invalid carriage and light goods vehicle	All days (Park and Ride)	All hours	24 hours	No charge
396. Main Street, Dungiven	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 hours	No charge
397. Millbrook, Larne	Motor car, motor cycle, invalid carriage and light goods vehicle	All days (Park and Ride)	All hours	12 hours	No charge
398. Lever Road, Portstewart	Motor car, motor cycle, invalid carriage and light goods vehicle	All days	All hours	12 hours	No charge”

## **EXPLANATORY NOTE**

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

This Order amends the Off-Street Parking Order (Northern Ireland) 2000 (“the Order”) by:–

- (a) authorising advertising, collection of recyclable materials and display of information to the public in all car parks subject to license.
- (b) prohibiting the consumption of intoxicating liquor in all car parks.
- (c) amending the hours of operation for item nos. 6, 26, 47, 48, 50, 149, 150, 155, 357 and 383 in Schedule 1 to this Order and making the car parks at Castle Street/Bridge Street South, Comber and Market Street North, Downpatrick free of charge.
- (d) adding to Schedule 1 to the Order the car parks specified in Schedule 2 to this Order.
- (e) correcting a spelling error for the car park at Cloughey.
- (f) substituting a new name for the car parks in items 251, 257, 269(a), 269(b), 269(c), 271(a), 271(b), 271(c) and 386 of Schedule 1 to the Order.
- (g) changing the maximum period a vehicle may wait for the car parks at Meadowlands, Downpatrick; Newry Street, Kilkeel; Lansdowne Road, Portrush and East Street, Warrenpoint.
- (h) deleting items 66, 252, 298 and 360 from Schedule 1 to the Order.