

2024 No. 26

ROAD TRAFFIC AND VEHICLES

**The Traffic Weight Restriction (Augher) Order (Northern
Ireland) 2024**

Made - - - - - *29th February 2024*

Coming into operation - - - - - *22nd March 2024*

The Department for Infrastructure^(a) makes the following Order in exercise of the powers conferred by Article 4(1) and (2) 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 objection or other representation has been received.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Traffic Weight Restriction (Augher) Order (Northern Ireland) 2024 and shall come into operation on 22nd March 2024.

(2) In this Order—

“goods” includes goods or burden of any description;

“maximum gross weight” has the meaning assigned to that term by regulation 2 of the Traffic Signs Regulations (Northern Ireland) 1997^(d);

“medical practitioner” means a registered person within the meaning of the Medical Act 1983^(e); and

“postal packet” has the same meaning as in section 65(1) Postal Services Act 2011^(f).

(a) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))

(b) S.I. 1997/276 (N.I. 2)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

(d) S.R. 1997 No. 386 to which there are no relevant amendments

(e) 1983 c. 54

(f) 2011 c. 5

Prohibition

2. Subject to Article 3, the use by vehicles exceeding 18 tonnes maximum gross weight of a length of the Lisnawery Road, Augher Unclassified 0337, Stretch 2, from its junction with Favour Royal Road to its junction with Lisnawery Road, Augher, Unclassified 0337, Stretch 5 is prohibited.

Exceptions

3. The prohibition in Article 2 shall not apply to—

- (a) vehicles being used—
 - (i) by or on behalf of the owner or occupier of land abutting on or convenient to the length of road for the purpose of gaining access to such land; or
 - (ii) in connection with the delivery to or collection from such land of any goods or livestock or postal packets; or
 - (iii) 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; or
 - (iv) on or adjacent length of road in pursuance of statutory powers and duties by or on behalf of a district council or government department; or
 - (v) by or on behalf of a sewerage undertaker or a water undertaker in connection with the discharge of that undertaker's functions; or
 - (vi) in connection with the laying, erection, alteration or repair of any electronic communication apparatus as defined in Schedule 2 to the Telecommunications Act 1984(a); or
 - (vii) on or adjacent to the length of road by or on behalf of the holder of a licence granted under Article 10 of the Electricity (Northern Ireland) Order 1992(b) or of a licence granted under Article 8 of the Gas (Northern Ireland) Order 1996(c) in connection with the discharge of the holder's functions; or
 - (viii) agricultural vehicles for agricultural purposes;
- (b) vehicles providing a passenger transport service.

Sealed with the Official Seal of the Department for Infrastructure on 29th February 2024

(L.S.)

Mary Toner
A senior officer of the Department for Infrastructure

(a) 1984 c. 12 as amended by 2003 c. 21 Schedule 3 paragraph 2(2)
(b) S.I. 1992/231 (N.I. 1) as amended by S.I. 2003/419 (N.I. 6), S.R. 2007 No. 283, S.R. 2007 No. 284, S.R. 2007 No. 303, S.R. 2007 No. 320, S.R. 2007 No. 321, S.I. 2007/913 (N.I. 7) and S.R. 2011 No. 155
(c) S.I. 1996/275 (N.I. 2) as amended by S.R. 2006 No. 358, S.R. 2011 No. 155 and S.R. 2013 No. 92

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prohibits vehicles exceeding 18 tonnes maximum gross weight from using a length of the Lisnawery Road, Augher.

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 under the Road Traffic Regulation (Northern Ireland) Order 1997 (“the Regulation Order”) and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000), in accordance with the Road Traffic Offenders (Northern Ireland) Order 1996 as amended by the Regulation Order.

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