STATUTORY RULES OF NORTHERN IRELAND

2011 No. 131

ROAD TRAFFIC AND VEHICLES

The Control of Traffic (Belfast) Order (Northern Ireland) 2011

Made - - - -	*21st March 2011*
Coming into operation -	*12th April 2011*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of, and paragraph 5 of Schedule 1 to, 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.

One hundred and seventy-two objections were received and duly considered and no other representation has been received.

The Department has modified the draft Order.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Control of Traffic (Belfast) Order (Northern Ireland) 2011 and shall come into operation on 12th April 2011.

(2) In this Order—

"bus" means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver);

"bus lane" means the lengths of Queen Street, Belfast and Upper Queen Street, Belfast specified in Schedule 4;

"cycle" has the same meaning as in the Order of 1995(**d**);

"cycle lane" means the northern carriageway of Castle Street, Belfast from its junction with King Street to a point 84 metres east of that junction bounded on its northern side by the kerbline of Castle Street and the junction of Marquis Street, and on its southern side by a white line and the northern side of traffic islands;

(**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.I. 1995/2994 (N.I. 18)

"medical practitioner" means a registered person within the meaning of the Medical Act 1983(**a**);

"motor cycle" has the same meaning as in the Order of 1995;

"permitted taxi" means a taxi which is either—

(i) licensed to stand or ply for hire on a road or public place and subject to the Bye-Laws made in respect of Motor Hackney Carriages standing or plying for hire made by the Council of the County Borough of Belfast on 4th June 1951 and which meets the specifications prescribed by regulation 41 of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations (Northern Ireland) 1995(**b**); or

(ii) licensed to operate carriage services under the road service licence provision of Part II of the Transport Act (Northern Ireland) 1967(**c**);

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

"statutory undertaker" means—

(a) the railway undertaking within the meaning of the Transport Act (Northern Ireland) 1967;

(b) any body or person authorised by any statutory provision to carry on any harbour or dock undertaking; and

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

Prohibition on traffic in cycle lane

2. Save as provided in Article 3, a person shall not, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a cycle to enter, proceed or wait in the cycle lane.

Exceptions to prohibition of traffic in cycle lane

3. The prohibition in Article 2 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in the cycle lane so far as such entry, proceeding or waiting is reasonably necessary to enable the vehicle to be used—

(a) in the services of the Department in pursuance of statutory powers or duties;

(b) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions;

(c) in connection with any telegraphic line or with the supply of electricity or gas within the cycle lane or an area accessible only from the cycle lane; or

(d) in an emergency by a medical practitioner, or for police, military, fire and rescue or ambulance purposes.

Use of cycle lane

4. A person riding a cycle along the cycle lane shall do so only in an easterly direction except upon the direction or with the permission of a constable in uniform.

(**a**) 1983 c. 54
(**b**) S.R. 1995 No. 447
(**c**) 1967 c. 37 (N.I.) as amended by S.R.&O. (N.I.) 1972/359, S.I. 1984/703 (N.I. 3) and S.I. 1990/994 (N.I. 7)
(**d**) 2000 c. 26

Restriction of waiting

5. Subject to Article 6 a person shall not cause or permit a vehicle to wait on the lengths of road specified in Schedules 1 and 2.

Exceptions to restriction of waiting

6.—(1) Nothing in Article 5 shall render it unlawful for a person to cause or permit a vehicle to wait on the carriageway of the lengths of road specified in Schedules 1 and 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 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 reasonably be used for such purpose 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(**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 5 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of the 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) Nothing in Article 5 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of the length of road specified in Schedule 2 Part II during the hours 7.00 p.m. to 7.00 a.m.

(4) 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.

Prohibition of traffic

7. Subject to Article 8, motor vehicles are prohibited from using Castle Street, Belfast, from a point 15 metres east of its junction with Fountain Street to its junction with Donegall Place.

(**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)

Exceptions to prohibition

8. The prohibition in Article 7 shall not apply to a motor vehicle of a class or description set out in Schedule 3.

Prohibition of traffic in bus lane

9. Subject to Article 10 and save as provided in Article 11, a person shall not, during the hours 7.00 a.m. to 7.00 p.m. on the days Monday to Saturday inclusive, except upon the direction or with the permission of a constable in uniform, cause or permit any vehicle other than a bus, cycle, motor cycle or permitted taxi to enter, proceed or wait in a bus lane.

Restriction of waiting in bus lane

10. During the hours 7.00 a.m. to 7.00 p.m. on the days Monday to Saturday inclusive, a bus, cycle, motor cycle or permitted taxi may only wait in the bus lane to enable a person to board or alight from the vehicle and the period of waiting shall not exceed two minutes.

Exceptions to prohibition of traffic in bus lane

11. The prohibition in Article 9 shall not render it unlawful for any person to cause or permit any vehicle to enter, proceed or wait in the bus lane so far as such entry, proceeding or waiting is reasonably necessary for the avoidance of an accident or to enable the vehicle to be used—

(a) in an emergency by a medical practitioner, or for fire and rescue, ambulance, police purposes or for the purposes of the security forces;

(b) in the services of the Department in pursuance of statutory powers or duties;

(c) for access to or from premises adjacent to or accessible only from the bus lane;

(d) for any of the following operations provided that such activities can be reasonably carried out only from the bus lane—

(i) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertakers functions;

(ii) in connection with 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

(iii) 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) in connection with the removal of any obstruction of traffic.

Amendments

12.—(1) Schedule 1 to The One-Way Traffic (Belfast) Order (Northern Ireland) 2009(**a**) shall be amended in accordance with paragraph (2).

(2) For items 34 and 192 in Schedule 1 substitute the following items—

"34. Castle Street, from its junction with Queen Street to its junction with King Street bounded on its southern side by the southern kerbline of Castle Street and junction of College Court and on its northern side by a white line and the southern side of traffic islands.	Westerly"
"192. Queen Street.	Northerly"

(**a**) S.R. 2009 No. 49 as amended by S.R. 2009 No. 283 and S.R. 2011 No. 85