

Report on	The Roads Miscellaneous Provisions Act (NI) 2010
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

1.0	Purpose of Report
1.1	To seek Elected Members' approval in relation to fees for the restriction or closing of roads under <i>The Roads Miscellaneous Provisions Act (NI) 2010</i> .
2.0	Background
2.1	<p>Further to a previous report, Members will be aware that The Department for Infrastructure (DfI) has introduced legislation to permit the closure of roads for the holding of special events. The relevant legislation is <i>The Roads Miscellaneous Provisions Act (NI) 2010</i> (the Act) which commenced on 4th September 2017.</p> <p>The legislation enables Council to deal with requests to close roads to hold special events on public roads in its area, except those roads that are 'special roads' (e.g. all motorways).</p> <p>Special Events are defined as:</p> <ul style="list-style-type: none"> • Any sporting event, social event or entertainment which is held on a public road; or the making of a film on a public road (including making TV programmes, films or advertisements). Special Events do not include the following: • Public processions; • Motor road races; • Cycle races or trials; or • Road works <p>The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. The restriction or prohibition of traffic using the public road will only be permitted for:</p> <ul style="list-style-type: none"> • Facilitating the holding of a special event, or • Enabling members of the public to watch a special event, or • Reducing traffic disruption in adjacent streets <p>Although the legislation provides the Council with the power to prohibit or restrict the use of a public road, an Order cannot be made that:</p> <p><i>"....would have the effect of preventing at any time access for pedestrians:</i> <i>(a) To any premises situated on or adjacent to the road, or</i> <i>(b) To any other premises accessible for pedestrians from and only from the road".</i></p>

	<p>A person wishing to close a public road for a special event will be required to submit an application to the Council to prohibit or restrict traffic on the road(s) involved. Thereafter, Council consults with the DfI and various statutory bodies, including PSNI and carries out public notification through local newspaper advertising. DfI guidance for promoters of events recommends that Councils be given at least 12 weeks' notice to allow for the processing of an application.</p> <p>The Council will be responsible for considering any objections received during the consultation before deciding on the application. The Council will have regard to the safety, convenience and suitability of proposed alternative traffic routes as well as DfI guidance in the course of reaching its decision. At the conclusion of the process, if all is in order, the Council will determine if a road closure is to be made. Each application will be considered on its own merits and Council will have the power to grant or refuse an application. There is no right of appeal to the Council's decision.</p>
3.0	Main Report
3.1	<p>Council is permitted to charge fees on a cost recovery basis and may recover the whole of the costs incurred in connection with or in consequence of the making of a roads closure order from applicants, in particular the cost of publishing notices. It is envisaged that costs will include:</p> <ul style="list-style-type: none"> • Administrative costs • Cost of advertisements in local newspapers • Cleansing of the area following closure • Any other costs associated with the Order <p>As the Council 'may' charge, it is therefore for Members to determine if any charge is to be made, and if so, what costs will be recovered, particularly in relation to small or community events.</p> <p>SOLACE set up a working group in February 2017 to ensure a consistent approach was taken to the implementation of this legislation and to liaise with various stakeholders in developing procedures, forms and proposals for a fee structure.</p> <p>The working group proposed that the Fee is based on two components:</p> <ol style="list-style-type: none"> 1. an estimate for time spend on the processing of applications by professional officers and administrative support; and 2. the cost of advertising the relevant notices. <p>The working group suggested the costings below which are average for the level of officer who may be involved in the process.</p> <p>a) 5 hours – professional officer @ £25 = £125 b) 2 hours – administration officer @ £18 = <u>£ 36</u></p> <p>Approximate Administration cost = <u>£165</u></p> <p>c) Advertising fees (dependent on Council policy)</p>

<p>3.2</p>	<p>Costs between Councils vary with some advertising in only one local paper relevant to the event (cost of £200-£250) whilst also utilising Council websites.</p> <p>Based on MUDC's current policy of advertising across a number of papers, the advertising element of the fee structure will be significantly higher for each application. Following the current MUDC advertising policy the approximate fee payable to recover the advertising component of costs for public notices in the local press (5 papers @ approximately £200) will be in the region of £1000.</p> <p>In total for MUDC to recover the cost for processing an application for a special road closure, the fee charged should be in the region of £1165.</p> <p>As many of the events are likely to be small community events, a full cost recovery fee is likely to have a negative impact on those voluntary / community based organisations who wish to seek such a closure. The key issue remains as to what level of fees the Council wish to set and to determine should those fees be partially absorbed by Council to minimise the impact on community event organisers.</p> <p>One potential solution is to apply criteria to screen for small local events who should incur a reduced fee as determined by Members. In Appendix 5 of DfI's <i>"Special Events on Roads – Guidance for Promoters of Events"</i> publication, a small event was defined as below:</p> <p><u>Small events</u></p> <p>A determination would be made (based on the application) on whether the event was a small, local, neighbourhood event where people attending were not from outside the applicant's street (e.g. street party) or immediate neighbourhood.</p> <p>In order to be considered a 'small event', the event should be as follows: (please note this list is not exhaustive)</p> <ol style="list-style-type: none"> 1. Be held on minor residential roads (e.g. cul-de-sacs or side streets) 2. The proposed road to be closed must not have a bus route along it 3. Not have a car park located on it which is accessed via the road to be closed (other than a car park for residents of the road) 4. Not be publicised for the general public and therefore will not draw in people from the wider area 5. Be an event which would apply to residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the District Council to consider factors such as the proposed attendance figures etc. when making its decision on whether to grant an Order. 6. Finish by 11pm 7. Not have a stage built from which entertainment would be provided 8. Not have amplified entertainment which may cause nuisance to the wider area 9. Not have fireworks, pyrotechnics or bonfires on the street 10. Not have alcohol or food sold at the event. <p><u>Larger events</u></p> <p>Should an event not meet the above small event criteria, then it will be considered as a larger event and incur the large commercial event fee.</p>
<p>3.3</p>	<p></p>

3.4

In light of assisting businesses and not placing undue burden on the community sector, members are asked to consider the following recommendations in relation to fees:

Type of event	Admin Cost	Advertising Cost per paper	Refundable Deposit	Total Cost if using one paper for advertising (if deposit returned)
Community /small event	Waived	£250	£200	£250
Commercial/ large event	£165	£250	£200	£415
Filming	£165	£250	£200	£415

- It is recommended** that the administration component of the fee be waived for small and/or community events.
- It is recommended** that public notices are placed in one relevant paper local to the event together with upload of details onto the Council website.
- It is recommended** that Members consider whether the film industry should be charged the same fee as a commercial enterprise or a higher fee in line with cost recovery.
- It is recommended** that where MUDC is the promoter of a special event which requires a road closure, that fees be paid internally commensurate with the event type to the Environmental Health licensing section.

3.5

Additional charge for cleansing

In order to set a firm onus on organisers to put in place litter and waste management controls, it is proposed that a minimum refundable deposit of £200 is sought for clean-up of any debris deposited or left on the street / road as a result of the event.

- It is recommended** that a refundable deposit of £200 is sought from all applicants in relation to cleansing.

3.6

Refund of Fees

- It is recommended** that in the event of an application being refused prior to public advertisement, Council will refund the cost of advertisement fees only. No refund will be due where the advertisement has already been placed.

3.7

Public Liability Insurance

- It is recommended** that a minimum of £10m public liability insurance be sought from promoters seeking road closures for special events in line with Dfl guidance.

Once Members have agreed a fee structure a MUDC policy and associated application pack will be finalised and brought to the attention of Members.

4.0

Other Considerations

4.1	<p><u>Financial & Human Resources Implications</u></p> <p>Financial: As previously advised there will be significant direct financial costs attached to the administration of the new legislation and whilst cost 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> <p>Human: No additional resource allocation has accompanied the commencement of The Act for Councils who will implement and administer the legislation. The considerable administration work associated with this function will place an additional burden onto the existing workload of the Environmental Health Service's licensing section.</p>
4.2	<p><u>Equality and Good Relations Implications</u></p> <p>The implementation of the Act will be subject to equality impact screening to identify any equality issues and any potential issues to be addressed in consultation with the equality officer.</p>
4.3	<p><u>Risk Management Implications</u></p> <p>Council is likely to risk potential reputational damage as a result of administering this legislation as it will be costly and time consuming for applicants.</p>
5.0	<p>Recommendation(s)</p>
5.1	<p>In line with the above proposals, the following fee structure is recommended:</p> <ul style="list-style-type: none"> • It is recommended that the administration component of the fee is waived for community events. • It is recommended that public notices are placed in one relevant paper local to the event together with upload of details onto the Council website. • It is recommended that members consider whether the film industry should be charged the same fee as a commercial enterprise or a higher fee in line with cost recovery. • It is recommended that where MUDC is the promoter of a special event that requires a road closure, fees should be paid internally to the Environmental Health licensing section commensurate with the event type. • It is recommended that a refundable deposit of £200 is sought from all applicants in relation to cleansing. • It is recommended that a minimum of £10m public liability insurance be sought from promoters seeking road closures for special events in line with DfI guidance.
6.0	<p>Documents Attached & References</p>
6.1	<p><i>"Special Events on Roads – Guidance for Promoters of Events"</i> - issued by Department for Infrastructure</p>

6.2	<i>"Special Events on Roads – Guidance for District Councils"</i> - issued by Department for Infrastructure
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Special Events on Roads

Guidance for Promoters of Events

**Issued by the Department for Infrastructure
under paragraph 5(a) of Schedule 3A to the Road
Traffic Regulation (Northern Ireland) Order 1997**

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SPECIAL EVENTS ON PUBLIC ROADS

GUIDANCE FOR PROMOTERS OF EVENTS

Before reading these guidance notes it is recommended that you read through the following definitions.

The Department means the Department for Infrastructure.

Notice means a notice placed in at least one local newspaper by the relevant authority when it is minded to grant the application. It gives details of the proposed event and its location and invites written representation on it.

Order means an order issued by the relevant authority to prohibit or restrict traffic from using the road to facilitate the event.

Public road means any road which is maintained by the Department. It includes the carriageway, footway and verge.

Relevant authority is either the local District Council or the Department, depending on the type of road the application is for. Paragraph 4 provides further details.

DfI Roads : is an agency of the Department and exercises the Department's function, as road authority.

Special road means road designated as such under the Roads (NI) Order 1993 (Appendix 1 contains a list of the Special Roads in Northern Ireland).

Special Events are defined as:

- (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.

Examples of possible 'special events' could include:

- Fun runs/marathons etc;
- Street parties; (Community based small events such as street parties are considered a traditional part of community life and specific guidance is attached as Appendix 5.)
- Concerts.

The making of a film includes the making of TV programmes, films or advertisements.

There are a number of activities which are not “special events” for the purposes of this Act, these are:

- > Public processions;
- > Motor road races; or,
- > Cycle races or trials.

Paragraph 1(3) of Schedule 3A refers.

An exhaustive list of the types of sporting, social or entertainment event is not provided, and the relevant authority will decide which events are eligible events. **The restriction or prohibition of traffic using a public road for a special event will only be permitted for:**

- facilitating the holding of a special event; or,
- enabling members of the public to watch a special event; or,
- reducing the disruption to traffic in adjacent streets as a result of holding a special event.

Promoters should note that although the legislation provides the power to prohibit or restrict the use of a public road, pedestrian access to any premises situated on or adjacent to the road or any other premises accessible for pedestrians from, and only from, the road must be maintained at all times. This means that any form of access control, including charging for admission, could be viewed as being contrary to the intention behind the legislation and the District Council will decide whether, from a health and safety and crowd control perspective, there is need for access control. Where it is deemed necessary to control access to events for public safety purposes, arrangements must be put in place to ensure that the intention of the legislation is complied with.

Requests for events that are not considered to be a ‘special event’ will be refused and the promoter informed accordingly. Promoters should be aware that the legislation does not make provision for an appeals process.

This guidance has not been written as a guide to event management. Event management should be undertaken by the promoter and should be carried out in accordance with the relevant standard e.g. “*The Event Safety Guide - A Guide to Health, Safety & Welfare at Music and Similar Events*” or ‘*Purple Guide*’ as it is known, published by the Health and Safety Executive.

<http://www.hse.gov.uk/pubns/books/hsg195.htm>

Where an event extends into more than one relevant authority’s area e.g. the Belfast Marathon, an application should be made to each relevant authority.

This guidance will be reviewed and amended as necessary.

Applying to hold a special event on a public road:

1. The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. Consequently, promoters should be aware that holding an event on a public road should only be considered when all other options/locations for holding the event have been ruled out. Restricting the use of a road impacts on other road users, who may have to find other routes, and, if not done properly, may create a road safety hazard. The relevant authority must be satisfied that it is not reasonably practicable for the event to be held elsewhere, if it considers that there is a suitable alternative then an order will not be made. An order to restrict or prohibit traffic using a special road for holding a special event is likely to be given only in exceptional circumstances, given the nature of those roads, the volumes of traffic using them and the impact on traffic of diversionary routes.
2. Each application will be considered on its own merits.
3. To allow sufficient time to process an application and to make an Order which restricts or prohibits traffic from using a public road for the holding of a special event, the relevant authority requires at least 12 weeks' notice. However, it is suggested that promoters should give as much notice as possible to enable appropriate consideration to be given to all aspects of the application.
4. In most cases, the relevant authority will be the District Council for the district in which the road is situated. The exceptions being those roads designated as 'special roads' for which the Department for Infrastructure Roads (DfI) is responsible. A listing of these special roads is provided in Appendix 1. An application to hold a special event on a special road should be referred to the Statutory Functions Officer in the relevant DfI Roads office. A list of DfI Roads Offices can be found at Appendix 2.
5. Traffic on a road will only be restricted or prohibited to:
 - facilitate the holding of a special event; or,

- enable members of the public to watch a special event; or,
 - reduce the disruption to traffic in adjacent streets as a result of holding a special event.
6. Prior to making an application, event promoters should make preliminary contact with the relevant authority to discuss the overall concept of the event.

The relevant authority will discuss the proposed application with the promoter. The potential for the relevant authority to recover any or all costs incurred by it in connection with or in consequence of making an order to restrict or prohibit traffic using the road for the special event will be discussed at this stage. Promoters should be aware that the relevant authority may recover all its costs in relation to the making of the order.

Promoters of events should also be aware that they will generally be expected to provide any barriers or traffic signs needed to facilitate the restriction or prohibition of traffic. Promoters may be asked to provide stewards for events that will have a significant impact on traffic.

If other statutory agencies incur costs assisting with the management of an event, they may also seek to recover any costs incurred directly from the promoter.

Promoters should also be aware that the relevant authority may require that appropriate insurance cover is in place for the event.

7. Promoters of events should be aware that any requirement placed on the promoter by the relevant authority will be detailed in the order when made and that any promoter who fails to comply with any of the requirements will be guilty of a criminal offence.
8. Promoters are also advised to read the Home Office document 'The Good Practice Safety Guide – for small and sporting events taking place on the highway, roads and public places'. The document can be viewed via the

following link <http://www.homeoffice.gov.uk/publications/police/operational-policing/event-safety-guide?view=Binary>

9. Relevant authorities can only process a request to hold a special event on a public road on receipt of an application form submitted by on behalf of a promoter, an application form must therefore be submitted - Appendix 3 contains a draft application form. It is important that this is completed in full as any omissions may cause delays in the consideration of the application. If in any doubt about any part of the form a promoter should contact the relevant authority. Relevant authorities can recover from the promoter the whole of the costs incurred by it in connection with or in consequence of making an order. Some relevant authorities may decide to use standard set costs for different sizes of events and may ask that any payment be made in advance and that it should accompany the application.
10. Depending on the nature of the event promoters may also be asked to provide the following information as part of your overall application:
 - (i) a detailed location plan/street map. Promoters may also be asked for a plan showing the length of road to be prohibited or restricted in use (indicated in red), and the proposed diversion route (indicated in green). This plan must be clear and indicate road numbers. Promoters should identify, on the plan, any restrictions or obstacles on the diversion route that may affect traffic, *e.g. low bridges, narrow sections of road, tunnels, fords, one way streets and movement restrictions, roads with weight, height or width restrictions or restrictions on vehicle class*. A similar or higher class of road to the one being closed should be used as the diversion route, taking into consideration that heavy goods vehicles and buses may have to use them. On narrow rural roads consideration may need to be given to providing a separate diversion route for each direction. It may also be necessary to have a separate diversion for HGVs and cars, because of the nature of the roads in the area;
 - (ii) details of all safety measures including all signs, equipment etc. required

to protect the public and property in the vicinity of the event and on any

diversionary route needed for the duration of the closure. This may also include a detailed Traffic Management Plan depending on the nature of the proposed closure and event. Traffic Management plans require a full risk assessment which clearly identifies all risks to the travelling public, participants and employees attending the event. The nature, location and environment of the event may also need to be considered, with all risks recorded, giving recommendations on how the risks will be managed. The amount of detail and information to be provided in a Traffic Management Plan can vary depending on the nature and complexity of the traffic management arrangements;

- (iii) details of any structure or equipment to be erected on the public road as part of the event and the methods to be employed to protect road surfaces;
- (iv) evidence of insurance cover for the event (please see next section);
- (v) evidence that the promoter has consulted with and received comment from residents, businesses, bus/taxi companies etc., which may be affected by the proposed special event. Promoters should be mindful of the needs of others when planning events and the District Council is required to comply with its obligations under Section 75 of the Northern Ireland Act 1998;
- (vi) an Event Management Plan/Safety Plan, where necessary.

11. Promoters may be required to:

- (i) Indemnify the relevant authority, its officers, servants and agents from all liabilities, costs and expenses in respect of any claim or demand from any person or persons in respect of any damage, loss, accident, injury, mishap or occurrence of any description fatal or otherwise arising out of or in any way connected with the holding of the special event or by reason of anything done by the promoter in holding the special event. For this purpose, the promoter shall maintain adequate insurance (namely public liability cover of £10,000,000 for any incident, number of incidents unlimited) to the satisfaction of the relevant authority and shall produce for inspection, the relevant policy or policies of insurance

together with the receipt for the current premiums if so required by the relevant authority. When insurance is required promoters will generally be expected to provide original insurance documentation confirming this before an order will be made;

- (ii) pay costs for processing the application and publishing the Notice;
- (iii) obtain any consent from DfL Roads to enable the placing of any form of structure or equipment on the public road. Please note that promoters may also need to place a deposit with DfL Roads which would be used to pay for the repair of any damage to the road. Depending on the structure or equipment being placed, technical approvals/safety certificates for any structure erected may also be needed;
- (iv) provide, erect, maintain and promptly remove all safety measures, including all lighting, signs and barriers etc required to protect the public and property at the site of the event and on the diversionary route for the duration of the special event and to bear all the costs incurred;
- (v) provide stewards to marshal the event;
- (vi) pay all costs associated with making good any damage to the road/street furniture for reasons of making the Order including damage to any alternative route for diverted traffic;
- (vii) remove all objects on the road and/or material deposited during the event. The promoters are also expected to remove any litter from the site after the event. If the promoter fails to comply, the District Council will arrange cleaning and charge the cost to the promoter;
- (viii) maintain pedestrian access to all premises on or accessible from the road(s) on which the special event is taking place;
- (ix) keep access clear at all times for emergency vehicles during the special event and acknowledge that the prohibition/restriction will apply to all other traffic;
- (x) consult all residents, business, bus and taxi companies which may be affected by the prohibition/restriction of traffic and confirm in writing to the relevant authority that they have done so;
- (xi) be available before, during and after the event so that they can be contacted by the relevant authority; and,

(xii) Accept that failure to comply with any of the conditions may impact the success of any future applications.

12. The order when made will contain all the conditions that the promoter must comply with when holding the event on the public road. Promoters should be aware that any promoter who fails to comply with any requirement imposed by the order will be guilty of a criminal offence.
13. When considering the holding of a 'special event', consideration should be given to the types of vehicles that may require access to the event's location, including:
 - Construction vehicles during set up and removal;
 - Supplies and maintenance vehicles during the event;
 - Emergency services vehicles;
 - Disabled vehicle access and/or drop off and pick up points;
 - Invited guests and production vehicles;
 - Media broadcast units and equipment carriers;
 - Catering/merchandising vehicles.
14. If certain vehicles are to be allowed access to the site, then arrangements should be made to segregate them from pedestrians either by providing separate routes or by allowing vehicles onto and off the site at pre-arranged time slots. The operation of one-way systems within some sites can also reduce risks. A Traffic Management Plan may be required and this will have to be agreed with the police and DfI Roads.
15. Promoters of events will generally be expected to provide enough stewards to cater for the size and nature of the event. Private stewarding has become a recognised way in which events are supported. This, however, does not preclude any local arrangements between police and the event promoter. The police may charge for their officers' attendance at events and promoters will be advised by the police where this appears appropriate. Early discussion with police by event promoters is consequently strongly advised.

16. Only legally prescribed signs, barriers and cones may used on public roads, these must:

- (i) conform to Chapter 8 (Ch8) of the Traffic Signs Manual (TSM)
<https://www.gov.uk/government/publications/traffic-signs-manual> A copy of the most commonly used signs is attached in Appendix 4;
- (ii) only be placed by suitably qualified persons – the promoter(s) will be required to provide evidence of this. Promoters should be aware that there are specialist temporary traffic management contractors who offer this type of service;
- (iii) be paid for by the promoter(s); and,
- (iv) be removed prior to the expiration of the Order.

17. Promoters should be aware that for some roads, mostly motorways, DfI Roads will only permit its staff or other people working for it to place signs and cones. The relevant authority will advise. If it is the case then DfI Roads will organise the work but only after it has received the necessary payment for doing so.

18. When assessing an application, the relevant authority will consider any or all of the following:

- the type of event proposed (refer to the list of events not covered by legislation on page 1);
- the event location and whether it could disrupt local businesses or impact on neighbouring properties/residents. During its assessment the relevant authority will also look at alternative off road locations for the event. If it is reasonably practicable to hold the special event other than on the public road, the request will be refused.
- the timing and duration of the event, and how this would impact neighbouring properties/residents/businesses;
- whether there are any other events planned for the area at the same time; and,

- the competence of the event promoters to provide temporary traffic management to facilitate the event.

19. If not using set costs (see section 9), the relevant authority will calculate the indicative cost of making the order and the promoter will be informed accordingly.

20. If the relevant authority is the District Council, it will also seek the consent of DfI Roads before it can make an order. DfI Roads will consider the proposal and will amongst other issues assess:

- the impact on local traffic management and road safety;
- the suitability of proposed diversion routes;
- the proposed signing arrangements; and,
- whether there are any other closures planned in the general vicinity at the time.

21. Please note that if DfI Roads does not consent to the proposal, approval will not be given.

22. The police, fire and rescue, and ambulance services must also be consulted about the proposals. Any issues that these bodies raise will have to be considered before a special event is approved.

23. If the relevant authority is not satisfied with any aspect of the request to hold a special event on the public road, permission will not be given. The relevant authority's decision is final and the promoter will be informed of the reason(s) for refusal. There is no appeals process within the legislation.

24. If the relevant authority is content with an application, it will inform the promoter and if necessary ask for the payment of any previously indicated costs. Once the relevant authority has received payment of costs in full, the notice advertising the prohibition or restriction of traffic will be made in at least one local newspaper circulating in the District Council area and may be advertised on the District Council website. The notice must:

- a) identify the promoter(s) 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 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; and,
- g) state that representations in writing may be sent to the relevant authority within such period as is specified in the notice (usually 21 days from the date of the last publication of the notice) at such address as is so specified.

25. Promoters should be aware that other persons may make written representations about the proposed event. Some representation is likely to object to the proposals and it would be preferable if the promoter could resolve these directly. If however a compromise is not possible the relevant authority will consider all the information available and decide whether or not the restriction/prohibition of the road in question should go ahead. The relevant authority must: consider the representations made; have regard to the safety, convenience and suitability of the proposed alternative routes for traffic and pedestrians; and have regard to this guidance and the guidance for District Councils.

26. If the Order is made, the promoter will be required to arrange for copies of the Order to be posted on the affected routes.

NB. Promoters should return the completed application form duly signed to the relevant authority office for their district along with any sign schedule, location maps, proposed insurance arrangements (or details of your insurance broker). Promoters may also be asked to provide proof of insurance before the District Council makes an Order.

Appendix 1

List of Special Roads

All Motorways

Westlink (A12)

(A8M) Sandyknowes to Corr's Corner

DfI TransportNI Section Office Contact Details

ANTRIM AND NEWTOWNABBEY

Tel: (028) 9025 4057

[E-mail: TNI.Antrim&Newtownabbey@infrastructure-ni.gov.uk](mailto:TNI.Antrim&Newtownabbey@infrastructure-ni.gov.uk)

Antrim Section Office

Crown Buildings
20 Castle Street
Antrim
Co. Antrim
BT41 4JE

Newtownabbey and Carrickfergus Section Office

148-158 Corporation Street
Belfast
BT1 3DH

ARDS AND NORTH DOWN

Tel: (028) 9181 9328

[E-mail: TNI.Ards&NorthDown@infrastructure-ni.gov.uk](mailto:TNI.Ards&NorthDown@infrastructure-ni.gov.uk)

Ards Section Office

Jubilee Road
Newtownards
Co. Down
BT23 4YH

North Down Section Office

72 Balloo Road
Bangor
Co. Down
BT19 7PG

ARMAGH CITY, BANBRIDGE AND CRAIGAVON

West - Armagh Section Office

17 Ballynahonemore Road
Armagh
Co. Armagh
BT60 1JD

Tel: (028) 3752 9500

[E-mail: TNI.ArmaghBanbridge&CraigavonWest@infrastructure-ni.gov.uk](mailto:TNI.ArmaghBanbridge&CraigavonWest@infrastructure-ni.gov.uk)

East - Banbridge & Craigavon Section Office

18 Carn Industrial Estate

Craigavon

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[E-mail: TNI.BelfastSouth@infrastructure-ni.gov.uk](mailto:TNI.BelfastSouth@infrastructure-ni.gov.uk)

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County Hall

Castlerock Road

Coleraine

Co. Londonderry

BT51 3HS

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DERRY CITY AND STRABANE

Tel: (028) 7132 1600

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Londonderry Section Office

1 Crescent Road
Londonderry BT47 2NQ

Strabane Section Office

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Co. Tyrone
BT82 8DX

FERMANAGH AND OMAGH

West - Fermanagh Section Office

Castle Barracks
Enniskillen
Co. Fermanagh
BT74 7HN
Tel: (028) 6634 3700
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East - Omagh Section Office

32 Deverney Road
Arvalee
Omagh
Co. Tyrone
BT79 0JJ
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Lisburn and Castlereagh Section Office

40a Benson Street
Lisburn
Co. Antrim
BT28 2BG

MID ULSTER

North - Cookstown and Magherafelt Section Offices

33 Molesworth Street
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30 Station Road
Magherafelt
Co. Londonderry
BT45 5DN

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Main Street
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BT71 1QR

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[E-mail: TNI.MidUlsterSouth@infrastructure-ni.gov.uk](mailto:TNI.MidUlsterSouth@infrastructure-ni.gov.uk)

NEWRY, MOURNE AND DOWN

East - Down Section Office

129 Newcastle Road
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[E-mail: TNI.NewryMourne&DownEast@infrastructure-ni.gov.uk](mailto:TNI.NewryMourne&DownEast@infrastructure-ni.gov.uk)

West - Newry and Mourne Section Office

1 Cecil Street
Newry
Co. Down
BT34 6AU

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[E-mail: TNI.NewryMourne&DownWest@infrastructure-ni.gov.uk](mailto:TNI.NewryMourne&DownWest@infrastructure-ni.gov.uk)

MID AND EAST ANTRIM

Ballymena and Larne Section Office

Ballykeel Depot
190 Larne Road Link
Ballymena
Co. Antrim
BT42 3HA

Tel: (028) 2566 2953

[E-mail: TNI.Mid&EastAntrim@infrastructure-ni.gov.uk](mailto:TNI.Mid&EastAntrim@infrastructure-ni.gov.uk)

Application to Hold a Special Event on a Public Road

(Please read the guidance notes before completing this form in block capitals)

ABOUT YOU

Name of promoter _____

Name of contact (if
different from above) _____

Position/role of contact _____

Confirm you have authority to act on behalf of the company/club/society YES/NO

Address of promoter and/or contact _____

Post code _____

Telephone No _____

Emergency/Contact telephone No _____

E-mail address _____

ABOUT THE EVENT

Name of event _____

Purpose and nature of event _____

Name of road(s) on which event is to be held _____

Date(s) of the event _____

Time of event _____ am/pm until _____ am/pm

Type of restriction (full road closure/lane restriction(s)/ prohibition of certain types of
vehicles/footway closure etc) _____

Date(s) of the restriction _____

Time of restriction - from _____ am/pm until _____ am/pm

Is a traffic signing schedule enclosed? YES/NO

Has this event been held previously? YES/NO

If yes, are the arrangements previously applied for amended in any way? YES/NO

If yes, please give details _____

Please provide details of any structures or other equipment that you plan to erect or place on the public road

Please give details of any businesses, including bus services and residents which may be affected by the event and provide any confirmation that these have been

contacted

Please give any more detail which you feel you need to add

I confirm that I have read the guidance for promoters of events, and understand that the District Council may apply any or all of the conditions as it feels necessary. I also understand that the District Council may request any further information that it feels necessary to process this application and that my application may not proceed if I fail to produce this additional information.

I acknowledge the following Data Protection Statement - In order to comply with the requirements of the Data Protection Act 1998, we would advise you that the personal information you provide on this form will be processed and held by the District Council and its agents, for the purpose of managing and operating special events on roads applications. The District Council may use non-personal statistical data collected to

analyse current and plan for future operational purposes. The District Council will investigate all cases of alleged fraudulent use and the information you have provided may be used in conducting these investigations. The personal

information you provide may be checked with other agencies/organisations. If consent to these arrangements is not given your application will NOT be processed.

Signature of application _____

Date of application _____

Typical signs for road closures and diversions



Appendix 5

Small Events (i.e. Street Parties)

Small events such as street parties are a traditional part of community life; they are a simple way for us to get to know our neighbours and meet members of our community.

In order to be considered a 'small event', the event must: (please note this list is not exhaustive)

1. Be held on minor residential roads eg cul-de-sacs or side streets.
2. The proposed road to be closed must not have a bus route along it.
3. Not have a car park located on it or a car park which is accessed via the road to be closed (other than a car park for residents' of the road)
4. Not be publicised for the general public and therefore will not draw in people from the wider area.
5. Be an event which would apply to the residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the relevant authority to consider factors such as the proposed attendance figures etc when making its decision on whether to grant an Order.
6. Finish by 11pm.
7. Not have a stage built from which entertainment would be provided.
8. Not have amplified entertainment which may cause nuisance to the wider area.

9. Not have fireworks, pyrotechnics or bonfires on the street.

10. Not have alcohol or food **sold** at the event.

The person submitting the application may be held responsible for any costs arising from the event, e.g. clearing up, damage to street furniture or road surfaces etc.

The District Council may decide that it will not require promoters to take out public liability insurance for your event. However, it is strongly recommended that promoters do so.

The promoter should be aware of the following requirements:

1. The promoter of the event must submit an application to the District Council.
2. The event must be organised in such a way that access for pedestrians and essential vehicles can be maintained.
3. That it is strongly recommended that promoters consult with local residents and businesses that may be affected by the holding of the event, prior to submitting the application. A copy of any letter or flyer sent, along with a list of those notified and copies of their responses should be submitted with the application form. If local residents and businesses object, the relevant authority will require that the promoter contact them to deal with any issues raised. In the event that issues remain unresolved, the District Council may decide not to make the order to hold the event.
4. That throughout the duration of the event the promoter is responsible for ensuring that the areas affected by the holding of the event are, so far as is reasonably practicable, kept free from rubbish and litter at all times. When the event finishes the promoter is responsible for ensuring that the roads are left clear of litter and in a clean and tidy condition to the satisfaction of the District Council.

5. Where a public road is to be closed to traffic it shall be clearly defined by means of a **“ROAD CLOSED”** sign, as shown in Appendix 4, supported by means of a trestle or suitable half barrier on the road. Diversion signs may also be required.
6. Any barrier to be placed on the road shall have alternate red and white bands approximately 600mm in width. Where these are to remain in place during lighting-up times the offside extremity of each barrier/trestle shall be lit by an approved road works lamp.
7. All signs and barriers shall be adequately weighted to prevent them from being blown over or dislodged.
8. All signing and other physical obstructions on the road shall be erected and removed, along with any debris on the street/road, at the times specified in the notice and subsequently detailed in the order. Failure to do so will render the promoter liable to charge for cleaning the road or even to prosecution for failing to do so or for obstructing the road.

Promoters should note that all proposals to hold special events on roads closures must be advertised by way of notice, in at least one local newspaper (or community paper) circulating in the district in which the road is situated. A relevant authority may, at its discretion, impose a charge/recoup fees incurred in the processing of any application. If there are a number of celebrations eg. national celebrations, which are occurring at the same time, where possible, a District Council will incorporate it into one notice and publish the notice accordingly.

The promoter must be available at all times during the event.

Special Events on Roads

Guidance for District Councils

**Issued by the Department for Infrastructure under
paragraph 5(a) of and Schedule 3A to the Road
Traffic Regulation (Northern Ireland) Order 1997**

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SPECIAL EVENTS

GUIDANCE FOR DISTRICT COUNCILS

(i) Background

The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 amended the Road Traffic Regulation (Northern Ireland) Order 1997 by inserting a new Article 8A and Schedule 3A into the Order to provide powers to prohibit or restrict the use of public roads for the purpose of holding special events on them.

Such Orders may be made by the 'relevant authority'. In the case of roads which are not special roads, the relevant authority will be the District Council in whose area the road lies. Such Orders may only be made with the consent of the Department. In the case of special roads (usually, but not exclusively motorways) the relevant authority is the Department for Infrastructure.

Special events are defined in Paragraph 1(2) of, Schedule 3A to the Order, as amended, as any sporting, social or entertainment event, or film making. District Councils may make Orders to restrict or prohibit traffic on a public road to facilitate such events with the consent of the Department for Infrastructure Roads (DfI).

This guidance relates only to the making of Order for restricting or prohibiting traffic using a road for the holding of a special event. It has not been written as a guide to event management nor does it contain procedures for obtaining consents for temporary structures/scaffolding etc from the Department for Infrastructure or for entertainment licences from District Councils – separate existing procedures apply. A useful guide to event management can be found in "*The Event Safety Guide - A Guide to Health, Safety & Welfare at Music and Similar Events*" (or 'Purple Guide' as it is known) published by the Health and Safety Executive. <http://www.hse.gov.uk/event-safety/index.htm>

(ii) Introduction

This guidance is for the use of District Council officers, who must have regard to it when exercising the District Council's functions under Schedule 3A of the Order. It was prepared jointly by DfI, the Police Service of Northern Ireland (PSNI) and a District Council technical officer team, which was administered by the Northern Ireland branch of the Society of Local Authority Chief Executives and Senior Managers (SOLACE).

This guide is intended to be complementary to and read in conjunction with its sister document the 'Guidance for Promoters of Events'.

(iii) What is a Special Event?

Special events are defined as:

- (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.

Examples of possible 'special events' could include:

- Fun runs/marathons etc;
- Street parties;
- Concerts;
- Social events.

The making of a film may include the making of TV programmes, films or advertisements.

District Councils may wish to give special consideration to small community based and locally held events such as street parties which are a traditional part of community life. Specific guidance on small events is attached at Appendix 7. The small events guidance is provided to streamline the procedures for approving events such as street parties which are likely to be held throughout residential areas on the same day. It does not remove any of the statutory requirements in terms of

publishing notices and preparing Orders, or consulting with the Department, and police, fire and ambulance services. It does however suggest that, for efficiency purposes, where a large number of smaller events such as street parties are being held in the same District Council area to celebrate the same occasion these can be handled collectively in terms of consultation, notices etc.

There are a number of activities which are not special events for the purposes of these arrangements. These include:

- > Public processions;
- > Motor road races; or,
- > Cycle races or trials; or,
- > Road works.

Further detail on each of these and the responsible authority is contained in Appendix 1 to this guidance and in paragraph 1(3) of Schedule 3A <http://www.legislation.gov.uk/nia/2010/14/schedule/1> .

An exhaustive list of the types of sporting, social or entertainment events is not provided, and District Councils must decide which specific events they consider to be special events.

Traffic will only be restricted or prohibited from using a public road for the purposes of:

- facilitating the holding of a special event; or,
- enabling members of the public to watch a special event; or,
- reducing the disruption to traffic in adjacent streets as a result of holding a special event.

It is important to remember that although the legislation provides District Councils with the power to prohibit or restrict the use of a public road, with the Department's consent, no Order can be made that "*...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.”*

This means that any form of access control, including charging for admission, could be viewed as being contrary to the legislation. That said, for some larger events such as a Christmas lights switch on events, there may be logic in issuing tickets from both a health and safety and crowd control perspective. Where it is deemed necessary to control access to and from events for public safety purposes arrangements must be put in place to ensure that the intention of the legislation is complied with.

Requests that are not considered to be for a ‘special event’ should be refused and the promoter informed of the reasons for refusal.

Where an event extends into more than one relevant authority’s area e.g. the Belfast Marathon, an application needs to be submitted to each District Council for the roads in its area. However, a joint notice on behalf of both Councils may be sufficient. Individual District Councils should decide, based on their own policies in terms of media advertising, which paper/papers it will place notices in. This may require collaboration agreements to be drafted between each of the District Councils involved and may include agreement on sharing administration costs.

(iv) What is a public road?

The legislation provides a framework enabling the restriction or prohibition of traffic from using a public road for a ‘special event’ to take place. The legislation can therefore only be used for an event either being held totally or partially on a public road. The definition of a public road can be found in Article 2(2) of the Road Traffic Regulation (NI) Order 1997. It means a road which is maintainable by the Department and includes any part of such a road and any bridge or tunnel over or through which such a road passes.

District Councils may wish to contact the Statutory Functions Officer in their local DfL Roads section office to check whether a road is maintained by the Department. The relevant contact details are provided at Appendix 2.

As well as prohibiting or restricting traffic on a public road, Orders may also suspend or modify any statutory provision relating to that road, such as parking provision or waiting restrictions etc.

District Councils should be aware that an Order only restricts or prohibits traffic or pedestrians using a road, the road is still a road for the purposes of other legislation. Street trading and entertainment still needs to be licensed through the Council and the consent of the Department is also required should the promoter wish to erect any structures or place any equipment on the road.

(v) How long can an Order last?

There is no restriction in the legislation as to the amount of time an event can last. District Councils however have to be mindful that any restriction or prohibition has the potential to greatly impact on other road users including owners/occupiers of adjoining properties and should take this into consideration when assessing applications. Regular and frequent requests to close the same stretch of road, say, every week/couple of weeks would not be deemed reasonable. In addition, given that a dictionary definition of “special” is “not ordinary or usual” regular events such as those just mentioned could not be deemed to be “special”.

When deciding how long an Order should last, consideration should also be given to the periods immediately before and after events which may need to be covered for the erection of any staging/structures etc., practice for the event itself and for dismantling/removal of any structures/equipment.

(vi) What can an Order do?

An Order may restrict or prohibit temporarily the use of that road, or any part of it, by all vehicles, or vehicles of any class or by pedestrians, to such extent and subject to

such conditions or exceptions as the relevant authority may consider necessary or expedient.

The Order may suspend or modify any statutory provision relating to the affected road or its use by traffic or pedestrians such as the suspension of parking provision or waiting restrictions etc.

Orders can therefore be used to wholly close a road to all traffic or alternatively restrict parts of it by putting in lane closures. Conditions would generally include the provision of properly signed alternative routes. An Order can allow for the suspension of taxi ranks, bus stops, on street parking, as well as permitting vehicles access to pedestrian areas.

(vii) Costs

The District Council has the power to recover the whole of the costs in connection with or in consequence of making an Order. These costs may include:

- Staff time costs;
- the cost of advertising in a local paper;
- the possible erection and maintenance of Public Notices in the general area;
- the cleansing of the area following the closure;
- any other costs in connection with or in consequence of making an Order over and above that listed above

Processing Applications

To assist District Councils and to encourage consistency in how an application for the prohibition or restriction of use of public roads should be processed, a flow chart outlining the different stages involved is attached at Appendix 3. The following process guide is generally written in the same sequence as the flow chart. Where applicable, reference to the relevant paragraph from the Act <http://www.legislation.gov.uk/nia/2010/14/contents> is provided in the flow chart.

- 1. Pre-application Enquiries** – it is envisaged that a large number of event promoters will contact District Councils initially by telephone to discuss their proposed events and to seek advice about the protocols involved. Event promoters should be made aware of the separate guidance for promoters of events (as issued by the Department for Infrastructure under paragraph 5(b) of Schedule 3A) and either directed to this guidance on-line, if available, or have it posted out to them. Importantly, officers should take the opportunity to discuss the proposed event with the promoter. The type of event should be explored (see paragraph iii) and whether there are off-road alternatives in the vicinity (see paragraph 10).

- 2.** If the promoter is seeking to hold a special event on a ‘special road’ (all motorways, plus the A12 Westlink and the A8 from Sandyknowes to Corr’s Corner) they should be referred to DfI Roads which is the relevant authority for these roads.

The District Council will liaise with the Department and police to discuss whether there is any immediate impediment to the particular request to prohibit/restrict a particular road in order to ascertain feasibility of the event proposal.

- 3. Advice to Be Given** - Promoters should be advised:

- ☐ That there are responsibilities involved with restricting or prohibiting traffic and how a restriction or prohibition can adversely impact on other road users

and of the possibility that they may also need to provide temporary traffic signing;

- that the District Council will assess the application and as part of the process must consult with the Department for Infrastructure, the police, the ambulance service and the fire and rescue services before it can consider permitting the use of the road for a special event;
- that the District Council must be satisfied that there are no suitable off road venues for the proposed event;
- that the District Council may seek to recover any or all of the costs it may incur arranging any closure, including the cost of advertising the notice in a local newspaper, administrative costs and the cleansing of the area following the closure;
- that pedestrians must be allowed free access to premises on the road or adjacent to or to any other premises accessible for pedestrians only from the road in question, and where some form of control is being employed for health and safety reasons that the promoter must put in place systems to allow access to those who need to get to premises situated on or adjacent to the road;
- that an Order only restricts or prohibits traffic using a road, the road is still a road for the purposes of other legislation. Street trading and entertainment still needs to be licensed through the District Council and the consent of the Department is required should the promoter wish to erect any structures or place any equipment on the road during the event;
- that the District Council needs applications to be generally submitted at least **12** weeks prior to the date of the proposed event to properly process them;
- that others have the opportunity to comment on and object to the proposal which may lengthen the process further or indeed stop the event from taking place; and,
- that the District Council may monitor the event and that a promoter's failure to comply with any requirements stipulated by the District Council in the Order may be taken into consideration in respect of any future requests for events (see paragraph 20). Event promoters should be made aware that failure to comply with any requirements stipulated in the Order is a criminal

offence and can be pursued by the police. Monitoring is a matter for the District Council.

- ☐ that there is no provision for an appeals procedure within the legislation. The District Council will inform promoters of any refusal at an early stage and will provide an explanation of the reason for it.
- 4. Notices in respect of proposed ‘special events’ are required to be advertised in at least one local newspaper and may be advertised on the District Council’s website. The District Council must allow a minimum of 21 days from the date of the last publication of the notice for representations. This will restrict a District Council’s capacity to respond to requests to facilitate events at short notice. Failure to obtain the requisite permissions to prohibit/restrict a road, prior to holding an event is an offence and enforcement action may be taken by the police against the promoter of that event.
- 5. **Application Received** – the returned application form should be logged and checked for completeness. An acknowledgement should be issued along with a request for any missing information.
- 6. **12 week processing period** - The 12 week processing period is not a requirement of the legislation but is recommended in this guidance as good practice in terms of treating applications properly and giving District Councils adequate time for processing, bearing in mind that there may be other applications to deal with. With time it is envisaged that promoters will discipline themselves to give District Councils as much notice as possible of forthcoming applications.

It is acknowledged that the film industry generally works to very short timescales, and that there may be exceptional circumstances when it may be advisable to accelerate the process, particularly bearing in mind the Executive’s desire to help promote the Northern Ireland film industry. The minimum period of 21 days for representations to be submitted following publication of a notice is however, contained in legislation and cannot be changed.

- 7. Is the Application Form Complete?** – All necessary information is required before the request can be considered and promoters must have signed the application form. Promoters should be asked to provide all the required information. Where a District Council requires the promoter to provide evidence of insurance this should be verified at this stage, if possible. It will be incumbent on the promoter to obtain insurance and it will be a condition in any resulting Order that the appropriate insurance is in place prior to the event taking place.
- 8. Does the Proposed Event Meet the Criteria for ‘Special Events’** – refer to paragraph (iii) of this guide, ‘What is a Special Event’.
- 9. Is the road to be closed a ‘special road’?** – Special roads are designated as such by the DfL. The following roads are special roads:
- All motorways;
 - The Westlink (A12); and,
 - A8M Sandyknowes to Corr’s Corner.

An event promoter seeking to hold a special event on a special road should be referred to the local DfL Roads Statutory Functions officer who would normally be based in the local maintenance Section Office.

- 10. Is There a Suitable Off-Road Alternative?** – At an early stage the District Council should check that there are no nearby alternatives that would accommodate the holding of a special event. This may include green/grassed areas or local community/activity centres etc. The legislation requires that the relevant authority be satisfied that there is no reasonably practicable alternative to holding it on a road. If the District Council is satisfied that there is a suitable alternative then the request should be refused and the promoter informed.
- 11. Are other approvals needed?** – This guidance is aimed primarily at preparing an Order that will prohibit or restrict traffic from using a road for the purpose of

holding a 'special event'. Where the nature and scale of the 'special event' is such that other requirements are needed such as an event management plan

(District Council) or a consent for placing equipment on road (DfI Roads) the promoter should be notified at an early stage as the promoter will be responsible for pursuing these. Promoters should also be made aware that apart from any consent required from DfI Roads , technical approval may also be required for any structure temporarily erected as part of the event.

12. **Consent of the Department** – Under the legislation a District Council needs the Department's consent to make any restriction/prohibition Order. The Council should pursue this through the local DfI Roads statutory functions officer. It is suggested that liaison be undertaken electronically and that District Councils establish contacts with DfI Roads at an early stage. Contact details for local DfI Roads Section Offices are contained at Appendix 2.

The Department will generally only withhold consent for road safety or traffic management reasons or if it feels that the holding of the event will in some way adversely impact on the fabric of the road network, for example if something is planned that will damage the road. During its deliberations DfI Roads staff will assess:

- The nature and type of road to be closed;
- The adequacy of the proposed diversionary route; and,
- The general impact on traffic management of the road closure particularly if there is a seeming trend that a certain type of event is becoming more regular.

DfI Roads will also check to see whether there are any conflicting closures/works/diversions on the roads in question, and any such work already planned will generally result in the consent being refused.

The District Council will be responsible for informing the promoter of any refusal.

13. **District Councils to consult with the Police** – District Councils are required to consult with the District Commander of the police district before making an Order to restrict or prohibit temporarily the use of a road. Initial contact should

be made through the local Operational Planning Unit. It is envisaged that beyond the formal consultation notification, established communication channels between District Councils and police will ensure early notification of possible events, and in particular larger events which may have a more significant impact in terms of road safety, public safety and crime and disorder.

The local Operational Planning Unit is also best placed to advise whether other events such as cycle races or trials; motor road races; or public processions are either planned for the date in question or are traditionally held on that date. The Parades Commission's website also lists all forthcoming processions that it has been notified of, bearing in mind that organisers of public processions need only give 28 days notice. <http://www.paradescommission.org/?survey=0> . Early communication with the police and if necessary the Parades Commission is essential to ensure that there is no duplication of events on the same day.

14. District Councils to Consult with Other Bodies – District Councils are also required to consult with the NI Fire and Rescue Service and the NI Ambulance Service. It is suggested that this is done at the same time as the DfI Roads and PSNI consultation. Contact should be made through the relevant local Divisional Headquarters and contact details can be accessed via the following links:

- . NI Fire and Rescue Service <http://www.nifrs.org/locations.php> ; and,
- . NI Ambulance Service http://www.niamb.co.uk/docs/contact_details.html

Consultation with the above in respect of any application should take place as early as possible. If there are any concerns about the proposal, these would need to be resolved before the closure is approved. If the application is rejected on the basis of such objections, the District Council will need to inform the promoter.

Although not a statutory requirement, it is recommended as good practice that District Councils should also notify the local Translink office of any forthcoming closures.

If any of the statutory bodies/agencies referred to in this and previous two paragraphs have any unresolved concerns in relation to the proposal, the District Council should refuse the application.

- 15. Safety Advisory Groups** – Councils may wish to consider establishing Safety Advisory Groups to manage this process comprising of officials from the statutory consultee groups.
- 16. Notify elected Council members** – The individual District Council's governance arrangements will dictate how applications are notified to elected District Council members.
- 17. Prepare Notice** – Once the District Council is minded that the road may be closed for the special event it shall prepare a notice based on the template contained in Appendix 4. All the relevant fields must be completed. Where an application is for an area wide event and many streets are affected then the Notice must contain details of all roads and the intended prohibition or restriction.
- 18. Publication of Notice in Local Press** – the notice must be advertised in at least one local newspaper and may be advertised on the District Council's website. The period during which representations may be made is a minimum of 21 days.
- 19. Representation Received** – The notice invites written representations about the proposed event and the legislation requires that the District Council consider these. Representations will generally be objecting to the closure and these should be considered before any closure is approved. Any Section 75 equality of opportunity issues should be given due consideration. It may be necessary to contact the promoter at this stage to see if any form of alternative proposal can be negotiated. If any dispute cannot be resolved between the relevant parties then the District Council will need to decide whether the application will be approved or refused.

- 20. Inform Promoter of Outcome** – Once all of the necessary checks have been made and the necessary procedures completed the District Council shall inform the promoter of its decision. If the decision is to refuse the application the promoter should be informed of the reasons for its refusal. The legislation does not provide any appeals process and promoters should be made aware of this at an early stage.
- 21. Make Order** – Where the event is approved the District Council shall complete the process by making an Order. A sample layout for a draft Order is contained in Appendix 5.
- 22. Monitoring of Event** – District Councils may wish to monitor the events to ensure compliance with the legislation, the conditions of the Order and guidance issued by DfI under paragraph 5(b) of Schedule 3 of the Order. Any breaches should be communicated to the police, the enforcing authority. It may be advisable to check issues such as:
- Timing;
 - Extent of closure;
 - Type of event (does it comply with application); and,
 - Diversionary route and signing.
- 23. Post Event Evaluation** – To help a District Council improve its services and monitor the impact on its resources, it may be useful to carry out a post event evaluation.

This guidance will be reviewed and amended as necessary.

Appendix 1

Activities NOT covered under this guidance

A public procession (within the meaning of the Public Processions (Northern Ireland) Act 1998).

A request for a **public procession** on a public road should be referred to the Parades Commission, contact details as follows:

The Parades Commission

2nd Floor, Andras House

60 Great Victoria Street

Belfast BT2 7BB

TEL : (028) 9089 5900

FAX : (028) 9032 2988

Email : Info@paradescommission.org

It may also be useful to refer any enquirer to their Parade Organiser's Guide which is available via the following link:

<http://www.paradescommission.org/fs/doc/publications/pull-out-section.pdf>

A motor race falling within the Road Races (Northern Ireland) Order 1986 (motor races on roads);

A request to hold a **motor race** on a public road should be referred to the Department for Infrastructure. Applications must be received and granted by the Department by 31 March annually for the season ahead. Preliminary enquiries should be made in writing to:

Department for Infrastructure

Clarence Court

10 -18 Adelaide Street

Belfast BT2 8GB

Email: dcu@infrastructure-ni.gov.uk

It should be noted, however, that vintage car processions/cavalcades and other forms of motorised cavalcade should be viewed as a procession and referred to the Parades Commission via the local police.

A race or trial falling within Article 45 of the Road Traffic (Northern Ireland) Order 1995 (cycle racing on roads);

A request to hold a **cycle race** on a public road should be referred to Cycling Ulster either by using the enquiry form on their web page www.cyclingulster.com.

Road works or street works.

Requests to restrict or prohibit traffic using a road for roads or street works purposes should be referred to the local DfI Roads section office.

Appendix 2

DfI Roads Section Office Contact Details

ANTRIM AND NEWTOWNABBEY

Tel: (028) 9025 4057

[E-mail: TNI.Antrim&Newtownabbey@infrastructure-ni.gov.uk](mailto:TNI.Antrim&Newtownabbey@infrastructure-ni.gov.uk)

Antrim Section Office

Crown Buildings 20 Castle
Street Antrim
Co. Antrim
BT41 4JE

Newtownabbey and Carrickfergus Section Office 148-158

Corporation Street
Belfast
BT1 3DH

ARDS AND NORTH DOWN

Tel: (028) 9181 9328

[E-mail: TNI.Ards&NorthDown@infrastructure-ni.gov.uk](mailto:TNI.Ards&NorthDown@infrastructure-ni.gov.uk)

Ards Section Office

Jubilee Road
Newtownards Co. Down
BT23 4YH

North Down Section Office

72 Balloo Road
Bangor
Co. Down
BT19 7PG

ARMAGH CITY, BANBRIDGE AND CRAIGAVON

West - Armagh Section Office

17 Ballynahonemore Road
Armagh
Co. Armagh
BT60 1JD

Tel: (028) 3752 9500

[E-mail: TNI.ArmaghBanbridge&CraigavonWest@infrastructure-ni.gov.uk](mailto:TNI.ArmaghBanbridge&CraigavonWest@infrastructure-ni.gov.uk)

East - Banbridge & Craigavon Section Office

18 Carn Industrial Estate

Craigavon

Co. Armagh

BT63 5RH

Tel: (028) 3833 8521

[E-mail: TNI.ArmaghBanbridge&CraigavonEast@infrastructure-ni.gov.uk](mailto:TNI.ArmaghBanbridge&CraigavonEast@infrastructure-ni.gov.uk)

BELFAST**Belfast North Section Office**

148-158 Corporation Street

Belfast

BT1 3DH

Tel: (028) 9025 4421

[E-mail: TNI.BelfastNorth@infrastructure-ni.gov.uk](mailto:TNI.BelfastNorth@infrastructure-ni.gov.uk)

Belfast South Section Office

1a Airport Road

Belfast

BT3 9DY

Tel: (028) 9025 4600

[E-mail: TNI.BelfastSouth@infrastructure-ni.gov.uk](mailto:TNI.BelfastSouth@infrastructure-ni.gov.uk)

CAUSEWAY COAST AND GLENS**East - Ballymoney and Moyle Section Office**

49 Queen Street

Ballymoney

Co. Antrim

BT53 6JD

Tel: (028) 2766 1061

[E-mail: TNI.CausewayCoast&GlensEast@infrastructure-ni.gov.uk](mailto:TNI.CausewayCoast&GlensEast@infrastructure-ni.gov.uk)

West - Coleraine and Limavady Section Offices

County Hall

Castlerock Road

Coleraine

Co. Londonderry

BT51 3HS

Tel: (028) 7034 1300

[E-mail: TNI.CausewayCoast&GlensWest@infrastructure-ni.gov.uk](mailto:TNI.CausewayCoast&GlensWest@infrastructure-ni.gov.uk)

86 Main Street

Limavady

Co. Londonderry

BT49 0ET

Tel: (028) 7776 2198

DERRY AND STRABANE

Tel: (028) 7132 1600

[E-mail: TNI.Londonderry&Strabane@infrastructure-ni.gov.uk](mailto:TNI.Londonderry&Strabane@infrastructure-ni.gov.uk)

Londonderry Section Office

1 Crescent Road
Londonderry BT47 2NQ

Strabane Section Office

20 Derry Road
Strabane
Co. Tyrone
BT82 8DX

FERMANAGH AND OMAGH

West - Fermanagh Section Office

Castle Barracks
Enniskillen
Co. Fermanagh
BT74 7HN
Tel: (028) 6634 3700
[E-mail: TNI.Fermanagh&OmaghWest@infrastructure-ni.gov.uk](mailto:TNI.Fermanagh&OmaghWest@infrastructure-ni.gov.uk)

East - Omagh Section Office

32 Deverney Road
Arvalee
Omagh
Co. Tyrone
BT79 0JJ
Tel: (028) 8225 4600
[E-mail: TNI.Fermanagh&OmaghEast@infrastructure-ni.gov.uk](mailto:TNI.Fermanagh&OmaghEast@infrastructure-ni.gov.uk)

LISBURN AND CASTLEREAGH

Tel: (028) 9262 6666

[E-mail: TNI.Lisburn&Castlereagh@infrastructure-ni.gov.uk](mailto:TNI.Lisburn&Castlereagh@infrastructure-ni.gov.uk)

Lisburn and Castlereagh Section Office

40a Benson Street
Lisburn
Co. Antrim
BT28 2BG

MID ULSTER

North - Cookstown and Magherafelt Section Offices

33 Molesworth Street
Cookstown
Co. Tyrone
BT80 8NX

30 Station Road
Magherafelt
Co. Londonderry
BT45 5DN

Tel: (028) 8675 7600

[E-mail: TNI.MidUlsterNorth@infrastructure-ni.gov.uk](mailto:TNI.MidUlsterNorth@infrastructure-ni.gov.uk)

South - Dungannon Section Office

Main Street
Moygashel
Dungannon
Co. Tyrone
BT71 1QR

Tel: (028) 8775 1251

[E-mail: TNI.MidUlsterSouth@infrastructure-ni.gov.uk](mailto:TNI.MidUlsterSouth@infrastructure-ni.gov.uk)

NEWRY, MOURNE AND DOWN

East - Down Section Office

129 Newcastle Road
Seaforde
Co. Down
BT30 8PR

Tel: (028) 4481 2612

[E-mail: TNI.NewryMourne&DownEast@infrastructure-ni.gov.uk](mailto:TNI.NewryMourne&DownEast@infrastructure-ni.gov.uk)

West - Newry and Mourne Section Office

1 Cecil Street
Newry
Co. Down
BT34 6AU

Tel: (028) 3025 3335

[E-mail: TNI.NewryMourne&DownWest@infrastructure-ni.gov.uk](mailto:TNI.NewryMourne&DownWest@infrastructure-ni.gov.uk)

MID AND EAST ANTRIM

Ballymena and Larne Section Office

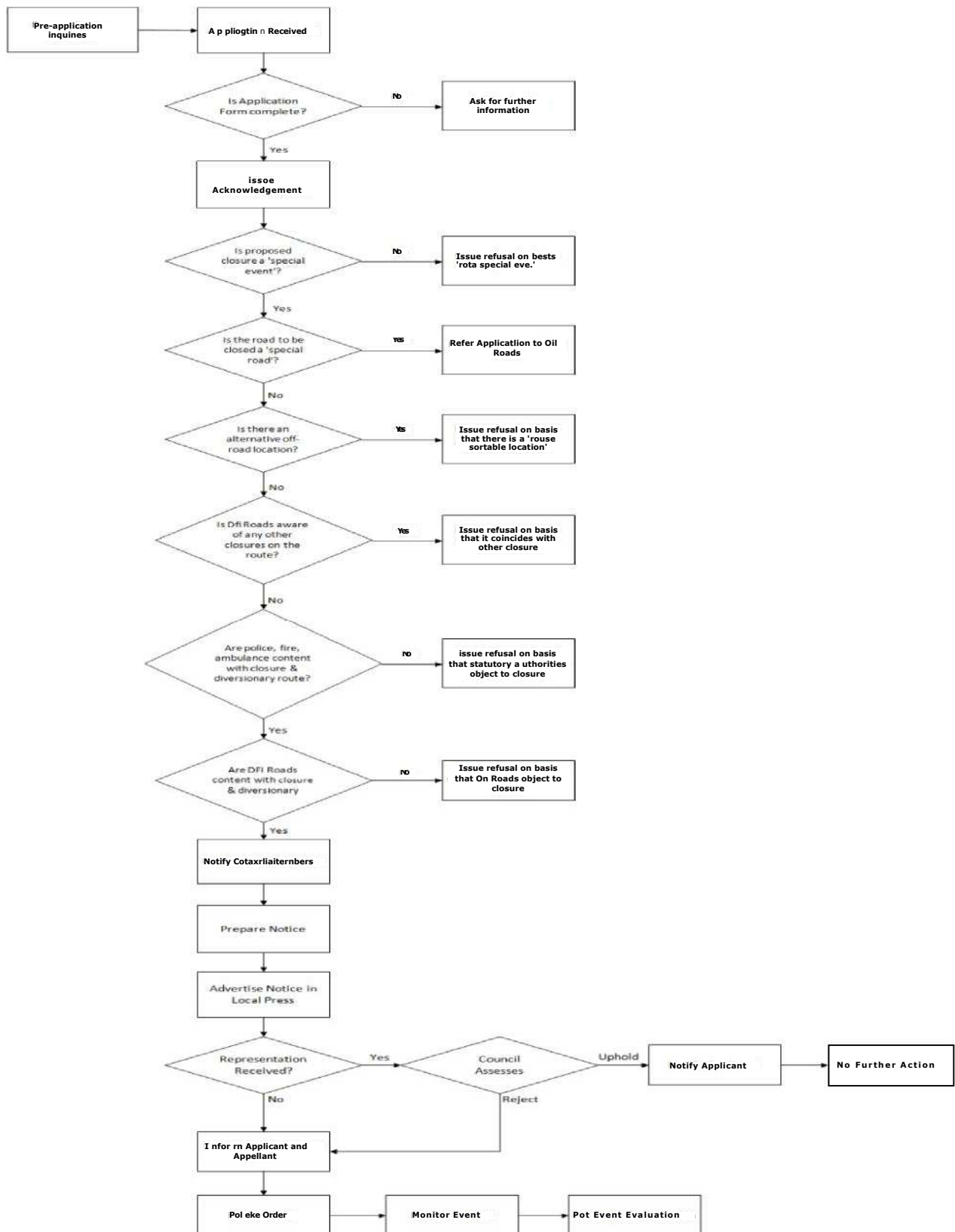
Ballykeel Depot
190 Larne Road Link
Ballymena
Co. Antrim
BT42 3HA

Tel: (028) 2566 2953

[E-mail: TNI.Mid&EastAntrim@infrastructure-ni.gov.uk](mailto:TNI.Mid&EastAntrim@infrastructure-ni.gov.uk)

Appendix 3

Assessment Flowchart



Appendix 4

SAMPLE NOTICE

Road Traffic Regulation (Northern Ireland) Order 1997 Notice of Proposed Special Event

[Insert name of District Council] Council has received an application from *[Insert name of promoter]* that it/he/she/ etc wishes to hold a *[Insert description of event]* on *[Insert name road(s)]* Road/ Street on *[Insert date(s)]*.

By virtue of the powers conferred on it by Article 8A of and Schedule 3A to the Road Traffic Regulation (Northern Ireland) Order 1997 the Council gives notice that it is minded to make an Order to temporarily restrict or prohibit *[Insert type(s) of traffic restricted or prohibited]* from using *[Insert name of road(s) and if necessary which parts of road are affected]* Road/ Street from its junction with *[Insert name of road]* Road/ Street to its junction with *[Insert name of road]* Road/ Street on (date) between the hours of *[Insert starting time]* and *[Insert finishing time]*.

A diversion route will be signposted via *[Insert name of roads]*.

Copies of the application may be inspected free of charge at *[Insert address of council]* or viewed online at <http://www> *[Insert web address if possible]*.

Persons wishing to make representations to the Council regarding the proposal may make representations in writing at the address below by 5pm *[Insert date]*, representations received after this will not be considered.

[Insert address of council]

Appendix 5

SAMPLE ORDER LAYOUT

***[Insert name of District Council]* Council**

Prohibition or restriction of use of public roads: special events

[Insert name of District Council] Council using its powers under Article 8A of, and Schedule 3A to, the Road Traffic Regulation (Northern Ireland) Order 1997, hereby makes an Order restricting/prohibiting temporarily vehicles *[or types of vehicle]* and/or pedestrians using *[Insert name of affected road]*

From its junction with *[Insert road name]* to its junction with *[Insert road name]*

The following restrictions or prohibitions apply: *[Insert details of all restrictions or prohibitions]*

Starting at *[Insert starting date and time]* and ending *[Insert finishing date and time]*

An alternative route will be signed along the following roads: *[Insert the route along which diverted traffic will be directed]*

The following statutory provisions relating to *[insert road name(s)]* are suspended or modified: *[insert provision(s) and dates and times if necessary]*.

The Order has been applied for by: *[Insert the name of the promoter]* for the purposes of: *[Insert reason for closure, i.e. holding a special event (along with a description of the special event) or the making of a Film]*

The conditions of the Order are that *[Insert the name of the promoter]*:

- Has insured against such risks in connection with the holding of the event on the above roads *[Insert details of insurance cover]*;
- Has produced all such certificates as to the safety of any structures, equipment or other apparatus to be used in association with the special event *[Insert details of safety certificates required]*;
- Erects, places and removes all barriers and signs in the following locations places and at the following times *[Insert all details of required signs]*;

☐ Complies with *[any other such conditions as specified by the Council – insert conditions]*.

Authorised Officer:

[Insert signature]

[Insert official's name]

[Insert official's position in Council]

Date: *[Insert date]*

Appendix 6

Checklist for District Councils (*For Official use only*)

Please tick

Is the application form completed correctly?

Are the location maps included showing marshals/stewards and first aid positions?

Is the signing schedule included and is it correct?

Is a copy of the Public Liability Insurance document included?

Is written evidence of consultations with residents, businesses and bus/taxi companies affected by the proposed closure included?

Is a copy of a Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking the signing work included?

Has written agreement with Emergency Services been included?

Appendix 7

Small Events (i.e. Street Parties)

In Order to be considered a 'small event', the event should be as follows: (please note this list is not exhaustive)

1. Be held on minor residential roads eg cul-de-sacs or side streets.
2. The proposed road to be closed must not have a bus route along it.
3. Not have a car park located on it or a car park which is accessed via the road to be closed (other than a car park for residents' of the road)
4. Not be publicised for the general public and therefore will not draw in people from the wider area.
5. Be an event which would apply to the residents of one or two streets only and not to larger areas of the district/borough/city. It is up to the District Council to consider factors such as the proposed attendance figures etc when making its decision on whether to grant an Order.
6. Finish by 11pm.
7. Not have a stage built from which entertainment would be provided.
8. Not have amplified entertainment which may cause nuisance to the wider area.
9. Not have fireworks, pyrotechnics or bonfires on the street.
10. Not have alcohol or food **sold** at the event.

The promoter may be held responsible for any costs arising from the event, e.g. clearing up, damage to street furniture or road surfaces etc.

The District Council may decide not to require a promoter to take out public liability insurance for the event. However, it is strongly recommended that promoters do so.

Promoters should be aware they may be asked to comply with any or all of the following requirements. The District Council and DfI Roads will advise during the application process:

1. The event must be organised in such a way that access for pedestrians and essential vehicles can be maintained.
2. The promoter is expected to consult with local residents and businesses that may be affected by the road closure, prior to submitting the application. A copy of the letter or flyer sent, along with a list of those notified and copies of their responses should be submitted with the application form. If local residents and businesses object, the District Council will require that promoters contact them to deal with any issues raised. In the event that issues remain unresolved, the District Council may withhold consent for the event.
3. During the course of the event the promoter will be responsible for ensuring that the areas affected by the event are so far as is reasonably practical keep free from rubbish and litter at all time. When the event finishes the promoter is responsible for ensuring that the roads are left clear of litter and in a clean and tidy condition to the satisfaction of the District Council.
4. Each road to be closed shall be clearly defined by means of a “**ROAD CLOSED**” sign supported by means of a trestle or suitable half barrier on the road. Diversion signs may also be required.
5. Any barrier to be placed on the road shall have alternate red and white bands approximately 600mm in width. Where these are to remain in place during

lighting-up times the offside extremity of each barrier/trestle shall be lit by an approved road works lamp.

6. All signs and barriers shall be adequately weighted to prevent them from being blown over or dislodged.
7. All signs and barriers on the road shall be erected and removed at the times specified by the council.
8. All debris deposited/left on the street/road as a result of the event shall also be removed by the time specified by the council. Failure to do so will render the promoter liable to charge for cleaning the road or even to prosecution for failing to do so or for obstructing the road.
9. All proposed special events on public roads are required to be advertised by way of notice, in at least one local newspaper (or community paper) circulating in the district in which the road is situated. A District Council may, at its discretion, impose a charge/recoup fees incurred in the processing of any application.
10. If there are a number of celebrations e.g. National celebrations, which are occurring at the same time, where possible, a District Council will incorporate it into one notice and advertise the notice accordingly.
11. The promoter needs to be available at all times during the event and understands that their details will be passed to DfL Roads and the police.

