

*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**

### **OVERVIEW**

6. The Act introduces provisions for the management of:

#### ***Permit Schemes***

7. These are intended to combat delays caused by works on roads that inevitably cause disruption and can often impact on journey times. Beyond the necessary works of the Department to maintain and develop the road network, utility openings alone are in excess of 35,000 in number each year.
8. The Street Works (Amendment) (Northern Ireland) Order 2007 introduced permit requirements in respect of street works (largely the works of utility companies). However, given the views of stakeholders the Department subsequently determined that those arrangements should be replaced with a wider scheme that would apply to additional specified works on roads.
9. The Act therefore repeals the street works permit scheme arrangements and provides a wider scheme to better control the timing and duration of certain works on roads.

#### ***Events on Roads***

10. A number of events are held on roads throughout the year. Many of these are entertainment or sporting events, attracting, in some cases, international competitors and large numbers of spectators. There are also occasions when film production companies may need to have restrictions placed on traffic using a road to enable location filming to take place.
11. From a legislative perspective it was not clear to which authority applications should be submitted for road closures or the restriction of traffic to facilitate such events. As a result, the Department sought specific powers to clarify the situation.
12. In keeping with the Executive's vision for stronger local government here local councils were consulted about proposals to make them responsible for authorising local events on roads other than motorways. As a result, the Act

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contains arrangements for authorising certain events on roads, subject to the Department's consent as road authority.

***Holding of Inquiries under the Road Traffic Regulation (Northern Ireland) Order 1997***

13. A power to hold an inquiry into the exercise, by the Department for Regional Development, of any of its functions under the Road Traffic Regulation (Northern Ireland) Order 1997 has been included. It is aimed at ensuring procedural fairness in the Department's decision-making processes and providing an opportunity for concerned parties to make representations.

***Giving effect to the reform of the Lord Chancellor's Office***

14. The Constitutional Reform Act 2005 reformed the Office of the Lord Chancellor. The Act amends the Traffic Management (Northern Ireland) Order 2005 to take account of that reform.

***Consultation***

15. The Department consulted stakeholders and the wider public on its policy proposals between 3 December 2008 and 6 March 2009. 197 copies of the consultation document were issued to organisations, individuals and groups in the government/statutory, voluntary/community and business sectors. A further 347 organisations, groups and individuals were advised of the Department's policy proposals and were offered further information on request. A total of 29 responses were received, comprising 19 substantive responses and 10 offering no comment.
16. A copy of the Consultation Paper, the responses received and the Department's Consultation Report can be viewed at, <http://www.roadsni.gov.uk/index/consultations/consultations-2c.htm>.