STATUTORY RULES OF NORTHERN IRELAND

2013 No. 230

ROAD TRAFFIC AND VEHICLES

The Waiting Restrictions (Dungannon) Order (Northern Ireland) 2013

Made - - - -	*26th September 2013*
Coming into operation -	*16th October 2013*

The Department for Regional Development(**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.

No written objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as The Waiting Restrictions (Dungannon) Order (Northern Ireland) 2013 and shall come into operation on 16th October 2013.

(2) In this Order —

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

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

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

Restriction of waiting

2. Save as provided in Article 3, a person shall not cause or permit a vehicle to wait —

(a) at any time on the lengths of road specified in Schedules 1 and 2; 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**) 1983 c. 54
(**e**) 2000 c. 26

(b) during the hours between 8.30 a.m. and 6.15 p.m. on the days Monday to Saturday inclusive on the lengths of road specified in Schedule 3.

Exceptions

3.—(1) Nothing in Article 2 shall render it unlawful for a person to cause or permit a vehicle to wait on the carriageway of a length of road specified in the Schedules 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 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 of 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 2 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of a length of road specified in Schedule 1 or Schedule 3 for so long as may be reasonably necessary to enable goods to be loaded or unloaded from the vehicle.

(3) 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.

Revocations

4. The Orders specified in Schedule 4 are revoked.

Sealed with the Official Seal of the Department for Regional Development on 26th September 2013

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

(**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)

SCHEDULE 1

Article 2(a)

No Waiting at any Time (Loading and Unloading Permitted)

All in Dungannon

1. Dunlea Vale (north-east side) – from a point 15 metres south-east of its junction with Oaks Road, for a distance of 90 metres in a south-easterly direction.
2. Fairview (both sides) – from its junction with Gallows Hill, for a distance of 14 metres in a south-westerly direction.
3. Gallows Hill (both sides) – from its junction with Fairview, for a distance of 15 metres in a north-easterly direction.