STATUTORY RULES OF NORTHERN IRELAND

2017 No. 208

ROAD TRAFFIC AND VEHICLES

The Control of Traffic ("The Dark Hedges") Order (Northern Ireland) 2017

Made - - - -	*5th October 2017*
Coming into operation -	*30th October 2017*

The Department for Infrastructure(**a**) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (3) of 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.

Four written objections were received and duly considered and no other representations were received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Control of Traffic ("The Dark Hedges") Order (Northern Ireland) 2017 and shall come into operation on 30th October 2017.

(2) In this Order—

"agricultural motor vehicle" has the same meaning as in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**d**);

"agricultural trailer" has the same meaning as in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999;

"agricultural trailed appliance" has the same meaning as in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999;

"agricultural trailed appliance conveyor" has the same meaning as in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999;

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

(**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**) S.R. 1999 No. 454

"category T tractor" has the same meaning as in the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**a**).

"coach" means a motor vehicle with a maximum speed exceeding 60 miles per hour which is constructed or adapted to carry more than 16 seated persons in addition to the driver, and which is not used for the provision of a scheduled local service;

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

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

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

Prohibition of Traffic

2. Subject to Article 3 the use by vehicles of Route C102, Bregagh Road, Armoy from its junction with Route B147, Ballinlea Road to its junction with Ballykenver Road, Unclassified No. 67 is prohibited.

Exceptions

3. The prohibition in Article 2 shall not apply to—

(a) agricultural motor vehicles, agricultural trailers, agricultural trailed appliances, agricultural trailed appliance conveyors or category T tractors being used by or on behalf of the owners or occupiers of land abutting on the said length of road; or

(b) vehicles being used in connection with the delivery to or collection from such land of any goods or livestock; or

(c) vehicles being 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; or

(d) vehicles being 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; or

(e) vehicles being used on or adjacent to the length of road by or on behalf of a district council or government department in pursuance of statutory powers or duties; or

(f) vehicles being used on or adjacent to the length of road in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**d**); or

(g) vehicles being used on or adjacent to the length of road by or on behalf of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(**e**) or a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(**f**) in connection with the discharge of the holder's functions; or

(h) vehicles being used on or adjacent to the length of road by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions.

(**a**) This definition was inserted by Regulation 2(2) of The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2016 (S.R. 2016 No. 160)
(**b**) 1983 c. 54
(**c**) 2000 c. 26
(**d**) 1984 c. 12 as amended by 2003 c. 21 Sch 3, para. 2(2)
(**e**) 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
(**f**) 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