
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART VII

LAWFUL AND UNLAWFUL INTERFERENCE WITH ROADS

Structures, works, etc. on, in, under, over or near a road

Restriction on construction of bridges over road

76.—(1) The Department may issue to the owner or occupier of any land adjoining a road a licence to construct and use a bridge over the road.

(2) Subject to paragraph (3), a licence under this Article may be issued subject to such conditions as the Department thinks fit.

(3) It shall be a condition of every licence under this Article that the person to whom it is granted is, at his own expense, to remove the bridge or alter it in such manner as the Department may require, if at any time the Department considers the removal or alteration necessary or desirable in connection with the carrying out of improvements to the road; and the decision of the Department that the removal or alteration is necessary or desirable in that connection shall be final, and the condition shall be enforceable by the Department against the owner for the time being of the land.

(4) No appeal lies under Article 84 against—

- (a) any condition mentioned in paragraph (3); or
- (b) any condition which the Department declares to be necessary for the purpose of securing the safety of persons using the road or of preventing interference with traffic thereon.

(5) Any person who, except in the exercise of statutory powers—

- (a) constructs a bridge over a road without a licence under this Article, or
- (b) constructs or uses a bridge otherwise than in accordance with the conditions of such a licence, or
- (c) fails to remove or alter a bridge when required to do so in accordance with any condition of the licence,

shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale, and if the offence is continued after conviction he shall be guilty of a further offence and liable to a fine not exceeding one-tenth of level 3 on the standard scale for each day on which the offence is so continued.