

**2017 No. 137**

**ROAD TRAFFIC AND VEHICLES**

**The Waiting Restrictions (Mallusk) Order (Northern Ireland)  
2017**

*Made* - - - - - *30th June 2017*

*Coming into operation* - *21st July 2017*

The Department for Infrastructure<sup>(a)</sup> 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<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

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 written objection or other representation has been received.

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as The Waiting Restrictions (Mallusk) Order (Northern Ireland) 2017 and shall come into operation on 21st July 2017.

(2) In this Order—

“medical practitioner” means a registered person within the meaning of the Medical Act 1983<sup>(d)</sup>;

“postal packet” means a letter, parcel, packet or other article transmissible by post as defined in section 125 of the Postal Services Act 2000<sup>(e)</sup>;

“universal service provider” has the same meaning as in section 4(3) and (4) of the Postal Services Act 2000.

**Lengths of road on which vehicles must not wait**

**2.** Save as provided in Article 3, a person shall not cause or permit a vehicle to wait on a length of road specified in the Schedule at any time.

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(a) 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) 1983 c. 54  
(e) 2000 c. 26

### Exceptions to prohibition of waiting

3.—(1) Nothing in Article 3 shall render it unlawful to cause or permit a vehicle to wait on the carriageway of a length of road specified in the Schedule where the person in control of it is prevented from proceeding by circumstances beyond that person's control or to avoid an accident or for so long as may be reasonably necessary to enable—

- (a) a person to board or alight from a vehicle provided that such boarding or alighting does not cause the vehicle to wait in the same place for more than 2 minutes;
- (b) the vehicle to be 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;
- (c) the vehicle to be used by or on behalf of a universal service provider for the purposes of the delivery to, or collection from, premises situated adjacent to the length of road of postal packets;
- (d) the vehicle, if it cannot conveniently be used for such purposes outside that length of road, 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)
- (e) goods to be loaded or unloaded from the vehicle

(2) For the purposes of paragraph (1)(a) a vehicle shall be deemed to wait in the same place for more than 2 minutes 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.

### Amendment

4. The Parking and Waiting Restrictions (Newtownabbey) Order (Northern Ireland) 2015(d) is amended by the deletion of item no. 4, relating to McKinney Road, in Part 2 of Schedule 2 to that Order.

Sealed with the Official Seal of the Department for Infrastructure on 30th June 2017

*Garry F McKenna*

A senior officer for the Department of Infrastructure

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(a) 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  
(b) 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  
(c) 1984 c. 12 as amended by 2003 c. 21 Sch. 3 para. 2(2)  
(d) S.R. 2015 No. 222 as amended by S.R. 2016 No. 381

## SCHEDULE

Article 2

### No Waiting at any time in Mallusk (loading and unloading permitted)

1. Cloughmore Road (north-west side) – from a point 15 metres north-east of its junction with Mallusk Road (Route B95) for a distance of 60 metres in a north-easterly direction.
2. Cloughmore Road (north-west side) – from a point 85 metres north-east of its junction with Mallusk road (Route B95) for a distance of 25 metres in a north-easterly direction.
3. Cloughmore Road (south-east side) – from a point 15 metres north-east of its junction with Mallusk Road (Route B95) for a distance of 35 metres in a north-easterly direction.
4. Cloughmore Road (south-east side) – from a point 55 metres north-east of its junction with Mallusk road (Route B95) for a distance of 27 metres in a north-easterly direction.
5. Cloughmore Road (south-east side) – from a point 90 metres north-east of its junction with Mallusk Road (Route B95) for a distance of 5 metres in a north-easterly direction.
6. McKinney Road (north-west side) – from a point 15 metres south-west of its junction with Mallusk road (Route B95) for a distance of 155 Metres in a south-westerly direction.
7. McKinney Road (north-west side) – from a point 190 metres south-west of its junction with Mallusk road (Route B95) for a distance of 12 Metres in a south-westerly direction.
8. McKinney Road (north-west side) – from a point 216 metres south-west of its junction with Mallusk road (Route B95) for a distance of 94 metres in a south-westerly direction.
9. McKinney Road (north-west side) – from a point 330 metres south-west of its junction with Mallusk road (Route B95) for a distance of 10 metres in a south-westerly direction.
10. McKinney Road (south-east side) – from a point 15 metres south-west of its junction with Mallusk Road (Route B95) for a distance of 30 metres in a south-westerly direction.
11. McKinney Road (south-east side) – from a point 60 metres south-west of its junction with Mallusk Road (Route B95) for a distance of 50 metres in a south-westerly direction.
12. McKinney Road (south-east side) – from a point 180 metres south-west of its junction with Mallusk Road (Route B95) for a distance of 170 metres in a south-westerly direction.
13. Mallusk Drive (north-west side) – from a point 15 metres south-west of its junction with Mallusk Road (Route B95) for a distance of 25 metres in a south-westerly direction.
14. Mallusk Drive (north-west side) – from a point 48 metres south-west of its junction with Mallusk road (Route B95) for a distance of 22 metres in a south-westerly direction.
15. Mallusk Drive (south-east side) – from a point 15 metres south-west of its junction with Mallusk Road (Route B95) for a distance of 55 metres in a south-westerly direction.

### EXPLANATORY NOTE

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

The Order prohibits vehicles from waiting at any time on the lengths of the roads specified in the Schedule (Article 2). Vehicles are exempted from the prohibition in certain circumstances (Article 3). The Order will also amend the Parking and Waiting Restrictions (Newtownabbey) Order (Northern Ireland) 2015 by deleting the item specified in Article 4.

A penalty charge (£90) is payable with respect to a vehicle involved in a contravention of this 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 this Order will in due course be placed on the roads.