

2024 No. 209

ROAD TRAFFIC AND VEHICLES

**The Parking and Waiting Restrictions (Limavady) Order
(Northern Ireland) 2024**

Made - - - - *4th December 2024*

Coming into operation *30th December 2024*

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) (“the 1997 Order”) and now vested in it^(c).

In accordance with Article 10(1) of the 1997 Order it appears to the Department to be necessary to provide suitable parking places for vehicles on the parts of the road specified in Schedule 1 to this Order.

In accordance with Article 10(7) of, and paragraphs 1 and 2 of Schedule 4 to the 1997 Order, the Department has consulted such persons as it considers appropriate.

The Department has published a notice in compliance with paragraphs 1 and 3 of those Schedules.

In compliance with paragraph 3(4) of Schedule 4 to the 1997 Order, the Department has taken such other steps as appear to it reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking places the particular specified in paragraph 3(2) of that Schedule.

No objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Parking and Waiting Restrictions (Limavady) Order (Northern Ireland) 2024 and shall come into operation on 30th December 2024.

(2) In this Order—

“medical practitioner” means a fully registered person within the meaning of section 55(1) 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

“postal packet” has the same meaning as in section 65(1) of the Postal Services Act 2011(a);
“specified hours” means the hours between 8.30 a.m. and 6.00 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.

Maximum period of waiting in and further use of a parking place

- 3.—(1) Subject to paragraph (2) and save as provided in Article 4 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 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

4.—(1) Nothing in Article 3 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;
 - (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(b) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(c);

(a) 2011 c. 5

(b) 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

(c) 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

- (vi) in connection with the installation, laying, erection, alteration or repair of any electronic communications apparatus as defined in paragraph 5 of Schedule 3A to the Communications Act 2003(a); or
- (e) goods to be loaded or unloaded from the vehicle.

Suspension of the use of a parking place

5. 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 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 installation, laying, erection, alteration or repair in, or in land adjacent to the parking place, of any sewer, main, pipe or apparatus for the supply of gas, water or electricity or of electronic communications apparatus as defined in paragraph 5 of Schedule 3A to the Communications Act 2003;
- (b) the execution of street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(b); or
- (c) the implementation of any traffic management scheme.

Prohibition of the use of a suspended parking place

6. A person not using a vehicle in connection with any of the undertakings specified in Article 5 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

7. A person authorised by the Department may remove a vehicle from a parking place in an emergency.

Method of removal of a vehicle

8. Any person removing a vehicle by virtue of Article 7 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.

Custody of a vehicle

9. 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 7 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

10. Save as provided in Article 11, a person shall not cause or permit a vehicle to wait at any time on a length of road specified in Schedule 2.

(a) 2003 c. 21 Schedule 3A was inserted by section 4 of, and Schedule 1 to, the Digital Economy Act 2017 (2017 c. 30)
(b) S.I. 1995/3210 (N.I. 19)

Exceptions to prohibition of waiting

11.—(1) Nothing in Article 10 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 installation, laying, erection, alteration or repair of any electronic communications apparatus as defined in paragraph 5 of Schedule 3A to the Communications Act 2003.
- (e) goods to be loaded and 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.

Revocations

12. The Orders specified in Schedule 3 are revoked.

Sealed with the Official Seal of the Department for Infrastructure on 4th December 2024

(L.S.)

Mary Toner
A senior officer of the Department for Infrastructure

SCHEDULE 1

Article 2

PARKING PLACES IN LIMAVADY

Monday to Saturday 8.30 a.m. to 6.00 p.m. – Maximum stay 1 hour; No return within 1 hour

1. Catherine Street (north-west side) – from a point 15 metres south-west of its junction with Linenhall Street for a distance of 120 metres in a south-westerly direction.
2. Irish Green Street (north-east side) – from a point 24 metres north-west of its junction with Connell Street for a distance of 31 metres in a north-westerly direction.
3. Irish Green Street (north-east side) – from a point 78 metres north-west of its junction with Connell Street for a distance of 17 metres in a north-westerly direction.
4. Main Street Loop Road (north-west side) – from its junction with Roeville Terrace, for a distance of 28 metres in a south-westerly direction.

SCHEDULE 2

Article 10

WAITING RESTRICTIONS IN LIMAVADY – No Waiting at any Time (Loading and Unloading Permitted)

1. Ballyclose Street (north-west side) – from its junction with Ballyclose Street Loop Road for a distance of 10 metres in a south-westerly direction.
2. Ballyclose Street Loop Road (north side) – from its junction with Station Road to its junction with Ballyclose Street.
3. Ballyclose Street Loop Road (south side) – from its junction with Main Street Loop Road to its junction with Ballyclose Street.
4. Killane Road (north-east side) – from a point 15 metres north-east of its junction with Thackeray Place for a distance of 55 metres in a north-easterly direction.
5. Main Street (north side) – from its junction with Main Street Loop Road for a distance of 25 metres in a north-easterly direction.
6. Main Street Loop Road (north side) – from its junction with Roeville Terrace to its junction with Station Road.
7. Main Street Loop Road (north-west side) – from its junction with Main Street for a distance of 15 metres in a north-easterly direction.
8. Main Street Loop Road (south side) – from its junction with Station Road for a distance of 5 metres in a westerly direction.
9. Main Street Loop Road (south-east side) – from its junction with Main Street for a distance of 7 metres in a north-easterly direction.
10. Main Street Loop Road (south-east side) – from a point 30 metres south-west of its junction with Station Road for a distance of 18 metres.
11. Roeville Terrace (north-east side) – from its junction with Main Street Loop Road for a distance of 18 metres in a north-westerly direction.
12. Roeville Terrace (south-west side) – from its junction with Main Street Loop Road for a distance of 20 metres in a north-westerly direction.
13. Station Road (east side) – from its junction with Ballyclose Street for a distance of 15 metres in a northerly direction.
14. Station Road (west side) – from its junction with Ballyclose Street for a distance of 15 metres in a northerly direction.

SCHEDULE 3 REVOCATIONS

Article 12

1. The Parking Places and Loading Bay on Roads (Limavady) Order (Northern Ireland) 2008**(a)**.
2. The Parking Places and Loading Bay on Roads (Limavady) (Amendment) Order (Northern Ireland) 2011**(b)**.
3. The Waiting Restrictions (Limavady) Order (Northern Ireland) 2024**(c)**.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order authorises lengths of Irish Green Street, Limavady, as specified in items 2 and 3 of Schedule 1 (Article 2), for the use as parking places and prescribes the conditions under which they may be used. Vehicles are excepted from the conditions in certain circumstances (Article 4). The Order also makes provision for the suspension of the use of the parking places (Article 5) and for the removal of a vehicle from the parking places in an emergency (Articles 7 and 8) and for its safe custody (Article 9).

This Order also prohibits vehicles from waiting on lengths roads as specified in Schedule 2. Vehicles are excepted from the prohibitions in certain circumstances.

The Order also revokes the Orders specified in Schedule 3 and re-enacts the parking and waiting restrictions therein (Article 12).

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 items relating to Irish Green Street, Limavady specified above will in due course be placed on the road.

(a) S.R. 2008 No. 71
(b) S.R. 2011 No. 199
(c) S.R. 2024 No. 23