

THE DEPARTMENT OF INFRASTRUCTURE

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**GREENWAY ROADS**

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**TRAFFIC REGULATIONS RELATING TO THE USE OF VEHICLES ON CERTAIN RURAL HIGHWAYS NOT MAINTAINED FOR USE BY ALL TRAFFIC**

**in the Parishes of**

**Ballaugh: Braddan: German: Lezayre: Lonan: Malew: Maughold: Michael: Patrick: Rushen:**

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THE ROAD TRAFFIC REGULATION ACT 1985

**THE GREENWAY ROADS (WEIGHT LIMIT) ORDER 1994**

(Statutory Document No. 306/94)

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***Weight restriction on vehicles in Greenway Roads***

1. The Order provides that no person shall, except upon the direction or with the permission of a constable in uniform, cause or permit a vehicle the unladen weight of which exceeds 500kg to pass along or over, or to remain on, any Greenway Road. ***These Roads are listed below.***
2. The 500kg weight restriction **DOES NOT** apply to the following vehicles which are exempted –
  - (a) The following types of vehicle **while the vehicle is being used for the purposes of agriculture, forestry or horticulture**: a land tractor or works truck, a motor car which is being used as a land tractor or works truck, or a dual purpose vehicle;
  - (b) The following types of vehicle **being used to draw or carry goods to or from land adjacent to a Greenway Road if it cannot be used for that purpose in any other road**: a tractor, light locomotive, or dual purpose vehicle;
  - (c) A vehicle (**which is NOT a heavy locomotive or a heavy motor car**) while it is being used in connection with works in a Greenway Road or adjacent land **authorised by any statutory provision**; or it is being used in the service of a local authority, the Department of Environment, Food and Agriculture, or the Department of Infrastructure, **in pursuance of any statutory functions in a Greenway Road or in adjacent land**. This exemption from the weight restriction only applies **if the vehicle cannot be used for the purpose in any other road**;
  - (d) A cart drawn by one or more horses or other draught animal(s);
  - (e) **In the course of duty**, a police, fire brigade, ambulance service or coastguard service vehicle;
  - (f) A vehicle for which the driver **holds a permit** issued by the Department of Infrastructure for its use on the Greenway Road in question, **while the vehicle is being used at a time and for a purpose specified in the permit**; and

- (g) a trailer drawn by any such vehicle.

**NOTE:** *The meanings of certain expressions used in the Order and in this Notice are:*

**"dual purpose vehicle"** includes four-wheel drive land-rover types: **"land tractor"** includes farm tractors; and **"works truck"** includes certain off-road land maintenance and road-maintenance goods vehicles. These expressions have the same meanings as in the Motor Vehicles (Construction, Equipment and Weights) Regulations 2012;

**"motor car"** includes passenger vehicles and goods vehicles which are of such an unladen weight that they may be driven on an ordinary car-driver's licence; **"heavy motor car"** includes a goods vehicle which can only be driven on an "HGV" licence; **"heavy locomotive", "light locomotive", and "tractor"** are kinds of self-propelled motor-vehicle (such as road-haulage tractors, farm tractors, and traction engines) which do not carry passengers, goods or other burden and are intended for drawing draw-bar trailers and appliances. They have the same meanings as in the Road Traffic Act 1985.

**"highway gate"** means a point where the Greenway Road passes through a boundary wall or fence by means of a gateway, irrespective of whether or not a gate is installed.

3. The Greenway Roads specified in the Order are those which are described as follows -

#### **GREENWAY ROADS**

##### **RUSHEN Surby (Carnanes)**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G1.	Rushen	Un-named public road	the end of the D24 (Ballaberna Road) north of Surby indicated by a moorland wall and highway gate	its junction with the A36 (Sloc Road and Shoulder Road) indicated by a wall and a highway gate;

##### **PATRICK Slieau Whallian (Garey)**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G2.	Patrick	U70 (Slieau Whallian Back Road)	its junction with the D47 (Garey Road) indicated by a highway gate	its junction with the C17 (Slieau Whallian Road);

**MALEW  
Foxdale (Stoney Mountain)**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G3.	Malew	U53 (Stoney Mountain Road)	185 metres westwards from the property known as West View on the Stoney Mountain Road, Foxdale	80 metres north-eastwards of its junction with the Stoney Mountain Plantation forestry road, 280 metres eastwards from its junction with the A3 (Castletown to Foxdale Road);

**GERMAN  
Cornelly (Glion Darragh, Greeba)**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G4.	German	U198 (Cornelly to Kerrowgarrow Road)	its junction with the D55 (Ballacurry Road) at Cornelly Mine, Archallagan	its junction with the U55 (Kenna Road) at Kerrowgarrow Farm;
G5.	German	D55 (Ballacurry Road)	300 metres south of the former railway crossing at Ballacurry Farm	the property known as Brooklands eastwards from Cornelly Mine at Archallagan, indicated by a highway gate;

**BRADDAN  
Baldwin (Carraghan & Beinn y Phott)**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G6.	Braddan	U68 (St. Luke's to Brandywell Road); a part of the Millennium Way footpath	95 metres north-east of its junction with the C9 (Ballamoda, Baldwin road) at St. Luke's Church	its junction with the B10 (Beinn y Phott Road) 560 metres north-east of the Glen Crammag bridge;

**MICHAEL  
Mountain of Michael**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G7.	Michael	U16 (Ballacurn Road) and all roads which are accessible from it, being roads on Sartfell, Slieau Freoghane, Slieau Dhoo and Slieau Curn which are not macadamized	the junction of U16 with B10 (Beinn y Phott Road) at the Sartfell Plantation, Brandywell indicated by a highway gate south-eastwards of Sartfell	<p>(1) a point 560 metres south-westwards from the junction with the C37 (Druidale Road) indicated by a highway gate north-eastwards of Slieau Dhoo; and</p> <p>(2) the end-on junction with the D14 (Lhergyvreck or "Baltic" Road) 2,200 metres eastwards from the D14 junction with the A3 (Castletown to Ramsey Road) at Kirk Michael, at the common land wall indicated by a highway gate south-west of Slieau Curn; and</p> <p>(3) a point 1,850 metres southwards from the junction at Ballacurn of U16 with the A3 (Castletown to Ramsey Road), at the common land wall indicated by a highway gate north-eastwards of Slieau Curn.</p>

**BALLAUGH  
Upper Ballaugh Glen**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G8.	Ballaugh	U187 (Glendhoo Road)	its junction with the U83 (Ballaugh Plantation Road)	in the property known as Glendhoo or "The Purl" the highway gate at the former Tuck Mill 190 metres southwards of the slab-bridge by which the road crosses the River Dhoo;
G9.	Ballaugh	U83 (Ballaugh Plantation or Cronagh Road)	A point 230 metres from its junction with the C37 (Druidale Road) at Ravensdale (at the south-western boundary of the forestry car park)	the second junction of the U83 with the C37 (Druidale Road) 740 metres south-westwards from the junction with the U100 (Mount Karrin Road);

**LEZAYRE/MAUGHOLD/LONAN  
Sulby (Mount Karrin; and the Lezayre Tops) and Maughold Mountain Track**

<b>No.</b>	<b>District:</b>	<b>Road</b>	<b>Between</b>	<b>And</b>
G10.	Lezayre	U100 (Ballacuberagh or Mount Karrin Road)	its junction with the A14 (Jurby School to Bungalow Road) in Sulby Glen, north-eastwards of Mount Karrin	its junction with the C37 (Druidale Road) south-westwards of Mount Karrin;
G11.	Lezayre	D10 (Sky Hill Road, including a part of the Millennium Way footpath)	its junction with U77 (Rullick Road) south eastwards of Narradale at Park ne Earkan	its junction with the A10 (Mountain Road) at the Mountain Box (or East Mountain Gate) north-westwards of Clagh Ouyr;
G12.	Maughold/Lonan	U92 Maughold Mountain Track	Where the track goes onto the moorland to the south-west of Glen Mona Indicated by a wall and a highway gate	its junction with the U21 Clarum Road indicated by a wall and a highway gate above the Clarum Farm;
G13.	Lezayre	D11 Narradale Hill Track	where the track goes onto the moorland at the south end of the Narradale Road indicated by a wall and a highway gate	its junction with the D10 Sky Hill Track.

## **GREENWAY ROAD TRAFFIC SIGNS**

So that the Greenway Roads may be identified by their users and other traffic, and the weight restriction which applies in them may be known to traffic, the Department of Infrastructure has also made **The Traffic Signs (Greenway Roads) Authorisation 1994** (*Statutory Document No. 307/94*). This instrument empowers the Department to erect special "Greenway" signs to indicate the place where a Greenway Road commences and terminates, and to indicate where another road is a cul-de-sac for traffic which is not permitted to use a Greenway Road. The signs will be green, and incorporate miniature versions of standard Road Traffic Weight Limit and Warning signs. The signs will include the words "GREENWAY ROAD", and the main signs indicating where a Greenway Road begins will also include the words "BAYR GLASS" which is the Manx Gaelic for "GREENWAY". In English, the word "ROAD" has been added to indicate, in ordinary use of language, that the status of the ancient highway has not been down-graded to only a path for pedestrians and that certain vehicles (as mentioned in this Notice) are still permitted to use the Greenway as a Road.

The Authorisation of Traffic Signs comes into operation on 1<sup>st</sup> July 1994, the same day as the Order, and therefore as from that date the Department will have authority to install the Traffic Signs, and over the coming weeks the signs will be progressively installed, by which the weight restriction of 0.5 tonnes unladen weight on vehicles using Greenway Roads will become fully enforceable under the Road Traffic Regulation Act 1985.

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### **COPIES OF THE ORDER AND INSTRUMENT**

**Copies of the Order and Instrument may be inspected free of charge at the Sea Terminal Offices of the Department of Infrastructure in Douglas, during normal office hours, or online at [www.legislation.gov.im/cms](http://www.legislation.gov.im/cms).**

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### **ADDITIONAL INFORMATION**

1. The Order has been made to preserve the surface and character of certain ancient rural highways ("Greenway Roads") which, not being maintained as macadamized roads, are unsuitable for general use by vehicles exceeding 500kg unladen weight, but are specially suitable for use by persons on horseback or on foot.
2. A Greenway Road is a highway maintainable by the Department of Infrastructure at public expense under the Highways Act 1986 and is recognised by the Department as being primarily for use by pedestrians, horses, pedal cycles (especially all-terrain cycles), and (where the character of the road is suitable for their passage) horses-and-carts and all-terrain motorcycles. The designation of the Greenway Road, and the restriction to use to vehicles which do not exceed 500kg unladen weight, does not give or imply any warranty that the road is passable by all such kinds of vehicular traffic even though a particular vehicle complies with that weight restriction or with a permission given by or under the Order.
3. On the Greenway Road, pedestrians or animals could be in the road at any time and, indeed, the roads which are now designated as Greenway Roads have for a long time served the dual function of road and footpath. They are roads which are not much used by non-agricultural vehicular traffic because alternative macadamized routes have become available, or the purpose for which the road was mainly used has disappeared. The roads therefore serve mainly the function of footpath, vehicular or animal access to adjacent lands, or for by-way touring and sightseeing with vehicles which are suitable for use on non-macadamized roads.

4. As a matter of road safety, and of driving or cycling with due consideration for other road users, drivers and cyclists should at all times proceed with caution and accord the courtesy of the road to pedestrians and horse riders who are also using a Greenway Road. Many parts of Greenway Roads are unfenced, and in some cases (whether fenced or not) are located amidst farmland. Users of a Greenway Road should therefore also remain alert for the possible presence of wild or farm animals, and be prepared to give way to them.

5. ***Road Traffic law applies to vehicles on Greenway Roads***

On any highway or other road to which the public has access (including Greenway Roads), it is a legal requirement that motor vehicles (which includes motorcycles) be registered, and the driver of a motor vehicle must hold a current driving licence and motor insurance. The construction and use requirements for vehicles are applicable according to the type and use of the vehicle in question.

On a highway which is maintainable at the public expense (i.e. a "public road") by the Department under the Highways Act 1986 (including Greenway Roads) it is a legal requirement for a motor vehicle and some NON-agricultural draw-bar trailers to be licensed by payment of Vehicle Duty.

6. ***The law relating to the unauthorised use of vehicles off a road***

Greenway Roads are often located in land which is unfenced, and footpaths join Greenway Roads. Section 28 of the Road Traffic Act 1985 states that if without lawful authority a person drives a motor vehicle on to or upon any area of common land, moorland or other land, or on a footpath, he shall be guilty of an offence. However it is not an offence under that section of the Act to drive a motor vehicle on any land within 13.5 metres of a road if it is a road on which a motor vehicle may be lawfully driven, for the purpose only of parking the vehicle on that land. It should be noted, though, that with regard to it not being an offence to park a vehicle on land within 13.5 metres of a road, it is stated that this does not prejudice any bye-laws applying to any land or affect the law of trespass to land or any right or remedy to which a person may by law be entitled in respect of any such trespass. It is also stated that it does not confer a right to park a vehicle on any land.

7. ***Permits for vehicles exceeding 500kg UNLADEN WEIGHT***

The Order and Instrument mentioned above come into operation on Friday, 1<sup>st</sup> July 1994. Applications for a permit for a non-exempted vehicle exceeding 500kg unladen weight to use a Greenway Road may be made to the Public Rights of Way Officer, Highways Section, Department of Infrastructure, Douglas (Tel. 686665) or via email [highways@gov.im](mailto:highways@gov.im).