

SCHEDULES

SCHEDULE 1

Section 6.

SCHEDULE TO BE INSERTED AS SCHEDULE 3A TO THE ROAD TRAFFIC REGULATION (NORTHERN IRELAND) ORDER 1997

“SCHEDULE 3A

PROHIBITION OR RESTRICTION OF USE OF PUBLIC ROADS: SPECIAL EVENTS

Interpretation

- 1.—(1) This paragraph applies for the purposes of this Schedule.
- (2) Subject to sub-paragraph (3), a “special event” is—
 - (a) any sporting event, social event or entertainment which is held on a public road; or
 - (b) the making of a film on a public road.
And for the purpose of this paragraph “film” includes a recording on any medium from which a moving image may by any means be produced.
- (3) The following are not special events —
 - (a) a public procession (within the meaning of the Public Processions (Northern Ireland) Act 1998);
 - (b) a motor race falling within the Road Races (Northern Ireland) Order 1986 (motor races on roads);
 - (c) a race or trial falling within Article 45 of the Road Traffic (Northern Ireland) Order 1995 (cycle racing on roads).
- (4) The “relevant authority”—
 - (a) for a special road, is the Department;
 - (b) for any other public road, is the district council for the district in which the road is situated.
- (5) Where the special event is the making of a film, references to the holding of the event are to be read as references to the making of the film.
- (6) References to the promoter, in relation to a special event, are references to the person organising the event.

(7) References to an order are to an order under paragraph 2.

(8) A public road is “affected” by an order or proposed order if the order contains or would contain provisions restricting or prohibiting the use of the road.

Prohibition or restriction on public roads in connection with special events

2.—(1) Sub-paragraph (2) applies if the relevant authority for a public road is satisfied that—

- (a) traffic on the road should be restricted or prohibited for the purpose of—
 - (i) facilitating the holding of a special event,
 - (ii) enabling members of the public to watch a special event, or
 - (iii) reducing the disruption to traffic likely to be caused by a special event; and
- (b) it is not reasonably practicable for the event to be held otherwise than on a public road.

(2) The relevant authority may by order restrict or prohibit temporarily the use of that road, or any part of it, by vehicles or vehicles of any class or by pedestrians, to such extent and subject to such conditions or exceptions as it may consider necessary or expedient.

(3) An order may relate to the public road on which the special event is to be held or to any other public road.

(4) No order shall be made with respect to any public road which would have the effect of preventing at any time access for pedestrians—

- (a) to any premises situated on or adjacent to the road, or
- (b) to any other premises accessible for pedestrians from, and only from, the road.

(5) An order may suspend or modify any statutory provision relating to the affected road or its use by traffic or pedestrians.

(6) An order may contain provision —

- (a) requiring the promoter to insure against such risks in connection with the holding of the event on a public road as the relevant authority may specify;
- (b) requiring the promoter to produce to the relevant authority such certificates as it may require as to the safety of any structures, equipment or other apparatus to be used in association with the special event;
- (c) requiring the promoter to erect such barriers and place such signs in such places on or in the vicinity of any affected road as the relevant authority may specify;
- (d) requiring any such barriers and signs to be erected no earlier than, and removed no later than, such times as the relevant authority may specify;

- (e) requiring the promoter to comply with such other conditions as may be specified in the order.
- (7) A district council may not make an order except with the consent of the Department.

Procedure for making orders

3.—(1) An order shall not be made except on an application made to the relevant authority by the promoter of the special event.

(2) An application shall be in writing and give such details of the event as the relevant authority may require.

(3) Where—

- (a) an application for an order is made to a relevant authority, and
- (b) the relevant authority is minded to make an order,

the relevant authority shall publish in at least one local newspaper circulating in the district in which any affected road is situated a notice complying with subparagraph (4).

(4) The notice must—

- (a) identify the promoter of the special event;
- (b) identify any affected road;
- (c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
- (d) specify the dates on which and times between which the restrictions or prohibitions would apply;
- (e) specify any alternative routes for traffic or pedestrians;
- (f) state the address where copies of the application may be inspected by any person free of charge at all reasonable times;
- (g) state that representations in writing may be sent to the relevant authority within such period as is specified in the notice (not being less than 21 days from the date of the last publication of the notice) at such address as is so specified.

(5) Before making an order the relevant authority must consult—

- (a) the district commander of the police district in which any affected road is situated;
- (b) the Northern Ireland Fire and Rescue Service;
- (c) the Northern Ireland Ambulance Service.

(6) When considering whether to make an order, the relevant authority must—

- (a) consider any representations made in accordance with a notice published under sub-paragraph (3) and the outcome of consultations under sub-paragraph (5);
- (b) have regard to the safety and convenience of alternative routes suitable for traffic and pedestrians affected by the order; and
- (c) if the relevant authority is a district council, also have regard to any guidance issued by the Department under paragraph 5.

Recovery of certain costs

4. The relevant authority may recover from the promoter the whole of the costs incurred by the relevant authority in connection with or in consequence of the making of an order, including in particular the cost to the relevant authority of complying with the requirement in paragraph 3(3) to publish notices.

Guidance

5. The Department may issue guidance—
- (a) to district councils as to the exercise of their functions under this Schedule; and
 - (b) to promoters of events as to the procedure for making an order and as to the conduct of events in relation to which an order has been made.

Offences in relation to orders

6.—(1) A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction or prohibition imposed by an order is guilty of an offence.

(2) A promoter who fails to comply with any requirement imposed under paragraph 2(6) is guilty of an offence.”.

SCHEDULE 2

Section 8.

MINOR AND CONSEQUENTIAL AMENDMENTS

The Towns Improvement (Ireland) Act 1854 (c. 103)

1. Section 70 (obstruction of streets) shall cease to have effect.

The Belfast Corporation Act (Northern Ireland) 1930 (c. ii)

2. Section 59 (closure of certain streets) shall cease to have effect.

Status: This is the original version (as it was originally enacted).

The Statutory Rules (Northern Ireland) Order 1979 (NI 12)

3. In Schedule 3 (statutory rules exempt from requirements as to printing and sale) in paragraph 7A after “66 of” insert “, or Schedule 3A to,”.

The Roads (Northern Ireland) Order 1993 (NI 15)

4. In Article 71(2) (erection of structures on roads) after sub-paragraph (c) insert “or

(d) in connection with the holding of an event in connection with which an order has been made under Schedule 3A to the Road Traffic Regulation (Northern Ireland) Order 1997,”.

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

5. In Part 1 of Schedule 1 (offences) at the end of the entries relating to the Road Traffic Regulation (Northern Ireland) Order 1997 insert—

<p>“Schedule 3A, paragraph 6(1)</p>	<p>Contravention of prohibition or restriction imposed by order.</p>	<p>Summarily on the standard scale.</p>	<p>Level 3</p>	<p>—</p>	<p>—</p>	<p>—</p>
<p>Schedule 3A, paragraph 6(2)</p>	<p>Failure to comply with requirement imposed under paragraph 2(6).</p>	<p>Summarily on the standard scale.</p>	<p>Level 2</p>	<p>—</p>	<p>—</p>	<p>—”</p>

The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)

- 6.—(1) In Article 9(1), (2) and (3) for “this Part” substitute “Articles 4 to 8”.
- (2) In Article 69 (trolley vehicles) after “7,” insert “8A,”.
- (3) In Schedule 6 (inquiries), in paragraph 1(1) for “under this Order” substitute “in connection with the making by the Department of an order or scheme under this Order”.
- (4) In Schedule 6, at the end add—

“3. Where the inquiry has been held, the Department may, after considering the report of the person who held the inquiry—

- (a) determine to make the order or scheme; or
- (b) make the order or scheme either without modification or subject to such modifications as the Department thinks fit.”.

The Traffic Management (Northern Ireland) Order 2005 (NI 14)

7.—(1) In Article 16(3) (statutory declaration to contain such additional matters as Lord Chancellor may determine) after “may” insert “after consultation with the Lord Chief Justice”.

(2) In Article 30(1) (Lord Chancellor may make regulations as to procedure before adjudicators) after “may” insert “after consultation with the Lord Chief Justice”.

SCHEDULE 3

Section 8.

REPEALS

Short Title	Extent of repeal
The Towns Improvement (Ireland) Act 1854 (c. 103)	Section 70.
The Belfast Corporation Act (Northern Ireland) 1930 (c. ii)	Section 59.
The Street Works (Northern Ireland) Order 1995 (NI 19)	Article 12A. In Article 59(1) the words “12A(8).”.
The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)	In Schedule 1, paragraph 4. In Schedule 2, paragraph 5. In Schedule 4, paragraph 4. In Schedule 4A, paragraph 4. In Schedule 5, paragraph 4.
The Street Works (Amendment) (Northern Ireland) Order 2007 (NI 1)	Article 3.