

# SPECIAL EVENTS ON PUBLIC ROADS

## GUIDANCE FOR APPLICANTS (v.11\_June 2012)

**Before reading these guidance notes we recommend that you read through the following definitions first:**

**The Department:** the Department for Regional Development.

**Roads Service:** the part of the Department that deals with road related matters.

**District Council:** any city/borough/district council within which the road in question is located.

**Public road:** any road which is maintained by the Department which may include the carriageway, the footway and the verge.

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

**Relevant authority:** either the council or Roads Service depending on the type of road the application is for, paragraph 3 provides further detail.

**A Notice:** a legally required document that presents the details of the special event, its organisers, and the impact on the local public road, which is placed in a local newspaper and invites written representation in respect of the proposals.

**An Order:** a legal document that permits the relevant authority to prohibit or restrict traffic from using the road.

### **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;
- Cultural events.

Filming 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; or,
- Road works.

An exhaustive list of the types of sporting, social or entertainment is not provided, and the council will decide which events are eligible events. **A closure may 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; and/or,
- closing adjacent streets in order to facilitate the event.

Applicants 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 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 that are not considered to be a 'special event' will be rejected and the applicant informed of the reasons for rejection. The district council's decision to reject an event is final, there is no appeals process.

This guide relates only to the process of 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.

Event management should be undertaken by the organiser 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 straddles more than one district council area e.g. the Belfast marathon, an application needs to be made to each council and each council is required to advertise the relevant Notice. If the event is advertised in the Belfast Telegraph and Irish News, this would be sufficient.

## **Applying to hold a special event on a public road:**

1. Organisers/applicants should be aware that holding an event on a public road is serious matter and 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 users, who may have to find other routes, and if not done properly may create a road safety hazard. The district council must be satisfied that it is not reasonably practicable for the event to be held elsewhere, if the council considers that there is a suitable alternative then approval can not be given.
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, we would advise that organisers give as much notice as possible even beyond the 12 weeks, as issues can arise which may delay things.
4. The district council is responsible for processing applications for special events on the majority of roads in their district, apart from those roads designated as 'special roads' for which DRD Roads Service is responsible. A listing of these special roads is provided in Appendix 1. A proposal to hold a special event on a special road should be referred to the Statutory Functions Officer in the relevant DRD Roads Service office.
5. Traffic on a road will only be restricted or prohibited 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; and/or,
  - closing adjacent streets in order to facilitate the event.
6. Prior to making an application, you should make preliminary contact with the district council to discuss the overall concept of the event. The district council will either discuss your proposals or refer you to DRD Roads Service.

The council officer will discuss your proposed application with you to see if an early indication can be given as to your application's likely outcome. Administrative costs and fees associated with the restriction or prohibition will be discussed at this stage. The relevant authority, either the district council or DRD Roads Service, may recover any of the costs it incurs in relation to the cost of administering the Order as well as advertising it in a local newspaper.

Applicants should also be aware that they may be liable for other costs e.g. the provision of any barriers or traffic signs; the cost of a police presence when the barriers or signs are being set out on the road. Applicants 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 applicant.

You should also be aware that you may need to arrange appropriate insurance coverage for the event.

7. Applicants 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>
8. On making an application the organiser(s) must complete the application form (Appendix 2), submit the requisite fee and agree to complete the Agreement (Appendix 3). It is important that you do not leave anything blank on your application form as this may slow things down for you. If you are in any doubt about any part of the form you should contact the Relevant Authority.
9. You will need to provide the following information;
  - (i) a detailed location plan/street map. You 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. The applicant 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 where possible, higher class of road should be used as the diversion route, taking into consideration heavy goods vehicles and buses. 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 HGV's 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 at the site 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 involve 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 details 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 that may be erected on the public road as part of the event and methods will be employed to protect road surfaces;
- (iv) evidence/confirmation of your insurance cover and your ability to provide insurance cover for the event (full details of which is contained in the Agreement);
- (v) any evidence that you have consulted with and received comment from residents, businesses, bus/taxi companies which may be affected by the special event;
- (vi) administrative costs for the event;
- (vii) an Event Management Plan/Safety Plan, where necessary.

You will have to agree to:

- (i) insuring the relevant authority against any damage or action that may result from holding the event and organising the appropriate insurance as outlined in the undertaking (you **may be asked to** provide original insurance documentation confirming this before a closure will be finally approved);
- (ii) paying administrative costs for processing the application and advertising the Notice;
- (iii) organising any consent from DRD Roads Service in terms of placing any form of structure or equipment on the public road. Please note that you may need to place a deposit with DRD Roads Service which would be used to pay for the repair of any damage to the road;
- (iv) providing all safety equipment (signs, cones etc.) at your expense;
- (v) paying the cost of making good any damage caused to the road and/or street furniture which has resulted from the holding of the special event;
- (vi) accepting that failure to comply with any of the conditions may result in formal action and we may also consider any previous failings in any future applications; and,
- (vii) cleaning up after the event.

10. When considering the prohibition or restriction of use of the road for a special event, consideration should be given to the likely types of vehicles requiring access to the area of the event venue, including:

- Construction vehicles during build up and take down;
- 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.

11. If 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 will have to be agreed with PSNI and DRD Roads Service, where necessary.

12. The organiser will 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 organiser. The police may charge for their officers' attendance at events and organisers will be advised by the police where this appears appropriate. Early discussion with police by event organisers is strongly advised.
13. Only legally prescribed signs, barriers and cones may used on a public road, these must:
  - (i) conform to Chapter 8 (Ch8) of the Traffic Signs Manual (TSM). A copy of the most commonly used signs is attached in Appendix 4;
  - (ii) only be placed by suitably qualified persons – the organiser(s) is required to provide evidence of this. Applicants should be aware that there specialist temporary traffic management contractors who offer this type of service;
  - (iii) be paid for by the organiser(s); and,
  - (iv) be removed prior to the expiration of the Order.
14. You should be aware that for some roads, DRD Roads Service will only permit its staff or people working for it to set out signs and cones. If this is the case then DRD Roads Service will organise the work for you but only after it has received the necessary payment.
15. When assessing an application the district council 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 our assessment we 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 whether this would impact neighbouring properties/residents/businesses;
  - whether there are any other events planned for the area at the same time; and,
  - the competency of the event organisers to adequately arrange the temporary traffic management of the road closure during the event.
16. The relevant authority will calculate the indicative cost of arranging the prohibition or restriction. Where possible the fee will be calculated in conjunction with any other costs incurred and you will be informed.
17. If the relevant authority is the district council, the district council will also seek the consent of DRD Roads Service to close the road(s) in question. DRD Roads Service will consider the suitability of the road closure in question and will assess:
- the impact on local traffic management and road safety;
  - the suitability of diversion routes;
  - the proposed signing arrangements; and,
  - whether there are any other closures planned in the general vicinity at the time.
18. Please note that if DRD Roads Service objects to the proposal because of road safety issues or traffic progression concerns, approval for the special event to be held on the road will not be given.
19. The police, fire and rescue, and ambulance services will also be asked to comment on any closure. Any issues that they might raise will have to be resolved before a closure is approved.
20. 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 district council's

decision is final and you will be informed of the reason(s) for refusal. There is no appeals process.

21. If we are content with your application we will let you know and 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 council area and may be advertised on the district council website. The notice must:

- a) identify the promoter(s)/organiser(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.

22. You should be aware that the other parties can make representations in response to the notice and to the proposed closure. If a compromise is not possible we will consider all the information available and decide whether or not the restriction/prohibition of the road in question should go ahead.

23. If the Order is made the organiser will arrange for copies of the Order to be posted on the affected routes.

*NB. Please return your completed application form duly signed to the relevant authority office for your district along with your sign schedule, location maps, and any proof that you have enquired about insurance (or details of your insurance broker). You may be asked to provide proof of insurance before the council makes the final Order.*

**List of Special Roads**

All Motorways

Westlink (A12)

(A8M) Sandyknowes to Corr's Corner

**Application for Holding a Special Event on a Public Road**

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

Name of applicant \_\_\_\_\_

Name of contact (if different from above) \_\_\_\_\_

Role of applicant and/or contact \_\_\_\_\_

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

Address of applicant and/or contact \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Post code \_\_\_\_\_

Telephone No \_\_\_\_\_

Emergency/Contact telephone No \_\_\_\_\_

E-mail address \_\_\_\_\_

Name of event \_\_\_\_\_

Purpose and nature of event \_\_\_\_\_

Roads to be closed \_\_\_\_\_

Date(s) of the event \_\_\_\_\_

Time of event - from \_\_\_\_\_ am/pm until \_\_\_\_\_ am/pm

Roads to be restricted in use \_\_\_\_\_

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

Have you enclosed your signing schedule and list? YES/NO

Has this event been held previously? YES/NO

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

Please give details \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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I confirm that we have read and understand the standard conditions that accompanied this application form, and understand that the Council may apply any or all of the conditions as it feels necessary.

Signature of application \_\_\_\_\_

Date of application \_\_\_\_\_

### Standard Terms and Conditions

The Applicant may be requested to:

- [provide evidence that they will] indemnify the council/Department, 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 exercise of this authorisation or by reason of anything done by the applicant in holding the special event and for this purpose shall maintain adequate insurance (namely public liability cover of £10,000,000 for any incident, number of incidents unlimited) to the satisfaction of the council/Department 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 council/Department;
- Obtain all necessary consents and technical approvals/safety certificates for any structure erected for the special event;
- pay all costs of making good any damage to the highway/street furniture for reasons of making the Order including damage to any alternative route for diverted traffic;
- provide a map detailing the road to be closed and a signing schedule for the site and diversionary route;
- 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 in the event of failures to do so;
- removing all objects on the road and/or material deposited during the event. The organisers are also expected to remove any litter from the site after the event. If the organiser fails to comply the council will arrange cleaning and charge the cost to the applicant;
- 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 I/we have done so;
- keep pedestrian access to all premises on or accessible from the road(s) on which the special event is taking place;
- 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; and,

- be available before, during and after the event so that I/we can be contacted by the relevant authority.

Applicants should understand that failure to comply with any requirements which are included in the final Order will make them liable to formal action and that any such failure will be taken into account by the relevant authority in considering future applications for special events on public roads by them.

Typical signs for road closures and diversions



### 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 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 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 not require you to take out public liability insurance for your event. However, it is strongly recommended that you do so.

The applicant shall be responsible for compliance with the following requirements of the district council and DRD Roads Service:

1. The event must be organised in such a way that access for pedestrians and essential vehicles can be maintained.
2. The organiser/applicant must 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 you contact them to deal with any issues raised. In the event that issues remain unresolved, the district council may withhold consent for the road closure.
3. During the course of the road closure the organiser/applicant will be responsible for ensuring that the areas affected by the closure are so far as is reasonably practical keep free from rubbish and litter at all time. When the event finishes the organiser/applicant is responsible for ensuring that the roads are left clear of litter and in a clean and tidy condition to the satisfaction of the council.
4. Each road to be closed 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.
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 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 application notice. Failure to do so will render the applicant/organisers liable to charge for cleaning the road or even to prosecution for failing to do so or for obstructing the road.
8. All proposed road closures 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.
9. 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 advertise the notice accordingly.
10. The applicant will be available at all times during the event and understands that their details will be passed to DRD Roads Service and the Police Service of Northern Ireland.