



Subject:	Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 – Road Closures for Special Events
Date:	21st June, 2017
Reporting Officer:	Stephen Hewitt, Building Control Manager, ext. 2435
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

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

1.0	Purpose of Report/Summary of Main Issues
1.1	The purpose of this report is to consider the scope of the Licensing Committee in the decision making process relating to the making of Orders restricting or prohibiting temporarily the use of a public road in connection with special events and to consider proposed amendments to the Scheme of Delegation.
2.0	Recommendations
2.1	As these decisions are not a delegated function of the Licensing Committee, the Committee is requested to: <ol style="list-style-type: none">1. agree that the Scheme of Delegation be amended, as outlined in paragraphs 3.11 and 3.12, and2. provide feedback, if necessary, to be incorporated into a subsequent report to the SP&R Committee on the amendments proposed.

2.2	Any decision of Committee in relation to amendments to Standing Orders or the Scheme of Delegation will be subject to ratification by Council.
3.0	Main Report
	<p data-bbox="274 394 430 425"><u>Key Issues</u></p> <p data-bbox="165 461 1465 560">3.1 The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Roads Act) gives the Council the power to temporarily prohibit or restrict the use of public roads, to facilitate the holding of a special event, which includes filming.</p> <p data-bbox="165 595 1465 761">3.2 Members may recall that the legislation was previously planned to commence in 2013 and, 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, this was subsequently adopted by Council at their meeting of 3 April, 2013.</p> <p data-bbox="165 797 1465 896">3.3 At that time, the Committee undertook to consider all applications whether or not any representations had been received by the Council. Members may wish to reconsider that decision to allow for applications to be dealt with as quickly as possible.</p> <p data-bbox="165 931 1465 1066">3.4 Members were advised, at your meeting in May 2017, that the Department for Infrastructure (the Department) had determined that those aspects of The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (the Act) related to the holding of special events on roads will commence on the 4 September 2017.</p> <p data-bbox="165 1102 1465 1236">3.5 From then on, any 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 data-bbox="165 1272 1465 1335">3.6 The Act defines special events as any sporting event, social event or entertainment which is held on a public road or the making of a film on a public road.</p> <p data-bbox="165 1370 1465 1505">3.7 Officers met recently with Northern Ireland Screen, which is an agency established to maximise the economic, cultural and educational value of the screen industries for the benefit of Northern Ireland. They advised that in 2016 there would have been 16 Road Closure Orders required to facilitate filming in Belfast.</p> <p data-bbox="165 1541 1465 1639">3.8 During the meeting, it became clear that, if all Road Closure Order applications had to be determined by the Committee, including those where there is no objection, this could have an impact on filming taking place in Belfast.</p> <p data-bbox="165 1675 1465 1809">3.9 The film industry operates on relatively short lead in times prior to filming commencing on site and, whilst they are keen to see the legislation implemented, Northern Ireland Screen are concerned that our estimated turnaround time from application to determination could be 3 months or more if all applications are to be considered by Committee.</p> <p data-bbox="165 1845 1465 1944">3.10 It is estimated that, if delegated authority is granted to issue Orders where no objection is received, an application could be determined within approximately 35 days; taking account of a statutory 21 days within which representations may be made.</p>

	<p><u>Scheme of Delegation</u></p> <p>3.11 To deal with applications to close roads for special events in a timely fashion, it is suggested that the Scheme of Delegation be amended such that the exercise of the following functions, in line with relevant Council policies, is delegated to the Director of Planning and Place:</p> <p>3.12 Exercising all powers in relation to the making of an Order restricting or prohibiting temporarily the use of a public road in connection with special events, excluding provisions relating to:</p> <ul style="list-style-type: none"> • applications for an Order where adverse representations are received, • the recovery of costs incurred by the Council as a consequence of making an Order, and • such other matters as the Director deems appropriate. <p>3.13 Members are advised that the ultimate responsibility for the administration of the making of an Order restricting or prohibiting temporarily the use of a public road in connection with special events will remain with the Committee.</p> <p>3.14 Any decision of the Committee in relation to policy and legislation concerning licensing matters must be ratified by Council.</p> <p><u>Financial and Resource Implications</u></p> <p>3.15 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. This will be determined by the Licensing Committee.</p> <p>3.16 We have not had the opportunity to factor the role and costs of administering this legislation into our budget for the financial year 2017–2018.</p> <p><u>Equality or Good Relations Implications</u></p> <p>3.17 We had previously assessed the equality and good relations implications with the introduction of the legislation and liaised with the Council's Equality and Diversity Officer to ensure all potential issues are appropriately addressed. We will continue to do this.</p>
<p>4.0</p>	<p>Documents Attached</p>
	<ul style="list-style-type: none"> • None