EXPLANATORY MEMORANDUM TO

The Cycle Racing on Roads (Amendment) Regulations (Northern Ireland 2010

S.R. 2010 No. 363

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Regional Development to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 45 of the Road Traffic (Northern Ireland) Order 1995 and is subject to the negative resolution procedure.

2. Purpose

2.1. The purpose of the Statutory Rule is to increase the maximum number of competitors for type 'B' races from 60 to 80. The opportunity is also being taken to amend the references to 'the Ulster Cycling Federation' and 'the Northern Ireland Cycling Federation' to 'Cycling Ulster'.

3. Background

3.1. Article 45 of the Road Traffic (Northern Ireland) Order 1995 provides for the authorisation and regulation of cycle racing on public roads. The powers in Article 45 were originally vested in the Department of the Environment but transferred to the Department for Regional Development in 2001. Article 45 enables the Department to authorise, or provide for authorising, cycle racing on a public road and to regulate such activity. The Cycle Racing on Roads Regulations (Northern Ireland) 1986 ("the 1986 Regulations") have been made under the powers contained in Article 45.

3.2. The 1986 Regulations provide for the following types of race:-

- one race per year selected by the Northern Ireland Cycling Federation – the number of competitors must not exceed 100 (type 'A' race);
- one race per year selected by the Ulster Cycling Federation – the number of competitors must not exceed 100 (type 'A' race);
- any other race in accordance with the standard conditions prescribed – the number of competitors must not exceed 60 (type 'B' race); and
- any other race authorised by the police – the number of competitors is at the discretion of the police (type 'C' race).

3.3. Cycling Ulster, previously known as the Ulster Cycling Federation, amalgamated with the Northern Ireland Cycling Federation in 2007.

3.4. The Statutory Rule as laid is in line with the information provided to the Committee in the SL1.

4. Consultation

4.1. The Department consulted with Cycling Ulster, Police Service of Northern Ireland, Department of Culture, Arts and Leisure, Sports NI, Department of the Environment – Road Safety, NI Tourist Board and Department of Transport – Dublin.

5. Equality Impact

5.1. Consideration has been given to compliance with Section 75 of the Northern Ireland Act 1998 and no equality issues have been identified by the Department.

6. Regulatory Impact

6.1. A regulatory impact assessment was not considered necessary.

7. Financial Implications

7.1. None.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to compliance with Section 24 of the Northern Ireland Act 1998 and no human rights issues have been identified by the Department.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. The increase in the maximum number of competitors for type 'B' races is in keeping with the numbers permitted in England, Scotland and Wales.

11. Additional Information

11.1. Not applicable.