

ROADS (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 2010	6th December 2016
TO: ENVIRONMENTAL SERVICES COMMITTEE	
FOR INFORMATION	

Linkage to Council Strategy (2015-19)	
Strategic Theme	Innovation and Transformation
Outcome	Implementation of New Legislation
Lead Officer	Head of Health & Built Environment
Cost: (If applicable)	Application Fee to be Determined

1.1 Background

In 2010 the Department for Regional Development (DRD) proposed new legislation which would give Councils the power to close public roads for certain designated purposes described as “Special Events”; these would include activities such as street parties, concerts, fun runs, cultural events and film making. Road works, processions and motor races are specifically exempted from this legislation.

Whilst it was anticipated that this legislation would have commenced in April 2013 the then Minister for the Department of Regional Development took a decision to defer commencement.

Council have recently received correspondence from Department of Infrastructure that they have restarted the legislative process with a view to commencing the legislation from 1st January 2017. From this date, Council, will assume responsibility for dealing with requests to hold special events on all public roads in the council area apart from special roads (which are mainly motorways) for which the Department assumes responsibility.

1.2 Implementation

The legislation will require an application to be made to Council, where it will be assessed, taking into account issues such as:

- Is the proposed activity a “Special Event”;
- Must the event take place on the public road;
- What diversionary routes are required and the implications
- Is insurance cover in place.

Council will also be required to consult with Roads Service, PSNI, Ambulance Service and NIFRS. The application must also be advertised in at least one local newspaper allowing 3 weeks for people to make representation.

In terms of cost recovery, the legislation gives Council a discretionary power to make a charge, the level of charge applied is not stipulated.

Issues that will require further Council consideration to allow for successful implementation of the legislation include:

- Charging policy
- Scheme of delegation
- Consultation arrangements
- Administrative arrangements

1.3 Recommendation

It is recommended that a Licensing Workshop is held in January 2017 to discuss the above matters and how this legislation is to be implemented in Causeway Coast and Glens Borough Council.