# 1995 No. 444

# ROAD TRAFFIC AND VEHICLES

## Urban Clearways (Armagh) Order (Northern Ireland) 1995

*Made* . . . . . *30th November 1995*

*Coming into operation* . . . *15th January 1996*

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 21(1) of the Road Traffic (Northern Ireland) Order 1981 and of every other power enabling it in that behalf, hereby makes the following Order:

*Citation, commencement and interpretation*

**1.**—(1) This Order may be cited as the Urban Clearways (Armagh) Order (Northern Ireland) 1995 and shall come into operation on 15th January 1996.

(2) In this Order—

"carriageway" means a way constituted or comprised in a road being a way over which the public have a right of way for passage of vehicles but does not include a lay-by;

"lay-by" means a surfaced area adjacent to the carriageway intended for the waiting of vehicles;

"specified road" means the carriageway of any road or length of road specified in the Schedule;

"statutory undertaker" means persons authorised by a statutory provision to carry on a public undertaking.

*Control of waiting*

**2.** Save as provided in Article 3, no person shall cause or permit a vehicle to wait wholly or partly in a specified road between 8.30 a.m. and 9.15 a.m. or between 4.30 p.m. and 6.00 p.m. from Monday to Friday inclusive.

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department"

*Exemptions*

**3.**—(1) Nothing in Article 2 shall render it unlawful to cause or permit a vehicle to wait in a specified road for so long as may be necessary—

(*a*) for a person to board or alight from the vehicle provided that such boarding or alighting does not cause the vehicle to wait in the same place for more than 2 minutes;

(*b*) for the collection or delivery of postal packets as defined in section 87 of the Post Office Act 1953(**a**);

(*c*) for the opening or closing of a gate or other barrier at the entrance to premises to which the vehicle requires access or from which it has emerged if it is not reasonably practicable for the vehicle to wait otherwise than in a specified road while such gate or barrier is opened or closed;

(*d*) to enable the vehicle, if it cannot conveniently be used for such purpose in any road not being a specified road, to be used in connection with—

(i) any building, repair or demolition operations; or

(ii) the removal of any obstruction to traffic; or

(iii) the maintenance, improvement or reconstruction of a specified road; or

(iv) the discharge of the functions of the holder of a licence granted under Article 10(1) of the Electricity (Northern Ireland) Order 1992(**b**) by or on behalf of the holder; or

(v) the laying, erection, alteration or repair of any telecommunications apparatus as defined in section 4(3) of the Telecommunications Act 1984(**c**).

(2) For the purpose of paragraph (1)(*a*) a vehicle shall be deemed to wait for more than 2 minutes in the same place if any one part of the carriageway is below any part of the vehicle or its load (if any) throughout a period exceeding 2 minutes whether or not the vehicle is moved during that period.

(3) The provisions of Article 2 shall not apply to a vehicle—

(*a*) being used in an emergency for fire brigade, ambulance or police purposes;

(*b*) being used in the service of a statutory undertaker or a government department in pursuance of statutory powers or duties, if the vehicle cannot conveniently be used for such service in any other road;

(*c*) where the person in control of it—

(i) is required by law to stop;

(ii) is obliged to stop in order to prevent an accident; or

(iii) is prevented from proceeding by circumstances outside his control; or

---

(a) 1953 c. 36
(b) S.I. 1992/231 (N.I. 1)
(c) 1984 c. 12

(*d*) the driver of which is acting upon the direction or with the permission of a constable in uniform or of a traffic warden.

**4.** The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by the Road Traffic (Northern Ireland) Order 1981 or by a statutory provision made thereunder.

Sealed with the Official Seal of the Department of the Environment on 30th November 1995.

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

SCHEDULE

**All in the City of Armagh**

1. Barrack Street — both sides.

2. Friary Road (from a point approximately 15 metres south-west of its southern junction with Newry Road Roundabout, to that junction) — both sides.

3. Friary Road (from its northern junction with Newry Road Roundabout, to its junction with Scotch Street Roundabout) — both sides.

4. Gaol Square — both sides.

5. Newry Road (from a point approximately 15 metres east of its junction with Newry Road Roundabout, to that junction) — both sides.

6. Newry Road Roundabout.

7. Scotch Street (from a point approximately 15 metres north-west of its junction with Scotch Street Roundabout, to that junction) — both sides.

8. Scotch Street Roundabout.

9. The Mall West (from a point approximately 45 metres north-west of its junction with Gaol Square, to that junction) — both sides.

---

EXPLANATORY NOTE

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

This Order prohibits the waiting, with certain exemptions, by vehicles on the carriageways of the roads and lengths of road in the City of Armagh specified in the Schedule during morning and evening peak traffic periods from Monday to Friday.

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 be erected on the roads.

---

## 1995 No. 445

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 PLANNING.