STATUTORY RULES OF NORTHERN IRELAND

1997 No. 205

ROAD TRAFFIC AND VEHICLES

Urban Clearway (Greystone Road, Route B95, Antrim) Order (Northern Ireland) 1997

Made - - - -	*7th April 1997*
Coming into operation	*19th May 1997*

WHEREAS the Department of the Environment has published a notice in compliance with Article 23(1) and (2) of the Road Traffic (Northern Ireland) Order 1981(**1**);

AND WHEREAS no objection or representation has been received;

NOW THEREFORE the Department, in exercise of the powers conferred on it by Article 21(1) of the Road Traffic (Northern Ireland) Order 1981 and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Urban Clearway (Greystone Road, Route B95, Antrim) Order (Northern Ireland) 1997 and shall come into operation on 19th May 1997.

(2) In this Order—

"central reservation" means that part of a road which separates the two carriageways of a dual carriageway;

"footway" means any road or part of a road over which the public have a right of way on foot only;

"hard shoulder" means a surfaced strip alongside the carriageway;

"statutory undertaker" means—

(a) the Post Office;

(b) the railway undertaking within the meaning of the Transport Act (Northern Ireland) 1967(**2**);

(c) an undertaking within the meaning of the Gas (Northern Ireland) Order 1977(**3**);

(**1**) S.I.1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and Article 2(2A) (as inserted by S.I. 1995/2994 (N.I. 18) Schedule 3 Part I paragraph 1(2))
(**2**) 1967 c. 37 (N.I.)
(**3**) S.I. 1977/596 (N.I. 7)

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

"verge" means any part of a road which is not a carriageway, footway, hard shoulder or central reservation.

Control of waiting

2. Save as provided in Article 3, no person shall cause or permit a vehicle to wait wholly or partly on the carriageway, hard shoulder or verge of Greystone Road, Route B95, Antrim, from its junction with Greystone Road Roundabout to its junction with Rathbeg Interchange.

Exemptions

3.—(1) Nothing in Article 2 shall render it unlawful to cause or permit a vehicle to wait on the carriageway, hard shoulder or verge of the road specified in Article 2 for so long as may be necessary —

(a) for a person to board or alight from the vehicle provided that such boarding or alighting does not cause the vehicle to wait in the same place for more than 2 minutes;

(b) for the collection or delivery of a postal packet as defined in section 87 of the Post Office Act, 1953(**4**);

(c) for the opening or closing of a gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged if it is not reasonably practicable for the vehicle to wait in any other road or length of road while such gate or barrier is opened or closed;

(d) to enable the vehicle, if it cannot conveniently be used for such purpose in any other road or length of road, to be used in connection with—

(i) any building, repair or demolition operations; or

(ii) the removal of any obstruction to traffic; or

(iii) the maintenance, improvement or reconstruction of the road specified in Article 2; or

(iv) the discharge of the functions of the holder of a licence granted under Article 10(1) of the Electricity (Northern Ireland) Order 1992(**5**) by or on behalf of the holder; or

(v) the laying, erection, alteration or repair of any telecommunication apparatus as defined in section 4(3) of the Telecommunications Act 1984(**6**).

(2) For the purpose of paragraph (1)(*a*) a vehicle shall be deemed to wait for more than 2 minutes in the same place if any one part of the carriageway, hard shoulder or verge is below any part of the vehicle or its load (if any) throughout a period exceeding 2 minutes whether or not the vehicle is moved during that period.

(3) The provisions of Article 2 shall not apply to a vehicle—

(a) being used in an emergency for fire brigade, ambulance or police purposes;

(b) being used in the service of a statutory undertaker or a government department in pursuance of statutory powers or duties, if the vehicle cannot conveniently be used for such service in any other road;

(c) where the person in control of it—

(i) is required by law to stop;

(**4**) 1953 c. 36
(**5**) S.I. 1992/231 (N.I. 1)
(**6**) 1984 c. 12