STATUTORY RULES OF NORTHERN IRELAND

2012 No. 326

ROAD TRAFFIC AND VEHICLES

The Prohibition of Traffic (Rosemount Gardens, Londonderry) Order (Northern Ireland) 2012

Made - - - -	*22nd August 2012*
Coming into operation -	*12th September 2012*

The Department for Regional Development(**a**) makes the following Order in exercise of the powers conferred by Article 4(1), (2) and (4A) 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 Article 4(6) of and 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 Prohibition of Traffic (Rosemount Gardens, Londonderry) Order (Northern Ireland) 2012 and shall come into operation on 12th September 2012.

(2) In this Order—

"back street" means the back streets in Rosemount Gardens, Londonderry, more particularly delineated and shown coloured red on Map No. 12/3/64/10 prepared by the Department under Article 36 of the Traffic Management (Northern Ireland) Order 2005(**d**) for the purposes of this Order; and

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

Application

2. This Order shall have effect as if Map No. 12/3/64/10 were part of the Order.

(**a**) S.I. 1999/283 (N.I. 1) Article 3(1)
(**b**) S.I. 1997/276 (N.I. 2): Article 4(4A) was inserted by Article 37(1) of S.I. 2005/1964 (N.I. 14)
(**c**) S.R. 1999 No. 481 Article 6(*d*) and Schedule 4 Part IV
(**d**) S.I. 2005/1964 (N.I. 14)
(**e**) 1983 c. 54

Prohibition

3. Subject to Article 4 the use by vehicles and pedestrians of a back street is prohibited.

Exceptions

4. The prohibition in Article 3 shall not apply to the use of a back street, with or without a vehicle—

(a) by a resident of premises adjacent to the back street;

(b) by a person who is visiting a resident of premises adjacent to the back street;

(c) by a person for police, military, ambulance or fire and rescue purposes or in an emergency by a medical practitioner;

(d) by a person in pursuance of statutory powers and duties by or on behalf of a government department or district council;

(e) by a person in connection with the laying, erection, alteration or repair of any electronic communications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(**a**);

(f) by a person in connection with street works as defined in Article 3(3) of the Street Works (Northern Ireland) Order 1995(**b**);

(g) by a person for the conveyance of goods to or from premises adjacent to the back street;

(h) by a person in connection with the carrying out of work to premises adjacent to the back street;

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

(j) by a person in connection with the discharge of the functions of a holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(**c**);

(k) by a person in connection with the discharge of the functions of a holder of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(**d**); and

(l) by a person in connection with a funeral from the premises adjacent to the back street.

Sealed with the Official Seal of the Department for Regional Development on 22nd August 2012

(L.S.)

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

(**a**) 1984 c.12 as amended by 2003 c. 21 Schedule 3, para. 2(2)
(**b**) S.I. 1995/3210 (N.I. 19)
(**c**) S.I. 1992/231 (N.I. 1)
(**d**) S.I. 1996/275 (N.I. 2)