1988 No. 184

PLANNING

Extinguishment of Right to use Vehicles on Roads (Marquis Street, etc., Belfast) Order (Northern Ireland) 1988

Made	*19th May 1988*
Coming into operation . .	*1st July 1988*

WHEREAS the Department of the Environment (in this Order referred to as "the Department") for the purpose of improving the amenity of the area proposes to extinguish any right which persons may have to use vehicles in Marquis Street, Chapel Lane and Bank Street, Belfast.

AND WHEREAS notice has been published and served in compliance with Article 80(1) and (2) of the Planning (Northern Ireland) Order 1972(**a**);

AND WHEREAS five objections to the proposed Order were received.

AND WHEREAS the Department caused a public local inquiry to be held by the Planning Appeals Commission in accordance with Article 80(3) and considered the report of the Commission;

AND WHEREAS all objections have been withdrawn;

NOW THEREFORE the Department in exercise of the powers conferred on it by Article 77(1) and (2) of the Planning (Northern Ireland) Order 1972 and now vested in it(**b**) and of all other powers enabling it in that behalf, makes the following Order:—

Citation and commencement

1. This Order may be cited as the Extinguishment of Right to use Vehicles on Roads (Marquis Street, etc., Belfast) Order (Northern Ireland) 1988 and shall come into operation on 1st July 1988.

Extinguishment of right to use vehicles

2. Subject to Article 3 any right which persons have to use vehicles on the roads described in the Schedule is extinguished.

Exceptions

3.—(1) Notwithstanding the provisions of Article 2 vehicles may be used on the said roads in the following cases:—

(a) S.I. 1972 No. 1634 (N.I. 17) as amended by 1984 c. 12 Sch. 4, para. 56(2)
(b) S.R. & O. (N.I.) 1973 No. 504 Art. 7(1); S.I. 1976/424 (N.I. 6) Art. 3(1)

(*a*) A vehicle the driver of which is acting upon the direction or with the permission of a constable in uniform or of a traffic warden.

(*b*) Vehicles used for police, ambulance or fire brigade purposes or in an emergency by a medical practitioner.

(*c*) Vehicles used on behalf of a government department, district council or statutory undertaker in pursuance of statutory powers and duties.

(*d*) Vehicles used for the conveyance of goods to or from premises situated on or adjacent to the roads described in the Schedule between the hours of 18.00 and 11.00, where the goods by reason of their size or weight could not reasonably be conveyed to or from such premises otherwise than by means of a vehicle and provided always that such vehicles shall not be permitted to use such roads for any longer period than may be necessary for the conveyance of these goods.

(*e*) Vehicles used for access to Church property in connection with a wedding, funeral or baptism.

(*f*) Vehicles used for access to Church property on Sundays in connection with a church function.

(*g*) An invalid carriage or vehicle displaying a badge issued by the Department for vehicles driven by or used for the carriage of disabled persons, for use to gain access to Church property.

(*h*) Vehicles used for access to private residences on or adjacent to the roads described in the Schedule provided such vehicles are parked off the said roads.

(*i*) Vehicles used in accordance with special authorisation given by an authorised officer of the Department.

(2) In this article "authorised officer" means an officer of the Department authorised in writing by the Department.

Sealed with the Official Seal of the Department of the Environment on 19th May 1988.

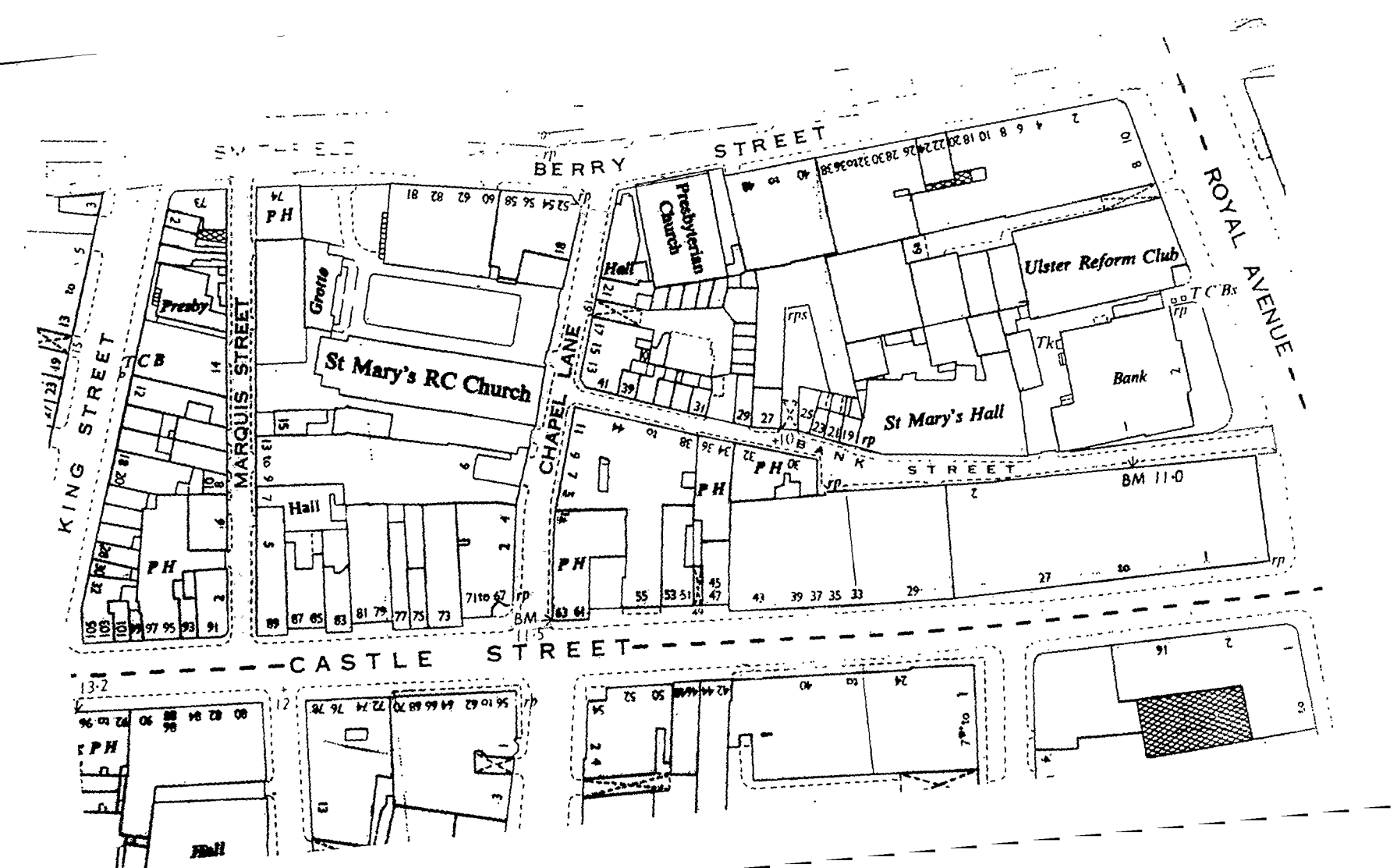
(L.S.) *J. M. Irvine*
Assistant Secretary

SCHEDULE

Description of roads

1. Marquis Street.
2. Part of Chapel Lane.
3. Bank Street,

all in the City of Belfast shown coloured grey on the attached map.


BERRY STREET
ROYAL AVENUE
KING STREET
MARQUIS STREET
CHAPEL LANE
BANK STREET
CASTLE STREET
St Mary's RC Church
Presbyterian Church
Hall
Ulster Reform Club
St Mary's Hall
Bank
Grotto
Presby
CB
PH
Tk
TCBs
BM 11·0
BM 11·5

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prohibits the use of Marquis Street, Bank Street and most of Chapel Lane, Belfast, by all vehicles with exceptions which include certain vehicles used for access to Church property, emergency vehicles, goods vehicles in certain circumstances and vehicles used in accordance with an authorisation given by or on behalf of the Department of the Environment or upon the directions of the police or a traffic warden.

Traffic signs indicating the effect of the Order will be erected in due course on the roads.

Any person who acts in contravention of the Order shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £400 (Level 3 on the Standard Scale).

Any person who, at the time of the Order coming into force, has an estate in land having lawful access to a road to which the Order relates shall be entitled to be compensated by the Department in respect of any depreciation in the value of his estate or any other loss or damage which is directly attributable to the Order.