



<b>Subject:</b>	<b>Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 – Road Closures for Special Events</b>
<b>Date:</b>	17th May, 2017
<b>Reporting Officer:</b>	Stephen Hewitt, Building Control Manager, ext. 2435
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<b>Restricted Reports</b>	
<b>Is this report restricted?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If Yes, when will the report become unrestricted?</b>	
<b>After Committee Decision</b>	<input type="checkbox"/>
<b>After Council Decision</b>	<input type="checkbox"/>
<b>Some time in the future</b>	<input type="checkbox"/>
<b>Never</b>	<input type="checkbox"/>

<b>Call-in</b>	
<b>Is the decision eligible for Call-in?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

<b>1.0</b>	<b>Purpose of Report/Summary of main Issues</b>
1.1	The Committee was informed at your meeting in December 2016 that the Department for Infrastructure (“the Department”) had begun the legislative process to commence, on 1st January, 2017, those parts of The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Act) relevant to the holding of special events on roads.
1.2	The Department has since written to the Council advising that its introduction has been delayed until 4th September, 2017.
1.3	From that date, Councils will assume responsibility for dealing with requests to hold special events on all public roads apart from special roads (which are mainly motorways) for which the Department assumes responsibility.

<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is requested to note the contents of this report and that proposals will be presented at a future meeting regarding the Committee's role in determining applications for an Order to temporarily prohibit or restrict the use of public roads in connection with special events.
2.2	A report outlining fee charging options will also be presented at a future meeting for the Committee's consideration.
<b>3.0</b>	<b>Main Report</b>
	<p><b><u>Key Issues</u></b></p> <p>3.1 As previously reported, The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 received Royal Assent on 13th August, 2010 but has yet to be commenced.</p> <p>3.2 Currently, there is no statutory basis to close roads for special events. At the moment the PSNI close any road being used to hold an event, such as the Christmas Light Switch-on, but this has been done on the basis of their general powers for public safety and to protect the safety of road users.</p> <p>3.3 The legislation will provide councils with the power to prohibit or restrict traffic using roads to facilitate special events taking place on roads.</p> <p>3.4 The Act defines special events as any sporting event, social event, entertainment or the making of a film which is held on a public road.</p> <p>3.5 From 4th September, 2017, a person wishing to close a public road for a special event will be required to apply to the Council and, after public notification and consultation with various statutory bodies including the PSNI and NIFRS and after receiving the consent of the Department, the Council will determine if a Road Closure Order is to be made.</p> <p>3.6 The Department, through Transport NI, will still maintain responsibility for the closure of special roads, such as motorways and the Westlink.</p> <p>3.7 Members may recall that the legislation was previously planned to commence in 2013. At a meeting of the Licensing Committee on 20th March, 2013, it was agreed that the Council be recommended to delegate authority to the Licensing Committee to determine all applications under the Act for an Order to temporarily prohibit or restrict the use of public roads in connection with special events.</p> <p>3.8 The Committee also agreed that the need for the Committee to consider all applications be reviewed one year after the commencement of the Order; and that those provisions would come into operation upon publication of the Commencement Order for the Act.</p> <p>3.9 The Committee also considered a report at the same meeting regarding proposed fees and charges for the Act but agreed to defer that until its next monthly meeting in order to consider the report and to enable further information to be obtained in relation to fees, council costs and the advertising costs for event organisers.</p> <p>3.10 The recommendations of the Licensing Committee were subsequently adopted by Council at its meeting on 3rd April, 2013.</p>

3.11	<p>However, in May 2013, the then Minister for Regional Development, who was responsible for introducing the Act, chose to defer commencing the Act until a later date.</p>
3.12	<p>The responsibility for administering the new legislation will include the following duties:</p> <ul style="list-style-type: none"> <li>• validating and processing applications.</li> <li>• publishing a Public Notice and consulting with the relevant agencies.</li> <li>• dealing with representations from interested parties.</li> <li>• preparing Road Closure Orders and ensuring appropriate road closure and diversion signage is in place.</li> </ul>
<p><b><u>Concerns and Impact</u></b></p>	
3.13	<p>Whilst the introduction of this new power for local government is welcomed, there are a number of significant tasks which need to be completed without any additional resources currently being available:</p> <ul style="list-style-type: none"> <li>• a need to review the potential financial liabilities and costs associated with this power, including the support currently provided by PSNI (at no cost) for policing and securing these events. It is understood that this may incur costs in the future.</li> <li>• a need to review and assess the advertisement costs of notices under the Act.</li> <li>• a need to review both the Licensing Committee Standing Orders and the Scheme of Delegation to allow for the new provisions.</li> <li>• a need to review and agree appropriate and acceptable fee levels with Members for recovering costs from organisers of events.</li> </ul>
3.14	<p>The introduction of the new legislation will also create an additional workload for the Service. It is difficult to quantify numbers at this stage, however events such as St Patrick's Day Celebrations, Belfast Marathon, Culture Night and Christmas Light Switch-on, film recordings and any special commemoration events, will require road closures.</p>
<p><b><u>Financial and Resource Implications</u></b></p>	
3.15	<p>There will be direct financial costs attached to the administration of the new legislation and, whilst such costs may be recovered from applicants, decisions in relation to the extent of public notification required and the fee charging option chosen will determine the actual financial implication.</p>
3.16	<p>We have not had the opportunity to factor the role and costs of administrating this legislation into our budget for the financial year 2017–2018.</p>
<p><b><u>Equality or Good Relations Implications</u></b></p>	
3.17	<p>The implementation of the Act will be subject to an equality impact assessment to identify any equality issues and we will work with the Council's Equality and Diversity Officer to ensure all potential issues are appropriately addressed.</p>
4.0	<p><b>Documents Attached</b></p>
	<p>None</p>