

## SCHEDULES

### SCHEDULE 3

#### PROCEDURE IN CONNECTION WITH TOLL ORDERS

##### *Assembly procedure*

5.—(1) Except as provided by sub-paragraph (2), a toll order shall be subject to negative resolution.

(2) A toll order shall be subject to affirmative resolution where—

- (a) the proposed special road to which the order relates includes in its proposed route any existing road; and
- (b) the toll order authorises the charging of tolls for the use of that existing road or any part of it,

unless the Department is satisfied as regards all classes of traffic entitled to use the existing road that another reasonably convenient route free of toll is available, or will be provided before the date on which the toll order will come into operation, and certifies accordingly.

(3) Where the Department proposes to give such a certificate, it shall—

- (a) give public notice of its intention to do so;
- (b) afford an opportunity to all persons interested to make representations and objections; and
- (c) cause a public local inquiry to be held if it appears to it to be expedient to do so, having regard to representations or objections made,

and before deciding whether to give the certificate the Department shall consider any representations and objections made and, if an inquiry has been held, the report of the person who held the inquiry.

(4) As soon as may be after giving a certificate, the Department shall publish in the Belfast Gazette, and in such other manner as it thinks best for informing persons affected, a notice stating that the certificate has been given.