

POLICY NOTE

THE GLASGOW COMMONWEALTH GAMES ACT 2008 (DURATION OF URGENT TRAFFIC REGULATION MEASURES) ORDER 2014

SSI 2014/92

The above instrument was made in exercise of the powers conferred by section 47 of The Glasgow Commonwealth Games Act 2008. The instrument is subject to negative procedure.

Policy Objectives

Background

The Glasgow Commonwealth Games Act 2008 (“the 2008 Act”) contains a number of provisions related to transport matters, including traffic regulation for Commonwealth Games purposes.

Most traffic regulation required for Commonwealth Games purposes will be progressed on a planned basis and put in place by way of Games Traffic Regulation Orders, made under section 14 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) read together with section 38 of the 2008 Act.

However, in recognition of the fact that there may be circumstances in which traffic regulation measures are required more urgently than a Games Traffic Regulation Order can be put in place, section 39 of the 2008 Act allows for urgent Games Traffic Regulation Notices (“GTRNs”), which can be put in place very quickly and come into force without delay, to be issued by the traffic authority. For example, to create an alternative route if emergency utility works are required on a key route between Games venues.

Purpose of the instrument

This short, technical order provides clarification on the maximum permitted duration applying to urgent GTRNs, and makes the necessary modification to section 15(7) of the Road Traffic Regulation Act 1984 (“the 1984 Act”) to allow these notices to last up to a maximum of 21 days. This period is consistent with the maximum period that applies to certain similar notices issued under 1984 Act, and will enable traffic authorities to use these notices effectively for Commonwealth Games purposes.

The order also modifies section 15(8)(b)(ii) of the 1984 Act so as to ensure that a GTRN is capable of being continued (by a further GTRN) where traffic regulation measures are required to extend beyond the initial 21 days. This is also consistent with provisions already contained for certain similar notices issued under the 1984 Act i.e. this would allow a repeat Games Traffic Regulations Notice to be issued for a further 21 days (maximum).

Consultation

A public consultation took place from 13 January – 24 February 2014. A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website, and includes local authorities, public transport organisations, utility providers and Police Scotland.

Impact Assessments

The Order is a technical amendment to the 2008 Act. The Order simply seeks to clarify a time restraint on a power which already exists under the 2008 Act (and also under the 1984 Act) rather than implementing a new policy in itself or changing the original policy intention. On this basis, it has been determined that a Equality Impact Assessment (EQIA) is not necessary in support of this instrument.

Financial Effects

The instrument is of a technical nature and the modifications it makes are time-limited. A GTRN will only be used in support of the Commonwealth Games, and is anticipated to only be used in exceptional circumstances. As per normal traffic authority procedures under the 1984 act, authorities must have due regard to the existence of alternative routes. On this basis, it has been determined that a Business Regulatory Impact Assessment (BRIA) is not necessary in support of this instrument.

Scottish Government
Commonwealth Games and Sports Directorate
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