

<b>Title of Report:</b>  <b>The Roads Miscellaneous Provisions Act (NI) 2010 – Prohibition or restriction of use of public roads for Special Events</b>	<b>Officer Presenting: Director of Health and Community</b>  <b>Author: Head of Health and Community Wellbeing</b>
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## **1 Purpose of Report/Recommendations**

- 1.1 The purpose of the report is to seek approval of Elected Members in relation to fees, delegated powers and administration process for the restriction or closing of roads.

## **2 Background**

- 2.1 From 4<sup>th</sup> September 2017 the Special Events on Roads requirements introduced by the [Roads \(Miscellaneous Provisions\) Act \(NI\) 2010](#) commenced.
- 2.2 From this date, Councils will assume responsibility for administering applications to hold special events on all public roads (except motorways and the like). Event organisers who wish to hold a special event on a public road must apply to Council for an order to restrict or prohibit traffic/pedestrians, and Council may grant such an Order, following consultation, public notification to seek representations and the subsequent consent by DfI.
- 2.3 SOLACE NI established a sub group in February 2017 to ensure a consistent approach to the implementation of this legislation. The group have met with a range of interested parties including the Northern Ireland Film Industry, PSNI and the Parades Commission to consider the implications of the legislation.
- 2.4 SOLACE NI subsequently sent a letter to Mr Peter May, Permanent Secretary, Department for Infrastructure on 7<sup>th</sup> August 2017 (Appendix A) seeking clarification on why the Commencement Order was enacted with so many areas of concern not addressed. A letter of reply was received on 1 September (Appendix B) which confirms that the implementation date will remain at 4<sup>th</sup> September 2017.
- 2.5 The proposed application validation procedure, application form and methodology for fees are attached at Appendices C, D and E.

## **3 Key Issues**

- 3.1 The provisions of The Roads Miscellaneous Provisions Act (NI) 2010 including those relating to special events have commenced.
- 3.2 The sub group has now progressed the implementation of this legislation, to the point, where procedures, application forms and proposed fees have been established.
- 3.3 Fees
- 3.4 Events are distinguished as either large, commercial type events or small local community events.
- 3.5 Fees were calculated on the basis of actual cost using estimated time spend on processing applications. The proposed fees consist of an administration cost plus newspaper advertising cost.
- 3.6 Indicative fees are detailed below:
  - 3.6.1 Small local event – waive administration fee (approx. £165) and recoup cost of newspaper advertising (approx. £250 for each paper advertised).
  - 3.6.2 Larger commercial event – recoup administration fee (approx. £165) and recoup cost of newspaper advertising (approx. £250 for each paper advertised).

#### **4 Financial, Equality, Legal, HR, Improvement and other Implications**

##### 4.1 Financial

There will be additional cost for Councils, to administer this legislation, including advertisement fees. These costs can be recovered from the applicant or absorbed by Council.

##### 4.2 Delegated powers

Proposal: Council delegate the decision to grant an Order to a senior officer for non-contentious applications. Where written representations are made, the matter to be referred to Committee for decision.

##### 4.3 Public liability Insurance

Proposal: Councils set the level of public liability insurance in line with their own internal arrangements across Council.

#### 4.4 Cleansing

Proposal: that a refundable deposit for clean-up costs is sought from applicants.

### **5 Recommendations**

- 5.1 Note the commencement date relating to the Special Events on Roads requirements introduced by the Roads (Miscellaneous Provisions) Act (NI) 2010.
- 5.2 Approve the proposals in relation to the administration of licence application process, fees and delegated powers.

### **Background Papers**

Appendix A: Letter from SOLACE NI to Permanent Secretary, Department of Infrastructure

Appendix B: Letter from Permanent Secretary, Department of Infrastructure to SOLACE NI

Appendix C: Application validation procedure

Appendix D: Application form

Appendix E: Methodology for fees