

Review of the Operation of the Roads (Miscellaneous Provisions) Act (NI) 2010

Findings

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1. Background to the Review

The Roads (Miscellaneous Provision) Act (Northern Ireland) 2010 amended the Road Traffic Regulation (Northern Ireland) Order 1997 (RTRO) to provide the specific power to hold Special Events on public roads.

The legislation was enacted on 13 August 2010 and the parts specifically related to the holding of Special Events on roads were commenced by an order made on 25th January 2017 with a commencement date of 4th September 2017.

In response to concerns raised by a number of local Councils, NILGA, SOLACE and some sporting bodies, the Department committed to carrying out a review of the operation of the Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 legislation.

As part of the review, the Department sought the views of those with an interest or involvement in planning and running Special Events. This document presents a summary of the views received. The separate Departmental Response document presents what the Department intends to do having taken account of the views received.

There was a high level of engagement in this process as there were 795 responses to the online questionnaire along with 14 pieces of correspondence received by the Department.

2. Methodology

The review primarily used an on-line questionnaire to seek the views of those involved with the organising and holding of Special Events on public roads. Respondents could also reply in writing. In addition, DfI wrote directly to sporting bodies and other key stakeholders to ask them to participate in the review.

The survey was developed in partnership with those who are responsible for the Special Events policy, and the Analysis, Statistics and Research Branch within the Department.

The review was launched by the Infrastructure Minister, Nichola Mallon on 27 July 2020 and was open for an 8-week period with a closing date for responses of Thursday 24 September 2020 (<https://www.infrastructure-ni.gov.uk/news/mallon-announces-commencement-review-special-events-legislation>). It was promoted using the Social Media channels of the Department.

All the comments made by respondents have been considered, and grouped into common issues for the purposes of compiling this report. It should be noted that the numbers responding to each question in the survey is not always the same. Some respondents answered all of the questions; others chose to comment on the questions (or sections) of particular relevance to their organisation, sector or field of interest. The report indicates the number of respondents who commented on each question.

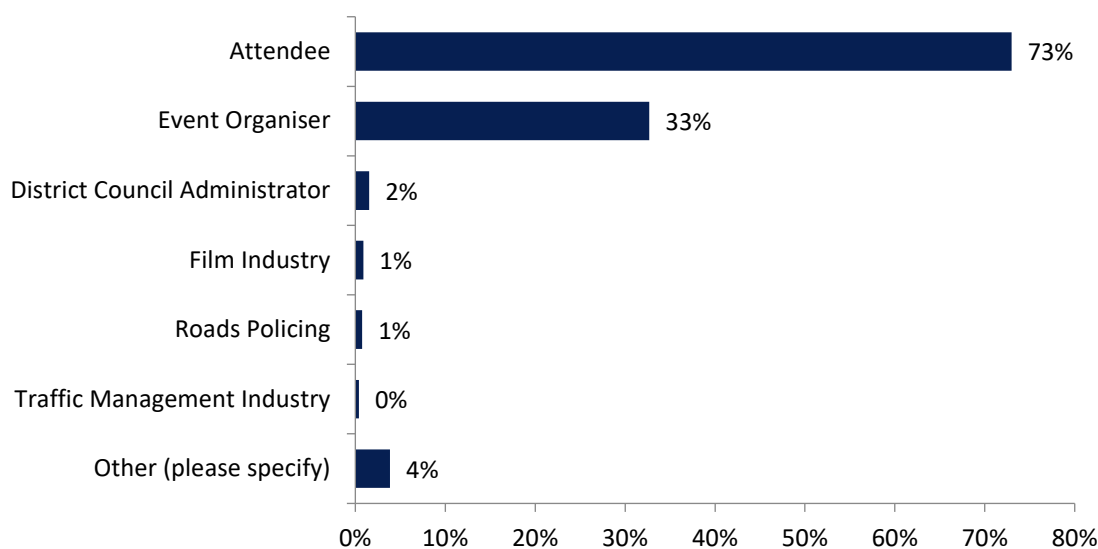
3. Summary of Response to the Questionnaire

This section of the report summarises the responses to each question in turn.

Q1 - In what capacity are you responding to this questionnaire?

In order to provide context, respondents were asked what their involvement was with Special Events (they could provide more than one answer). The majority of respondents (73%) attended Special Events, 33% of respondents were event organisers. Figure 1 shows the breakdown of responses to this question:

Figure 1: In what capacity are you responding to this questionnaire?



*respondents could choose more than one answer

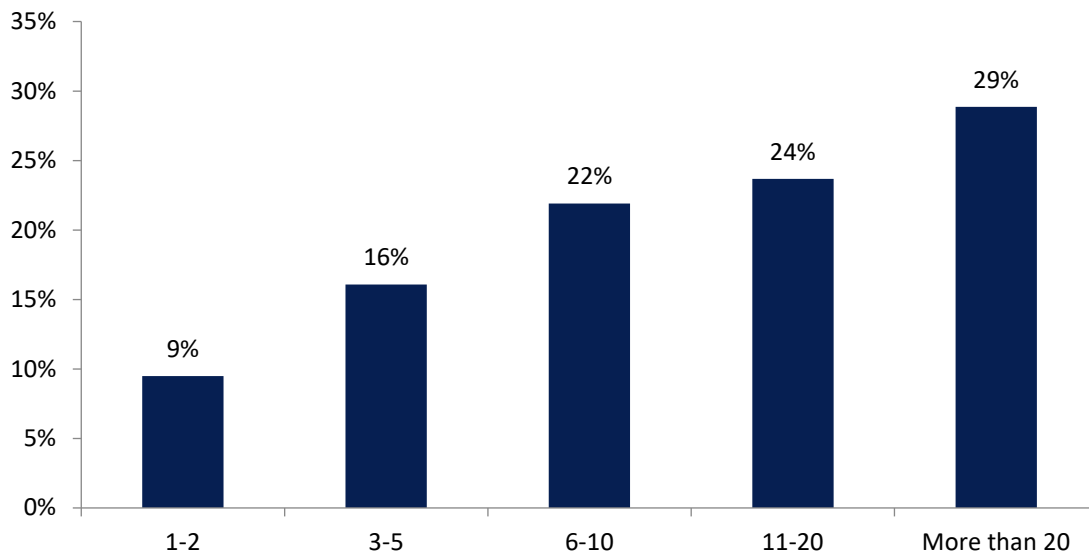
Base=777

Of the 30 respondents who stated, 'other', the majority of these described themselves as either: 'runners'; 'involved in street play'; or, 'traffic management consultants'.

Q2 - How many events have you been involved in / attended in the past two years?

Figure 2 below shows that over half (53%) of respondents have attended more than 10 events during the past 2 years (2018 and 2019). Just over a fifth (22%) have attended between 6 and 10 events, while the remaining 25% of respondents had attended 5 or fewer events. Figure 2 shows the breakdown of responses to this question:

Figure 2: How many events have you been involved in / attended the past two years?

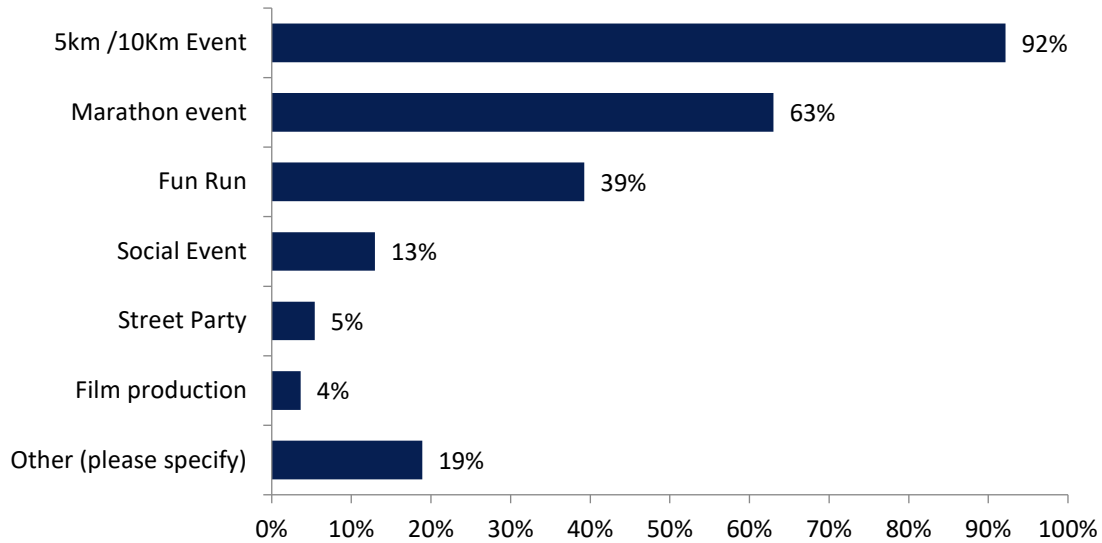


Base=790

Q3 - What types of events were you involved in / attended?

Sporting events featured strongly in the response, with 92% of respondents involved in '5k/10k events', 63% in 'Marathon events' and 39% in 'Fun Runs'. Figure 3 shows the breakdown of responses to this question:

Figure 3: What types of events were you involved in / attended?



Respondents could choose more than one answer.

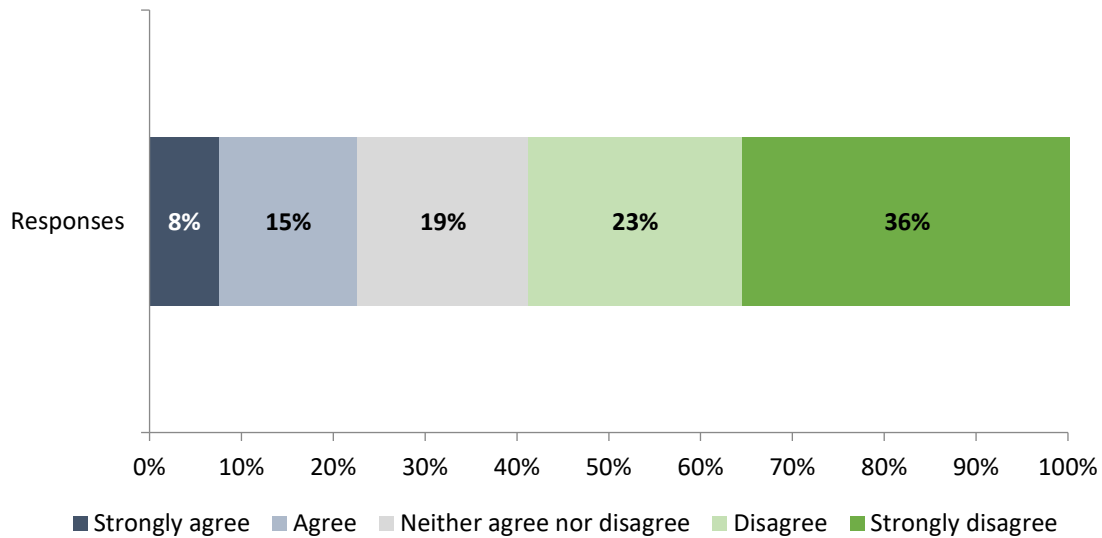
Base=741

Of the 19% of respondents who indicated they were involved in ‘other’ events, sporting events such as ‘triathlon’, ‘cycling’ events and other running events accounted for the majority of these responses.

Q4 - How strongly do you agree or disagree that the Special Events process met your needs?

Almost 6 out of 10 (59%) felt that the Special Events process did not meet their needs (23% disagreed with the statement while 36% strongly disagreed). Just under a quarter (23%) of respondents either agreed (8%) or strongly agreed (15%) that the process met their needs while 19% neither agreed nor disagreed with the statement. Figure 4 shows the breakdown of responses to this question:

Figure 4: How strongly do you agree or disagree that the Special Events process met your needs?



Base=552

There were 195 free text comments made in addition to the responses to this question in the survey, the vast majority of which indicating that the process did not meet their needs. A significant number of comments from respondents indicated that the process had introduced excessive costs, was overly bureaucratic and had led to the cancellation of a large number of Special Events, many of which were well-established and had taken place for a number of years.

There was a recurring theme that many charity and fundraising events were now considered unviable due to the introduction of the Special Events legislation.

A number of specific parts of the process were highlighted:

i. Appointment of traffic management companies:

Many felt that this was unnecessary for all events and was overly expensive making events unviable. Feedback included the following comments:

- *“No requirement to employ a traffic management team to supervise local road races. Plenty of experienced volunteers willing to perform these duties.”*
- *“Very expensive to organise contractors to risk assess.”*

- *“The prohibitive cost of enlisting a traffic management company is discouraging groups at the least from organising events and in some cases causing them to cancel altogether.”*
- *“The requirement for qualification to NHSS 12AB is over and above what would be required for community events.”*

ii. Consistency of approach:

A number of respondents identified an inconsistency of approach among stakeholders and feedback included the following comments:

- *“A lack of common approach across the local Councils”*
- *“Council and Police Service of Northern Ireland (PSNI) differing approaches”*
- *“not all the consultees are interpreting the legislation the same”*

iii. 12-week time period for notifications:

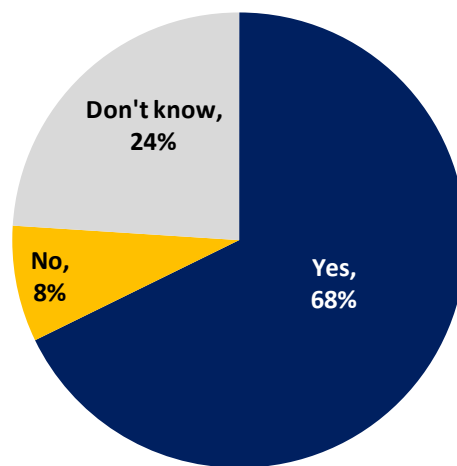
Respondents identified concerns with the requirement for the 12-week notification period and the need to advertise in the newspapers as being unrealistic, and not fit for purpose, feedback included the following comments:

- *“The process takes too long and is expensive to administer”*
- *“The Notice requirements need to be reviewed and provision to allow Notices to be processed in a short period of time to better accommodate film companies etc.”*
- *“The 12 week period is too long. the costs while there may be justifiable are prohibitive”*
- *“The lead in time is almost impossible to work too for us as our schedule can be changed by so many factors outside of our control”*
- *“The need for a newspaper advertisement is outdated”*

Q5 - Do you think there are any aspects of the process that you feel could be improved?

Almost seven in ten (68%) responded 'yes' to this question, a further 24% of respondents didn't know and the remaining 8% felt that no improvements were needed. Figure 5 shows the breakdown of responses to this question:

Figure 5: Do you think there are any aspects of the process that you feel could be improved?



Base = 544

There were 224 comments in addition to the responses provided to this question, the majority highlighting a number of areas of the process that could be improved. There were synergies between the responses to this question and the themes extracted from responses to question 4.

The following specific parts of the process were highlighted:

i. Costs/need for traffic management:

There was a recurring theme about the costs involved in providing traffic management, and the use of a dedicated traffic management company. It was suggested that these requirements were making events unviable and should be only

applied to the largest events. A number of comments suggested support for road closures should be provided free of charge by PSNI and Council.

Feedback included the following comments:

- *“Remove cost, Remove bureaucracy. Only apply to the largest events Remove requirement for traffic management companies. Have a common approach for all Councils Remove discrimination with other public events where this legislation doesn't apply”*
- *“Remove the traffic management part of the process”*
- *“reduce cost and need for traffic management company”*
- *“It is crippling for local clubs to have to bear the cost of traffic management”*
- *“Support by local Council and PSNI to help with the safety aspects of road closures, free of charge”*
- *“The risk assessment and road policing document - cost to compile and then implement is extortion especially for smaller events”*
- *“Removing the need for Events. Management company to take care of traffic management for charity road races and fun runs.”*

ii. Size of event:

Respondents were of the view that the one-size fits all approach to all Special Events did not work. They expressed the opinion that the size of Special Events should dictate the requirements involved for the running of such events. They suggested that the current arrangements should be amended and a scaled approach should be adopted for dealing with Special Events. A number of respondents expressed the view that there should be exemptions for community, charity and voluntary groups.

Feedback included the following comments:

- *“A submitted risk assessment and spot checking to ensure compliance would be more than sufficient without creating an industry in traffic management for a relatively small event.”*
- *“Exemptions for small community group/schools organising fundraisers”*

- *“the one size fits all approach does not work. A procedure that caters for almost 20,000 people on the streets of Belfast doesn’t work for 200 on the country roads”.*
- *“Ideally smaller events should be exempt from the process but if any process is deemed necessary it should be less complicated and not involve the use of expensive traffic management consultants. Requirements should be in proportion to the scale of the event and its potential disruption. It should also take account of whether the organiser is a voluntary club, a charity or a commercial organisation”*
- *“Exemption for small local races. Ability to be managed by volunteers”*
- *“There should be room for differentiation between large events and smaller community events”*
- *“I think any non-profit organisation where ALL communities are or can attend should be exempt from fees, however those that are not cross community inclusive should be charged and also pay for the policing of such events/parades”*
- *“There is an understanding that for large scale major sporting events, specific legislation is required. We feel that this need to be on a scaled approach and small, local events should be exempted.”*
- *There should be a standardised application process with fees aligned depending on the size/type the event.*
- *“There should be some way of being able to assess the level of control needed at an early stage of the process so that smaller community events which are unlikely to cause significant disruption being treated differently and more leniently than the larger events which require higher levels of Traffic management etc”*

iii. Consistency of approach and cost:

Respondents indicated there is an apparent inconsistency of approach adopted and different fees charged across Council areas. They suggested a standardisation of rates across all Council areas. Some respondents highlighted the need for clearer guidelines on what Councils expect and the introduction of an online form that covered all aspects of the application would be helpful.

Feedback included the following comments:

- *“Varying costs between Councils, should be blanket costs.”*
- *“Standardisation between local government, Council, community and event organisation”*
- *“One direct point of contact that liaises with the separate bodies “*
- *“Commonality of the procedure between different Council areas. Integration of all the various steps into an online portal system. More transparency. More choice. Clearer requirements”*
- *“There remains an inconsistent approach from Council to Council, with some Councils not being fully briefed, creating uncertainty and last minute issues for volunteer race organisers”.*
- *“Clarity of roles, responsibilities and procedures”*
- *“Different Council areas charge different rates “*
- *“There is inconsistency in the approach between Councils and Dfl with respect to Special Events and utility works. Dfl have had systems and procedures in place for years to deal with road closures for utility works and the like. The Road Traffic Regulation (Northern Ireland) Order 1997 Article 7 refers”.*
- *“Clear guidelines on Council expectations and decision making”*
- *“The legislation should be administered by one body, Dfl. The involvement of Councils is unnecessary, time consuming and costly, and they have no involvement in the decision making process.”*
- *“Consistency and enforcement.”*

iv. Advertising Costs:

There was a recurring theme among the respondents that advertising fees were excessive which added unnecessarily to the costs of running a Special Event. A significant number of replies detailed that the requirement to include a printed advertisement in local paper was unnecessary, added to the cost, and was outdated. They suggested use of online notification and social media would be a more reasonable approach that could be used to meet notification requirements.

Feedback included the following comments:

- *“the removal of the need for printed adverts and switch to online notification only - similar to Dfl permits for off road events”*
- *“The cost of a newspaper public notice in this day and age is not a good use of money”*
- *“The need to publish a public notice in a newspaper adds additional cost which could be avoided through the use of websites or other social media platforms”*
- *“The advertising requirements are too onerous and expensive”*
- *“The requirement under the legislation to publish at least one notification of the proposed road closure in the local press is considered an outdated, unnecessary expense”*
- *“Definitely the advertising. It should be online advertising now. And less of a lead in time to the event “*
- *“I would suggest that the process of notice in a newspaper should be changed to an online notice and a letter drop around the area “.*

v. Notification period:

Respondents identified an issue with the requirement to provide a 12-week notification of a Special Event. They suggested this needed to be reconsidered as it had led to significant difficulties to the organising of some Special Events e.g. the film industry.

Feedback included the following comments:

- *“12 week notification process is too long “*
- *“Lead in times need to be reconsidered. In our Council area applications and accompanying risk assessments must be submitted 12 weeks in advance”*
- *“Council has found that even with a shortened turnaround timescale of 6-8 weeks from application to Order, this is still too long for certain film projects. Council have had several occasions where film industry were asking Council to process and issue road closures order in 4 weeks or less which is not possible within the confines of the existing process.”*

vi. Training for event organisers:

A significant number of respondents identified that a potential improvement to the process would be to provide training for Special Events promoters and volunteers. They highlighted that this would give Special Events promoters the option of dealing with traffic management without including the cost of having to appoint an external traffic management company.

Feedback included the following comments:

- *“provide training for event organisations”*
- *“There could be training for marshals for clubs to attend not marshals from just one company that repairs roads”*
- *“Give options to use volunteers rather than traffic management companies”*
- *“Ensure club volunteers are well trained in marshalling and hence no need for external companies. When gaining a permit for an event the checklist should be available then.”*
- *“Maybe Council areas could organise marshalling courses “*
- *“Pre-application support would be really helpful to volunteer organisers if available. Applicants for road running races are generally volunteers who would benefit from such support. Practical assistance with for example provision of approved temporary signage and pedestrian barriers from the locals Council or roads service depot or even chapter 8 trained streetworks supervisors and operatives to set up traffic management at junctions.”*

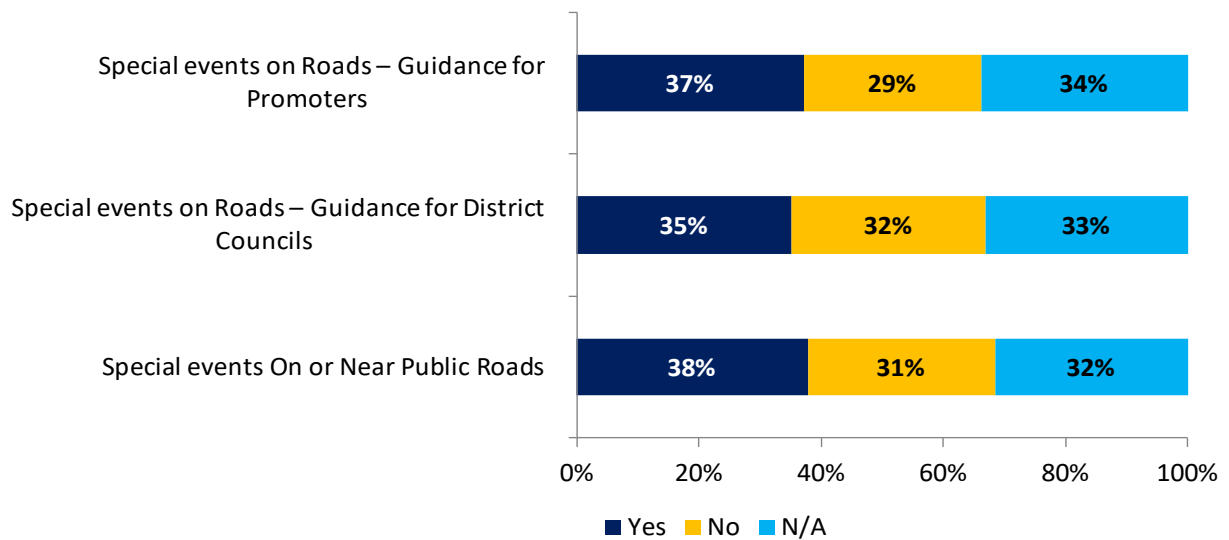
Q6 - Did you use the Department's guidance documents at any time?

Respondents were asked if they had used any of the three guidance documents available:

- ‘Special Events on Roads – Guidance for Promoters’
- ‘Special Events on Roads – Guidance for Councils’
- ‘Special Events on or Near Public Roads’

For each of the guidance documents, results were broadly similar with over a third of respondents having used each document. Figure 6 shows the breakdown of responses to this question:

Figure 6: Did you use the Department's guidance documents at any time?

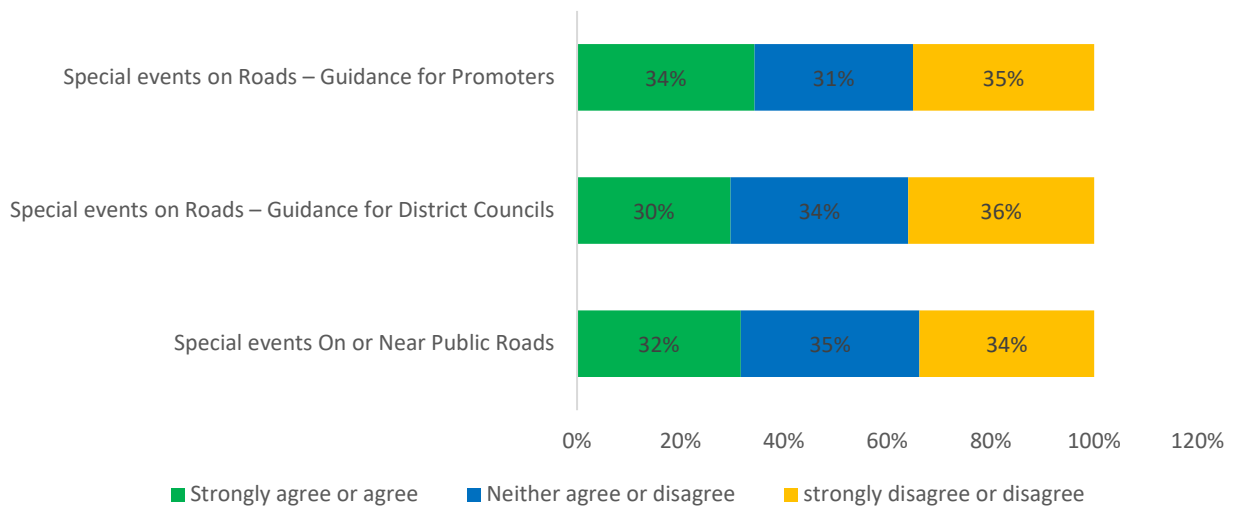


Base =390

Q7 - How strongly do you agree or disagree with the statement - 'The Department's guidance documents were useful?'

Figure 7 shows the results for each of the three guidance booklets for those who said, 'yes' to Question 6:

Figure 7: How strongly do you agree or disagree with the statement - 'The Department's guidance documents were useful?'



Bases: Guidance for promoters = 137, Council = 128, On or near roads 142

Of the respondents who had used '*Special Events on Roads: Guidance for Promoters*' and had provided an answer to the question, around a third (34%) agreed¹ that the documents were useful, and a similar proportion disagreed² with this statement. The remaining 31% neither agreed nor disagreed with this statement.

Of the respondents who had used '*Special Events on Roads: Guidance for Councils*' and had provided an answer to the follow-up question, just under a third (30%) agreed³ that the documents were useful, while 36% disagreed⁴ with this statement. The remaining 34% neither agreed nor disagreed with this statement.

Of the respondents who had used '*Special Events on Roads: Guidance for on or near public roads*' and had provided an answer to the follow up questions, responses about how useful the documents were broadly similar. Roughly, a third of respondents (32%) agreed, 34% disagreed and neither agreed nor disagreed (35%) that the documents were useful

¹ Strongly agree and agree have been combined
² Strongly disagree and disagree have been combined
³ Strongly agree and agree have been combined
⁴ Strongly disagree and disagree have been combined

There were 71 comments made in addition to the responses to this question. There was a mixture of comments with many finding the documents a useful tool while others found them difficult to understand and not of much benefit.

The comments on the question could be summarised as follows:

i. Negative responses:

Many felt the documents were difficult to understand, did not use plain English and were too technical. Many had cited that the use of examples in the documents would have been helpful with particular reference to guidance on the use of Traffic Management Plans.

Feedback included the following comments:

- *“documents are far too cumbersome for a community organisation of volunteers. The entire process requires significant expertise, which is obviously very costly”*
- *“They are not clear in many respects and do not give guidance around the Traffic Management Plan”*
- *“the way they were written was too technical, the process was overly complicated,”*
- *“the guidance is too onerous and takes a very black and white view”.*
- *”Document can be difficult to understand if unfamiliar with it.”*
- *“More clarity is required as to Traffic Management Plans.”.*
- *“Guidance should have come with practical examples or training or support from the Council”*
- *“The way in which the guidance is written does not follow 'plain english' rules - ie it is difficult to read and understand”*
- *“Confusing and inconsistent”*

ii. Positive Comments:

Many respondents felt the guidance was useful, easy to understand; fit for purpose in detailing the process involved and had practical advice.

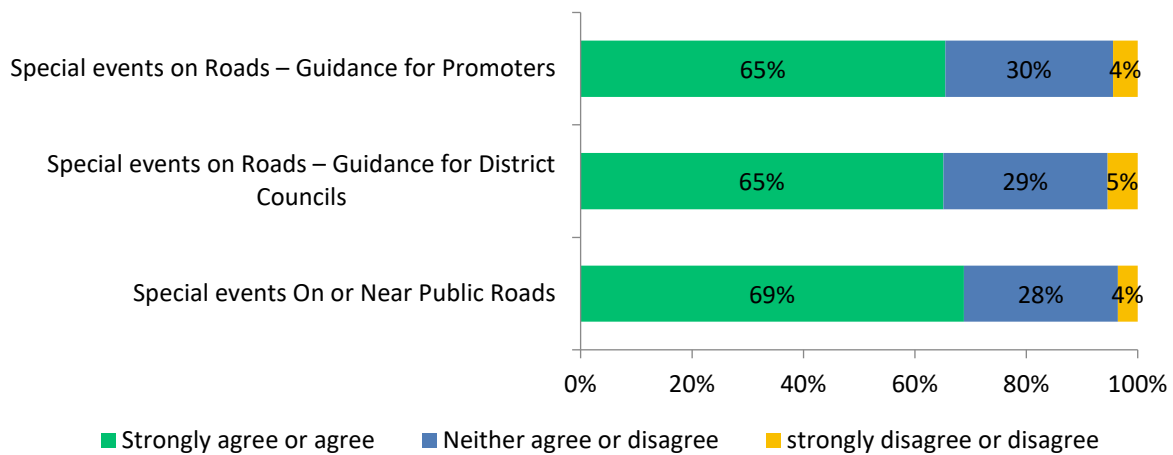
Feedback included the following comments:

- “The documents had practical advice.”
- “Made me aware of the general requirements”
- “Easy to understand for those of us not legally minded “
- “They were useful in that they made you aware of the process”
- “The guidance was simple to follow”
- “ found the documents very useful to follow the process,”
- “The guidance is clear,”
- “Were suitable for purpose”

Q8 - How strongly do you agree or disagree with the statement - 'The Department's guidance documents could be improved?

Figure 8 shows the results for each of the three guidance booklets for those who said, 'yes' to Question 6.

Figure 8: How strongly do you agree or disagree with the statement - 'The Department's guidance documents could be improved?'



Bases: Guidance for promoters = 136, Council = 129, On or near roads = 141

When asked if the guidance document: ‘*Guidance for Promoters*’ could be improved, almost two thirds (65%) agreed that it could, while a small proportion (4%) disagreed with this statement.

When asked if ‘*Guidance for Councils*’ could be improved, 65% agreed that it could, while 5% disagreed. The remaining 29% neither agreed nor disagreed with the statement.

When asked if the guidance documents for ‘*Special Events on Roads: Guidance for on or near public roads*’ could be improved, 69% agreed that it could, while 4% disagreed. The remaining 28% neither agreed nor disagreed with the statement.

There were 69 comments made in addition to the responses to this question, mostly expressing the view that the documents could be improved. There were a number of areas highlighted for improvement and these are summarised as follows:

i. Use of Sample applications:

Many respondents had different views on the use of sample application forms in the guidance. Some suggested that the sample application forms should be removed as a number of Councils use their own form and this is causing confusion. Others suggested that sample examples of documentation were needed and should be included to help clarify what was required of applicants.

Feedback included the following comments:

- *“Sample Application Form (Appendix 3) could be removed as some Councils will have developed their own form and this may lead to some confusion “*
- *“Examples of documentation that may be required may be beneficial,”*
- *“it would be more appropriate for the Council to make its own, specific application form available to event promoters”*
- *“A typical example provided as a template would be helpful.”*
- *“Clarity required on activities subject to regulation under the Order”*

ii. Documents too detailed /complicated:

Respondents felt the documents were too detailed, technical and difficult to understand. Suggestions included the use of plain English in documents to help clarify the process, and the use of flow charts and template documents in the guidance.

Feedback included the following comments:

- *“Too detailed and too many obstacles in the way”*
- *“They need simplified and a new system overall in place”*
- *“make them less technical, ie write them in lay man’s terms”*
- *“Needs to be more concise”*
- *“I think the process needs more clarity and be simplified”*
- *“Guidance is long and not easy for regular volunteering organisations to decipher. As previously mentioned, a flowchart for the promotor to follow that quickly gets them to their relevant areas of responsibility in terms of organising their event.”*
- *“Template documents”*
- *“The way in which the guidance is written does not follow 'plain english' rules - ie it is difficult to read and understand”*
- *“Simplification of the language and clarification of the process”*

iii. Changes required - Withdrawn documents /Links not working:

A couple of respondents identified that the guidance needed updating as some of the links within the document were not working and highlighted that one of the documents referenced in guidance had now been withdrawn.

Feedback included the following comments:

- *“Guidance for Promoters: • Reference to the Home Office document ‘The Good Practice Safety Guide – for small and sporting events taking place on the highway, roads and public places’ should be removed, as it is understood that this document (although considered to be very useful) has now been withdrawn.”*
- *“More user friendly. Less legal. More encouraging – less off-putting. Include some successful examples. Links are broken or don’t work”*

iv. Use of tailored approach with exception clauses depending on size of event and training:

Some respondents were of the view that the issue with the guidance was that it applied to all Special Events equally and did not take account of the size of the Special Events. They suggested a tailored approach with exemptions depending on the size of the Special Events.

Other respondents also highlighted the potential benefit of running workshops involving all stakeholders involved in the process.

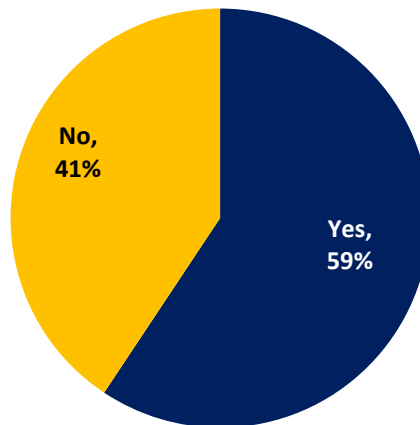
Feedback included the following comments:

- *“It could provide an "Exemption" or "Exception" clause for small local races to enable them to proceed without reference to the detailed instructions/ requirements of the Act.”*
- *“The problem is not the guidance as such but rather the overall application to a wide range of different events in scale and magnitude, which need tailored approaches”*
- *“The guidance seems to put all races into 1 bracket. It doesn't take into consideration a race on quiet country roads compared to a race through a town centre”*
- *“Workshops with sporting governing bodies, community groups, culture organisations and statutory agencies”*

Q9 - Are you aware of the underlying legislation associated with the Special Events – Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010?

Almost 3 in five (59%) of respondents who answered this question were aware of the underlying legislation associated with Special Events with the remaining 41% not familiar with the legislation. Figure 9 shows the breakdown of responses to this question:

Figure 9: Are you aware of the underlying legislation associated with the Special Events – Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010?



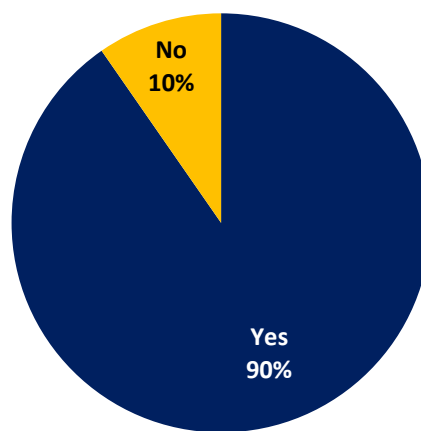
Base=358

Q10 - If you answered yes to the previous question, are there any aspects of the legislation that you feel could be improved?

Of the 176 respondents who were aware of the legislation associated with Special Events, the majority (90%) felt that aspects of the legislation could be improved.

Figure 10 shows the breakdown of responses to this question:

Figure 10: If you answered yes to the previous question, are there any aspects of the legislation that you feel could be improved?



Base = 176

There were 117 comments made in addition to the responses to this question. There were a number of synergies between the responses to this question and the themes emerging from the responses to previous questions in the survey. These are summarised as follows:

i. Costs:

There was a recurring theme amongst comments about the increased costs involved in organising Special Events due to the introduction of the legislation. Respondents suggested a number of possible options that ranged from Councils covering costs for community-run Special Events, abolition of costs for non-profit making organisations and the introduction of a set pricing structure for Special Events across the province.

Feedback included the following comments:

- *“The abolition of amateur non-profit organisations having to pay for marshalling events”*
- *“For running events which support community health and wellbeing and bring visitors to the local Council area, it would be beneficial if the Special Events Road Closure costs should continue to be covered by local Councils for events organised by volunteers from local running clubs.”*
- *“The application of the Legislation, especially to small local races ranging in distance from 5K to 10K mostly, is totally inappropriate and should be amended to reflect this.”*
- *“there should be a set pricing structure for all of NI.”*
- *“The compulsory use of multiple layers of agencies and associated required hefty payments is killing small clubs and charity fundraisers”*

ii. Differentiation between sizes of events and types of events:

Respondents commented that the legislation should differentiate between the types of events included under the Special Events definition, the type of road that a Special Event is to be organised on and whether the Special Event is for financial gain or promoting health. They also highlighted the legislation should be softened to take account of the size and scale of the Special Event and assessed accordingly.

Feedback included the following comments:

- *“I think that there should also be specific legislation covering athletics road races that would focus on the unique requirements of such events rather than including them in with disparate events such as street parties and filmmaking.”*
- *“The application of the Legislation, especially to small local races ranging in distance from 5K to 10K mostly, is totally inappropriate and should be amended to reflect this”*
- *The nature of the events it relates to. It should not apply to small scale running events. A risk assessment by local law enforcement should suffice.*
- *“Not all roads are the same but the legislation does not differentiate between A,B,C or D roads. Subsequently using the same legislation across every road*

doesn't make sense, they should be assessed on their own merits and lead in time assessed accordingly”

- *As referred to earlier, small rural events should not be considered similar to larger urban-based events with large numbers of participants. A lack of differentiation between large and smaller events. Compelled to use traffic management companies (even for minor events).*
- *I believe the legislation needs softened to take account of differing types of events.*
- *A difference should have been made between those events run for pure economic gain and those to benefit sport development.*

iii. Traffic Management:

As with previous responses to earlier questions, the issue of traffic management featured prominently among the comments. There was a recurring theme in the comments that costs involved in providing traffic management and the use of a dedicated traffic management company were making Special Events unviable. Suggestions included the use of trained volunteers and club marshals to undertake traffic management duties and the organising of training events for volunteers to obtain relevant qualifications. Other comments included the suggestion to group road closures into a number of categories with the level of traffic management required adjusted accordingly.

Feedback include the following:

- *“Removal of requirements to employ traffic management firms to oversee local races should be removed as responsible local volunteers can carry out the same function for free.”*
- *“A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements. The traffic management companies sent a bunch of minimum wage guys who don’t care or know the area.”*
- *“Club training for marshals.”*
- *“Councils should be given the power to categorise a closure into one of say 4 categories depending on their assessment of the impact the closure will have on traffic flows and the community and taking account of the road in question,*

the usual traffic flow, alternative routes available, the days and times of closure and the length of time it is being closed. Each category could have a set of requirements against it - eg a minor road may only require a notification to residents and stewarding whereas a main arterial route could require traffic management plans, adverts in the press etc.”

- *“The current legislation doesn't seem suited to the specifics of organising a road race. For example, a race usually closes a small section of road for a short duration (sometimes minutes), almost always outside of working hours, and with the support of the local community. These specifics don't seem to have been taken into consideration by the current legislation. The effect is an expensive, difficult process that has made many races unviable.”*

iv. Appeal Process:

A number of respondents highlighted that an appeals process should be included in the legislation as currently there is no in-built mechanism for appeals on any decisions made by the statutory authorities.

Feedback included the following comments:

- *“The legislation has no built in appeal mechanism.”*
- *“The legislation should permit an appeal mechanism against refusal to issue a road closure Order, in the interest of transparency.”*
- *“A decent appeal process or complaint process with Belfast city Council being followed up on in their failure to manage closures.”*

v. Remove advertising requirement:

As with previous responses to other questions, the need for advertising in local newspapers was highlighted with respondents indicating the legislation should be amended to remove this requirement allowing other means of promoting Special Events to be used.

Feedback included the following comments:

- *“The legislation should be amended to remove the requirement for notification of a road closure to be published in at least one newspaper, permitting other means, e.g. websites and social media channels.”*
- *“Also using newspaper as the medium for the commercials is a slow, cumbersome and ineffective method of informing the residents or community of the proposed closure or restriction.”*
- *“I believe the need for printed newspaper adverts is within the legislation, this needs removed.”*

vi. Relevant Authority:

The subject of relevant authority making the decision on a Special Event was highlighted in a number of comments. Respondents suggested specific actions to mitigate the problem this was causing, these included increasing resources and powers of the relevant authority dealing with the Special Events or changing the responsibility to a shared responsibility for all of the key stakeholders in the process.

Feedback include the following:

- *“Share responsibility between the organiser, PSNI, local authority and roads service.”*
- *“If making DCs a relevant authority - equip them with the appropriate resources and powers.”*

Q11 - If you have any further comments specifically in relation to the legislation that you feel would be useful, please provide them below.

There were 58 comments made in addition to the answers to this question, the majority of which replicated suggestions that had previously been included in replies to earlier questions.

The comments can be summarised by the following:

i. Reconsider costs for voluntary and community events:

Respondents again identified the cost implications the legislation had for voluntary, community and charitable sectors in organising Special Events and asked they be reconsidered to make Special Events more viable.

Feedback included the following comments:

- *“Elected members would ask the Department to consider the costs of road closures to event organisers, especially those with the voluntary, community and charitable sectors, as part of this review into road closures.”*
- *“Need to make it possible for small community events to take place without extortionate costs eg policing.”*
- *“Treat each case separately- acknowledge efforts by race organisation and promotor who plan for as little disruption as possible.”*

ii. Marshalling and road closure training:

A recurring theme in the comments related to the use of marshals by organisers and potential training events for organisers to help negate requirement to employ traffic management companies at events. Further suggestions included the production of a risk template that could be used by organisers to lead them through the process.

Feedback included the following comments:

- *“Review of the marshalling and road closure procedure.”*
- *“A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements.”*
- *“Produce a risk template that guides the organisers through the process. This would make events much smoother without any increase in risk.”*

iii. Unnecessary Legislation:

A numbers of comments did not offer any suggestions for improvement to the current legislation but felt that the legislation had been rushed through, had not been properly consulted on, was unnecessary and was having a significant detrimental impact on health in the community.

Feedback included the following comments:

- *“The legislation should never have been passed. We want to promote a health and active lifestyle but this legislation stops thousands of people in NI taking part in events that not only promoted health and well-being but was also a huge part of people’s social lives.”*
- *“This was an unnecessary piece of legislation that was rushed in with a complete lack of consultation.”*
- *“The legislation treats all events as if they were the same and this is completely unnecessary and damaging to many very positive community events which contribute to public harmony, health and wellbeing.”*

iv. Resource issues for statutory authority:

There were also general comments about resource and cost issues for Council when implementing the process that had not been considered before the introduction of legislation.

Feedback included the following comments:

- *“Although DfI have reported that the role for Council is administrative in nature and thus there are “no significant resource implications” Council would strongly contest this. From 2017, Causeway Coast and Glens Borough Council have received a total of 44 road closure order applications for Special Events on roads to date, and have provided advice and assistance to approximately 20 other groups who have made enquiries. The resource implications of validating and processing applications, advising organisers, undertaking consultations with statutory consultees, facilitating and attending SAG meetings, arranging notifications, reviewing representations made and seeking resolutions, is very significant. It is particularly concerning as this cost has had to have been absorbed by Council, as to pass these costs to event organisers would result in their events not being viable”*

v. Reconsider costs for voluntary and community events:

Respondents again identified the cost implications the legislation had for voluntary, community and charitable sectors in organising Special Events and asked they be reconsidered to make Special Events more viable.

Feedback included the following comments:

- *“Elected members would ask the Department to consider the costs of road closures to event organisers, especially those with the voluntary, community and charitable sectors, as part of this review into road closures.”*
- *“Need to make it possible for small community events to take place without extortionate costs eg policing.”*
- *“Treat each case separately- acknowledge efforts by race organisation and promotor who plan for as little disruption as possible.”*

Q12 - If you have any further general comments in relation to Special Events issues that you feel would be useful, please provide them below.

There were 74 comments made in addition to the answers to this question. There were a number of specific parts of the process that were highlighted and these are summarised as follows:

i. Equality of all events:

Many respondents felt that the legislation was discriminatory especially in relation to running events – they highlighted that any Special Events that required the closure of a public road should be treated equally. A number of individuals suggested that running races on roads should not be classified as Special Events but gave no specific reason why they should be excluded. Again, the suggestion was made that tailoring of requirements for Special Events should be considered depending on the type and size of the event.

Feedback included the following comments:

- *“Treat any event requiring closure of public roads with the same legislation is the only fair resolution of the issues.”*
- *“The legislation seems to discriminate against running clubs who are trying to promote health and fitness within their communities.”*

- *“I do not believe that a road race should be treated as a Special Event for the purposes of this legislation and also that there was no consultation with the relevant authorities, in this case, the governing body, Athletics NI, or any of its affiliated clubs before the Legislation was passed into law. Had it been then many of the objections raised in this submission would no doubt have influenced the outcome, to the extent that it would NOT have included road races as Special Events.”*
- *“There needs to be a recognition of the difference between local fun run & charitable events and the larger sportiff/challenge events, and a tailoring of the application requirements/criteria to same.”*
- *“The process and legislation should apply to ALL or NONE. (No shortcuts for contentious events)”*

ii. Training:

As previously highlighted respondents identified that a potential improvement to the process would be to provide training for Special Events organisers and volunteers. One respondent suggested a specific Lantra course for volunteers that dealt with community-organised Special Events that would meet full requirements and reduce the overall costs of running an event.

Feedback included the following comments:

- *“A training event for organisers who have H&S at the forefront anyway should give enough qualification to satisfy all requirements.”*
- *“The course has been specifically designed by Lantra for community events with the contents covering all the required subject matter and assessments required to enable event organisers to plan, manage and provide a safe community event, while also fulfilling their legal obligations. This is the most practical and effective way in terms of finance and the training time involved, enabling communities to train and obtain suitable qualifications, as most community events are organised by volunteers and their time for training would be limited.”*

- *“More information, support and training should be available to stewards (working on event roads).”*

iii. Costs:

Respondents again highlighted the increased costs of running Special Events since the introduction of the legislation. A number of possible options were put forward which ranged from removing all costs for smaller community Special Events, providing a fixed cost for all Special Events to facilitate ease of organising and the introducing of costs only for Special Events that attracted a certain number of participants.

Feedback included the following comments:

- *“The cost of running events has meant that they have become economically impossible to run, this needs to be fixed to enable smaller community events to continue.”*
- *“The cost to running clubs have left the sport decimated.”*
- *“Try to cut out the new excessive costs imposed by Councils and PSNI, etc on road races so that more events are accessible to the public.”*
- *“charge for events that have over 1000 runners and close down towns or cities, but if there smaller or in a wee small village, Don't charge them as there isn't much traffic.”*

iv. Relevant authority:

The issue of the relevant authority was again highlighted. One respondent identified that the Council may not be the appropriate relevant authority to deal with the legislation. They identified that expertise in dealing with traffic management lay with Department for Infrastructure (DfI) and PSNI, and that Councils were only operating as secretariat for DfI.

Feedback included the following comments:

- *“The purpose of the legislation is essentially one of traffic management and public notification rather than event safety, which is dealt with under other*

procedures ---. Council believes that both these remits fundamentally lie with PSNI and Department for Infrastructure with Council having neither the role or responsibility or even knowledge/expertise in these matters. Council are acting as secretariat to Department for Infrastructure (Dfi) in a bureaucratic and costly process”

4. Written Correspondence

In addition to the survey monkey questionnaire responses, the Department received a further 14 letters and emails. Of these additional pieces there were:

- 9 from local Councils;
- 1 from a political party;
- 2 from MLAs; and
- 2 from individuals.

The information contained in these responses replicated many of the topics highlighted in the survey monkey comments, which have been detailed in this review report and can be summarised as follows:

i. Advertising Issues/Notification:

- Advertising Costs/timeline: The requirement for a newspaper advertisement was questioned and other options were suggested such as neighbourhood notification or advanced notice road signage, using social media or a website.
- The issue of a lack of flexibility if a Special Event had to be postponed – events currently need to be re-advertised which attracts further costs.
- Reconsider costs, including advertising costs, for voluntary and community Special Events with possible exemptions.
- Clarification needed on minimum length notification period e.g. film industry 12 weeks period too long – needs reconsidered with reduced time frame to be used, when appropriate.

ii. Training:

- Training for Special Events organisers with workshops required for all stakeholders.
- Possible Marshalling and road closure training e.g. "traffic management for community events".

iii. Consistency of approach across all areas:

- Consistency between requirements for DfI utility works road closure order and Special Events road closure order.
- Consistency and quality of traffic management plans needs addressed.

- Inconsistency of approach across province by PSNI.
- Consistency of approach in terms of the cost of making an order, the costs applied by Councils should be standardised across all Council areas

iv. Role of Council in process and resource issues:

- A number of Councils highlighted that they had no recognised role in the process, only administrative with no monitoring of events or enforcement powers. They also highlighted the lack of an Appeal Process.
- Administering the process is causing issue with resources for the statutory authorities.

v. Cost of Specials Events:

- Some Councils highlighted that the cost of organising an event has made many unviable and were being cancelled. Some local Councils are currently covering costs for community run events and suggested abolition of costs for non-profit making organisations. The introduction of a set pricing structure for Special Events across the province was highlighted.
- A tailored approach is required with exemptions and exceptions depending on the size of the event and location.
- Reconsider costs for voluntary and community events with possible exemptions.

vi. Legislation not fit for purpose /Equality Issues:

- Some Councils felt the Legislation is unnecessary and not fit for purpose.
- Equality of all events in terms of requirements e.g. parades commission 11/1 events and road closures for roadworks.
- Councils believe that an updated equality assessment is required.

vii. Updating Guidance documents

- Councils have noted that a refresh of the documents may be required, as they have discovered that when dealing with certain applications for Special Events, they are not covered in guidance.
- Redrafting of application forms to stop double handling of paperwork by statutory authorities.

As part of the review, the Department wrote directly to local Councils to provide information on the number of Special Events they had been involved in and typical administrative costs and advertising costs for these events to help inform the review. Four Councils responded and Table 1 details a breakdown of the information provided.

Local Council Area	Number of approved events	Number of Road Closure Orders issued	Average administrative costs (£)	Average Advertising costs (£)
Ards and North Down	35	34	125	123
Belfast	74	57 out of 69 (number of orders not issued due to Covid)	491	640
Mid Ulster	33	25	320	221
Armagh / Banbridge and Craigavon	60	43	123	146

Table 1: Local Council Special Events Breakdown.