

2016 No. 121

ROAD TRAFFIC AND VEHICLES

**The Footway (Prohibition of Waiting) (Heather Drive,
Newtownabbey) Order (Northern Ireland) 2016**

Made - - - - - *7th March 2016*

Coming into operation - *28th March 2016*

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 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 Footway (Prohibition of Waiting) (Heather Drive, Newtownabbey) Order (Northern Ireland) 2016 and shall come into operation on 28th March 2016.

(2) In this Order—

“footway” has the same meaning as in the Order of 1995;

“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.

(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

Prohibition of waiting

2. Subject to Article 3 no person shall cause or permit a motor vehicle to wait, wholly or partly on the footway of Heather Drive, Newtownabbey.

Exceptions

3. The prohibition in Article 2 shall not apply to a motor vehicle:—

- (a) 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;
- (b) 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 Heather Drive of postal packets;
- (c) where the driver of which is acting upon the direction or with the permission of a constable in uniform;
- (d) if it cannot conveniently be used for such purpose outside Heather Drive to be used—
 - (i) in connection with any building, repair or demolition operations;
 - (ii) in connection with the removal of any obstruction to 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).

Sealed with the Official Seal of the Department for Regional Development on 7th March 2016

(L.S.)

G F McKenna
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)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits motor vehicles from waiting at any time on the footway of Heather Drive, Newtownabbey (Article 2). Vehicles are excepted from the prohibitions in certain circumstances (Article 3).

A penalty charge (£90) is payable with respect to a vehicle involved in a contravention of the Order in accordance with the Traffic Management (Northern Ireland) Order 2005 and The Penalty Charges (Prescribed Amounts) Regulations (Northern Ireland) 2006.

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