

## 1995 No. 394

## ROAD TRAFFIC AND VEHICLES

Traffic Weight Restriction (Newry) Order  
(Northern Ireland) 1995

Made . . . . . 16th October 1995

Coming into operation . . . . . 28th November 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 objections have been received, and two representations have been received and duly considered;

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 roads and length of road specified in the Schedule are unsuitable for use by certain classes of vehicles, hereby makes the following Order:

*Citation, commencement and interpretation*

1.—(1) This Order may be cited as the Traffic Weight Restriction (Newry) Order (Northern Ireland) 1995 and shall come into operation on 28th November 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 of the roads and length of road specified in the Schedule, is prohibited.

*Exceptions*

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

- (a) by or on behalf of an owner or occupier of any land abutting on or convenient to the roads for the purpose of gaining access to such land; or
- (b) in connection with the delivery to or collection from such land of any goods, livestock or postal packets; or

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(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

- (c) for police or military purposes; or in an emergency for ambulance or fire brigade purposes; or
- (d) in or adjacent to the roads 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 roads 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 October 1995.

(L.S.)

*E. J. Galway*

Assistant Secretary

1. Beechmount Park, Unclassified Nos. 6293-16 and 6293-17, Newry.
2. Elmwood Park, Unclassified No. 6293-14, Newry.
3. Upper Damolly Road, Unclassified No. 6293-04, Newry, from its junction with Ashgrove Avenue, to its junction with Rathfriland Road.

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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 the following roads and length of road in Newry—

1. Beechmount Park, Unclassified Nos. 6293-16 and 6293-17;
2. Elmwood Park, Unclassified No. 6293-14; and
3. Upper Damolly Road, Unclassified No. 6293-04, from its junction with Ashgrove Avenue, to its junction with Rathfriland Road.

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 (Northern Ireland) Order 1981 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 in due course be erected on the roads.

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**1995 No. 395**

This Order has been exempted from printing by the Statutory Rules (Northern Ireland) Order 1979. A summary is given in the List of Statutory Rules of a Local Character under the heading ROAD TRAFFIC AND VEHICLES.