

*These notes refer to the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c.14) which received Royal Assent on 13 August 2010*

# Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS OF THE ACT**

#### ***Schedule 1:***

Paragraph 1 defines key phrases used in the schedule. It establishes which public authority ('the relevant authority') is responsible for authorising special events on roads: the Department may authorise the closure or restriction of special roads (usually motorways); local councils may, with the Department's consent, authorise the closure or restriction of all other public roads for special events to be held in their jurisdiction. While the term 'special event' is defined, other types of events that are not 'special events' are also identified.

Paragraph 2 sets out the circumstances under which an application to close or restrict traffic using a road for a special event may be approved. The Department, or a local council, may impose conditions on the event promoter. For example, a promoter would be required to obtain public liability insurance and to erect diversionary signs. Existing statutory provisions on the affected road may be changed or suspended for the duration of the event.

Paragraph 3 sets out the procedure to be observed by the relevant authority in making an order.

Paragraph 4 provides a discretionary power for authorities to recover their costs.

Paragraph 5 enables the Department to issue guidance for the information of councils and event promoters.

Paragraph 6 provides that it will be an offence to contravene a road closure or restriction, or for an event promoter to fail to comply with any condition imposed by the relevant authority. As set out in paragraph 5 of schedule 2, offences are to be prosecuted summarily with, respectively, a maximum fine of level 3 on the standard scale of fines (currently £1,000) and level 2 (currently £500) on the standard scale.