**1995 No. 197**

# ROAD TRAFFIC AND VEHICLES

## Traffic Weight Restriction (Davagh Road, Greencastle) Order (Northern Ireland) 1995

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| *Made* . . . . . | *16th May 1995* |
| *Coming into operation* . . | *27th June 1995* |

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(**a**);

AND WHEREAS no objection or representation has been received;

NOW THEREFORE the Department, in exercise of the powers conferred on it by Article 22(1) of the Road Traffic (Northern Ireland) Order 1981 and of every other power enabling it in that behalf and being satisfied that the road specified in Article 2 is unsuitable for use by certain classes of vehicles, makes the following Order:

*Citation, commencement and interpretation*

**1.**—(1) This Order may be cited as the Traffic Weight Restriction (Davagh Road, Greencastle) Order (Northern Ireland) 1995 and shall come into operation on 27th June 1995.

(2) In this Order "maximum gross weight" has the meaning assigned to that term by regulation 2(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**b**).

*Prohibition*

**2.** Subject to Article 3 the use by vehicles exceeding 7.5 tonnes maximum gross weight is prohibited in Davagh Road, Unclassified No. 1236, Greencastle, County Tyrone.

*Exceptions*

**3.** The prohibition in Article 2 shall not apply to vehicles being used—

(*a*) by or on behalf of the owner or occupier of land abutting on or convenient to the road for the purpose of gaining access to such land; or

(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"
(**b**) S.R. 1989 No. 299 to which there are amendments not relevant to this Order

(*b*) in connection with the delivery to or collection from such land of any goods or livestock or postal packets; or

(*c*) for police or military purposes, or in an emergency for ambulance or fire brigade purposes; or

(*d*) in or adjacent to the road in pursuance of statutory powers and duties by or on behalf of a government department, district council or statutory undertaker; or

(*e*) in or adjacent to the road in connection with the laying, erection, alteration or repair of any telecommunications apparatus as defined in section 4(3) of the Telecommunications Act 1984(**a**).

Sealed with the Official Seal of the Department of the Environment on 16th May 1995.

(L.S.) *E. J. Galway*
Assistant Secretary

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(a) 1984 c. 12

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EXPLANATORY NOTE

(*This note is not part of the Order.*)

This Order prohibits vehicles exceeding 7.5 tonnes maximum gross weight from using Davagh Road, Unclassified No. 1236, Greencastle, County Tyrone.

Vehicles requiring access are excepted from the provisions of the Order.

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 level 3 on the standard scale (£1,000).

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