

2016 No. 319

ROAD TRAFFIC AND VEHICLES

The Road Races (Down Rally) Order (Northern Ireland) 2016

Made - - - - *6th September 2016*

Coming into operation - *14th October 2016*

The Department for Infrastructure (a) in exercise of the powers conferred by Article 3 of the Road Races (Northern Ireland) Order 1986(b) and now vested in it(c), and after consulting the Chief Constable, orders and declares as follows.

Citation and commencement

1. This Order may be cited as The Road Races (Down Rally) Order (Northern Ireland) 2016 and shall come into operation on 14th October 2016.

Interpretation

2. In this Order—

“the course” means the roads specified in the Schedules;

“marshal” means a person of at least 18 years of age authorised in writing by the promoter to assist in connection with the proper conduct of the race;

“the promoter” means the Rathfriland Motor Club Limited.

Application

3. Subject to compliance with all the requirements of this Order, the course may be used by the promoter for motor races between the times and on the day specified in Schedules 1 to 3.

Suspension of right of way and notice

4. On the day specified in Schedules 1 to 3 from and until the times specified therein or until the time the race is announced by the promoter as completed, whichever is the earlier, the right of way on the course of all persons, vehicles and other forms of traffic shall be suspended other than to—

(a) persons appointed by the promoter as officials or marshals, constables, vehicles engaged in the race, persons in charge of or directly employed in connection with such vehicles and vehicles used by such officials, marshals, or constables;

(b) vehicles used to cross the course in an emergency by a medical practitioner or for fire and rescue, ambulance or police purposes; and

(a) 2016 c. 5 (N.I.)

(b) S.I. 1986/1887 (N.I. 17)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

- (c) persons with or without vehicles who reside in the race area crossing the course or proceeding on it for that purpose and persons so proceeding or crossing the course with or without vehicles in pursuance of statutory powers or duties;

provided that such persons and vehicles referred to in (b) and (c) shall cross the course only at such times and places as may be specified by a person appointed by the promoter as the clerk of the course.

5. The promoter shall give notice to the inhabitants of the districts adjoining the course of the temporary suspension of the right of way thereon by—

- (a) posting, not later than 7 days before the date of the race, placard notices specifying the course, the date on which, and the times during which, the right of way is suspended, in prominent positions in the neighbourhood and in particular near the junction of all other roads within or adjoining the course; and
- (b) publishing, during each of the 2 weeks preceding the date of the race, advertisements giving information as in paragraph (a) in 2 newspapers circulating in the locality of the course.

Prohibition of traffic

6. It shall not be lawful to cause or permit traffic, either vehicular or pedestrian, to use or remain on that part of any road between the barricades and its junction with the course during the period when the right of way on the course is suspended.

Cordonning off of the course

7. The promoter shall—

- (a) close every road opening off the course by means of a proper and sufficient barricade or barricades placed at least 10 metres from the course;
- (b) place notice boards on every road at or in the vicinity of the barricades stating that the right of way on the course is temporarily suspended;
- (c) ensure that the barricades and notice boards referred to in this Article are—
 - (i) in position at least one hour before the start of the race; and
 - (ii) removed within one hour after the end of the race; and
- (d) take all steps necessary to prohibit spectators and other persons, other than the promoter's officials, marshals and constables, from using the carriageway or sides of the course during the progress of the race.

8. The promoter shall not open the course to traffic until the last competitor has finished.

Provision of marshals

9. The promoter shall—

- (a) before the race consult with the Chief Constable as to the number and positioning of marshals;
- (b) provide a sufficient number of marshals for the proper conduct of the race;
- (c) place marshals at the junction of each road, laneway and accommodation road adjoining the course and also at such other positions as shall be requisite in the interests of public safety;
- (d) provide each marshal with at least an armband of distinguishing colour which shall be worn by the marshal during the period when the right of way on the course is suspended.

Documents to be produced to the Department

10. Not less than 14 days before the date of the race the promoter shall lodge with the Department 5 copies of the particulars of the promoter's proposed arrangements for the conduct of the race and shall make such further arrangements as the Chief Constable may consider desirable in the interests of public safety.

Insurance and indemnities

11.—(1) The promoter shall have secured insurances and indemnities as follows—

- (a) the promoter is indemnified by a policy of insurance effected with an approved Insurance Company or Lloyd's Underwriters for the sum as specified in paragraph (2)(a), which the promoter, the promoter's officials, marshals, agents or servants, any competitor in the race, the Crown or any servants of the Crown or any constable may become legally liable to pay for compensation and litigation expenses in respect of the death of, or bodily injury to, any person, or the loss of, or damage to, lands or property adjoining the course caused by or arising out of the race, provided that such a policy of insurance may exclude any claim made by one competitor against another arising out of accidents occurring during the race; and
- (b) the promoter shall have so effected as in sub-paragraph (a) a personal accident policy of insurance for such benefits as are specified in paragraph (2)(b) in respect of the death of, or bodily injury to, the promoter's officials, marshals, agents or servants, the servants of the Crown, constables and members of voluntary medical services solely in connection with or arising out of the holding of the race.

(2) The specified sums are—

- (a) liability of the promoter, the promoter's officials, marshals, agents or servants, the Crown or any servants of the Crown or any constable or any competitor in the race, £65,000,000 for any one accident or series of accidents arising out of one occurrence, but unlimited in amount as to the total sum payable; and
- (b) in respect of death of, or bodily injury to, any of those persons mentioned in paragraph (1)(b) the following benefits—
 - (i) death, £65,000
 - (ii) total loss by physical severance of two limbs or total and irrecoverable loss of all sight in both eyes or total loss by physical severance of one limb together with the total and irrecoverable loss of all sight in one eye, £65,000
 - (iii) total loss by physical severance of one limb or total and irrecoverable loss of all sight in one eye, £30,000
 - (iv) permanent total disablement, £65,000
 - (v) temporary total disablement necessarily preventing such person from attending to business or occupation or necessarily confining such person to hospital or similar institution or to such person's house or apartment, up to £375 weekly limited to 104 weeks.

Sealed with the Official Seal of the Department for Infrastructure on 6th September 2016

(L.S.)

G F McKenna
A senior officer of the Department for Infrastructure

SCHEDULE 1

Articles 2, 3 and 4

SPECIAL STAGES 1, 3 & 5 – ‘Ardrin’ — Saturday 15th October 2016 from 10:00 to 18:00

ROADS IN THE COUNTY OF DOWN

1.	Ballievey Road (Unclassified No. 4230) from its junction with the Rathfriland Road (Route B10) to its junction with Old Mill Road (Unclassified No. 4228)
2.	Ballievey Road (Unclassified No. 4230) from its junction with Old Mill Road (Unclassified No. 4228) to its junction with Tullyconnaught Road (Unclassified No. 4231)
3.	Tullyconnaught Road (Unclassified No. 4231) from its junction with Ballievey Road (Unclassified No. 4230) to its junction with Tullyconnaught Road (Unclassified No. 4232)
4.	Tullyconnaught Road (Unclassified No. 4232) from its junction with Tullyconnaught Road (Unclassified No. 4231) to its junction with Drone Hill Road (Route C346)
5.	Drone Hill Road (Route C346) from its junction with Tullyconnaught Road (Unclassified No. 4231) to its junction with Burnside Road (Unclassified No. 4241)
6.	Burnside Road (Unclassified No. 4241) from its junction with Drone Hill Road (Route C346) to its junction with Circular Road (Unclassified No. 4241)
7.	Circular Road (Route C347) from its junction with Burnside Road (Unclassified No. 4241) to its junction with Circular Road (Unclassified No. 4240)
8.	Circular Road (Route C347) from its junction with Circular Road (Unclassified No. 4240) to its junction with Tanvalley Road (Unclassified No. 4265)
9.	Tanvalley Road (Unclassified No. 4265) from its junction with Circular Road (Route C347) to its junction with Church Hill Road (Unclassified No. 4266)
10.	Church Hill Road (Unclassified No. 4266) from its junction with Tanvalley Road (Unclassified No. 4265) to its junction with Ballyshiel Road (Unclassified No. 4267)
11.	Ballyshiel Road (Unclassified No. 4267) from its junction with Church Hill Road (Unclassified No. 4266) to its junction with Ardrin Road (Route C345)
12.	Ardrin Road (Route C345) from its junction with Ballyshiel Road (Unclassified No. 4267) to its junction with Ardrin Road (Route B25)

SCHEDULE 2

Articles 2, 3 and 4

SPECIAL STAGES 2, 4 & 6— ‘Closkelt’ — Saturday 15th October 2016 from 10:00 to 18:00

ROADS IN THE COUNTY OF DOWN

1.	Corbally Old Road (Unclassified No. 4186) from its junction with Lough Road (Route C322) to its junction with unnamed Road (Unclassified No. 4182)
2.	Unnamed Road (Unclassified No. 4182) from its junction with Corbally Old Road (Unclassified No. 4186) to its junction with Shanrod Road (Unclassified No. 4181)
3.	Shanrod Road (Unclassified No. 4181) from its junction with unnamed Road (Unclassified No. 4181) to its junction with Ballooleyore Road (Unclassified No. 4183)
4.	Ballooleyore Road (Unclassified No. 4183) from its junction with Shanrod Road (Unclassified No. 4181) to its junction with Ballooleyore Road (Unclassified No. 4184)
5.	Ballooleyore Road (Unclassified No. 4184) from its western junction with Ballooleyore Road (Unclassified No. 4183) to its junction with Shanrod Road (Unclassified No. 4181)
6.	Shanrod Road (Unclassified No. 4181) from its junction with Ballooleyore Road (Unclassified No. 4184) to its junction with Corbally Road (Unclassified No. 4162)
7.	Corbally Road (Unclassified No. 4162) from its junction with Shanrod Road (Unclassified No. 4181) to its junction with Shanrod Road (Unclassified No. 4184)
8.	Shanrod Road (Unclassified No. 4184) from its junction with Corbally Road (Unclassified No. 4162) to its junction with Kilkinamurray Road (Route C307)
9.	Kilkinamurray Road (Route C307) from its junction with Shanrod Road (Unclassified No. 4184) to its junction with Manse Road (Unclassified No. 4255)
10.	Manse Road (Unclassified No. 4255) from its junction with Kilkinamurray Road (Route C307) to its junction with Shanaghan Lane (Unclassified No. 4254)
11.	Manse Road (Unclassified No. 4255) from its junction with Shanaghan Lane (Unclassified No. 4254) to its junction with Doyles Road (Unclassified No. 4257)
12.	Manse Road (Unclassified No. 4255) from its junction with Doyles Road (Unclassified No. 4257) to its junction with Lakeview Road (Unclassified No. 4256)
13.	Lakeview Road (Unclassified No. 4256) from its junction with Manse Road (Unclassified No. 4255) to its junction with Drumgooland Road (Route C322)
14.	Drumgooland Road (Route C322) from its junction with Lakeview Road (Unclassified No. 4256) to its junction with Mountain Road (Route C322)
15.	Mountain Road (Route C322) from its junction with Drumgooland Road (Route C322) to its junction with Closkelt Road (Route C322)
16.	Closkelt Road (Unclassified No. 4276) from its junction with Mountain Road (Route C322) to its junction with Drumgooland Road (Route C322)

SCHEDULE 3

Articles 2, 3 and 4

SPECIAL STAGES 7 & 8 — ‘Edenagarry’ — Saturday 15th October 2016 from 14:00 to 18:00

ROADS IN THE COUNTY OF DOWN

1.	Lisnacroppin Road (Unclassified No. 4347) from its junction with Iveagh Road (Unclassified No. 4345) to its junction with Bronte Road (Unclassified No. 4397)
2.	Bronte Road (Unclassified No. 4397) from its junction with Lisnacroppin Road (Unclassified No. 4347) to its junction with Bronte Road (Unclassified No. 4348)
3.	Bronte Road (Unclassified No. 4348) from its junction with Bronte Road (Unclassified No. 4397) to its junction with Emdale Road (Unclassified No. 4398)
4.	Emdale Road (Unclassified No. 4398) from its junction with Bronte Road (Unclassified No. 4348) to its junction with Imdel Cross (Unclassified No. 4399)
5.	Imdel Cross (Unclassified No. 4399) from its junction with Emdale Road (Unclassified No. 4398) to its junction with Brookvale Road (Route C0342)
6.	Brookvale Road (Route C0342) from its junction with Imdel Cross (Unclassified No. 4399) to its junction with Millvale Road (Unclassified No. 4346)
7.	Millvale Road (Unclassified No. 4346) from its junction with Brookvale Road (Route C0342) to its junction with Lisnacroppin Road (Unclassified No. 4347)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order permits the Rathfriland Motor Club Limited, as promoter of the Down Rally 2016, to use for that event certain roads by suspending the right of way of other traffic on the day and during the times specified in the Schedules.

In effect this Order temporarily closes these roads.

This Order requires the promoter to give public notice of the promoter's intended use of these roads by displaying placard notices in prominent positions in the neighbourhood of the roads and by publishing advertisements in 2 local newspapers. The promoter must also provide marshals, seal off the roads and arrange insurance to cover death, bodily injury or loss or damage to property resulting from the event.

It is an offence for any person—

- (a) to obstruct or interfere wilfully and unlawfully with the conduct of the event;
- (b) to obstruct any constable acting in the course of that constable's duty or any marshal or any other person exercising any function conferred on that person;
- (c) to enter or remain without authority on any road closed for the event;
- (d) to keep any animal or any vehicle without lawful authority on any specified road; or
- (e) to contravene wilfully any provision of a road closing Order or any traffic direction given by the police for the purposes of the event.