STATUTORY RULES OF NORTHERN IRELAND

2023 No. 75

ROAD TRAFFIC AND VEHICLES

The Road Races (Spamount Hill Climb) Order (Northern Ireland) 2023

Made - - - -	*3rd May 2023*
Coming into operation -	*26th May 2023*

The Department for Infrastructure(**a**), in exercise of the powers conferred by Article 3 of the Road Races (Northern Ireland) Order 1986(**b**) and now vested in it(**c**), and after consulting the Chief Constable, orders and declares as follows.

Citation and commencement

1. This Order may be cited as the Road Races (Spamount Hill Climb) Order (Northern Ireland) 2023 and shall come into operation on 26th May 2023.

Interpretation

2. In this Order—

"the course" means the roads specified in the Schedule;

"marshal" means a person of at least 18 years of age authorised in writing by the promoter to assist in connection with the proper conduct of the race; and

"the promoter" means the Omagh Motor Club Ltd.

Application

3. Subject to compliance with all the requirements of this Order, the course may be used by the promoter for motor races on 27th May 2023 from 8.00 a.m. to 6.00 p.m.

Suspension of right of way and notice

4. On 27th May 2023 from 8.00 a.m. to 6.00 p.m. or until the time the race is announced by the promoter as completed, whichever is the earlier, the right of way on the course of all persons, vehicles and other forms of traffic shall be suspended other than to—

(a) persons appointed by the promoter as officials or marshals, constables, vehicles engaged in the race, persons in charge of or directly employed in connection with such vehicles and vehicles used by such officials, marshals, or constables;

(**a**) Formerly the Department for Regional Development; see section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.))
(**b**) S.I. 1986/1887 (N.I. 17)
(**c**) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

(b) vehicles used to cross the course in an emergency by a medical practitioner or for fire and rescue, ambulance or police purposes; and

(c) persons with or without vehicles who reside in the race area crossing the course or proceeding on it for that purpose and persons so proceeding or crossing the course with or without vehicles in pursuance of statutory powers or duties;

provided that such persons and vehicles referred to in (b) and (c) shall cross the course only at such times and places as may be specified by a person appointed by the promoter as the clerk of the course.

5. The promoter shall give notice to the inhabitants of the districts adjoining the course of the temporary suspension of the right of way thereon by—

(a) posting, not later than 7 days before the date of the race, placard notices specifying the course, the date on which, and the times during which, the right of way is suspended, in prominent positions in the neighbourhood and in particular near the junction of all other roads within or adjoining the course; and

(b) publishing, during each of the 2 weeks preceding the date of the race, advertisements giving information as in paragraph (a) in 2 newspapers circulating in the locality of the course.

Prohibition of traffic

6. It shall not be lawful to cause or permit traffic, either vehicular or pedestrian, to use or remain on that part of any road between the barricades and its junction with the course during the period when the right of way on the course is suspended.

Cordoning off of the course

7. The promoter shall—

(a) close every road opening off the course by means of a proper and sufficient barricade or barricades placed at least 10 metres from the course;

(b) place notice boards on every road at or in the vicinity of the barricades stating that the right of way on the course is temporarily suspended;

(c) ensure that the barricades and notice boards referred to in this Article are—

(i) in position at least one hour before the start of the race; and

(ii) removed within one hour after the end of the race; and

(d) take all steps necessary to prohibit spectators and other persons, other than the promoter's officials, marshals and constables, from using the carriageway or sides of the course during the progress of the race.

8. The promoter shall not open the course to traffic until the last competitor has finished.

Traffic Management Plan

9. The promoter shall—

(a) agree a traffic management plan with the Department and the Chief Constable, and provide and place signs to enable persons to avoid the course; and

(b) ensure that the signs referred to in this Article are—

(i) placed in position at least 48 hours before the start of the race; and

(ii) removed within 24 hours after the end of the race.

Provision of marshals

10. The promoter shall—

(a) provide a sufficient number of marshals for the proper conduct of the race;

(b) place marshals at the junction of each road, laneway and accommodation road adjoining the course and also at such intervals of about 45 metres alternatively on each side of the course; and

(c) provide each marshal with at least an armlet of distinguishing colour which shall be worn by the marshal during the period when the right of way on the course is suspended.

Documents to be produced to the Department

11. Not less than 14 days before the date of the race the promoter shall lodge with the Department a copy of the particulars of the promoter's proposed arrangements for the conduct of the race and shall make such further arrangements as the Chief Constable may consider desirable in the interests of public safety.

Insurance and indemnities

12.—(1) The promoter shall have secured insurances and indemnities as follows—

(a) the promoter is indemnified by a policy of insurance effected with an approved Insurance Company or Lloyd's Underwriters for the sum as specified in paragraph (2)(a), which the promoter, the promoter's officials, marshals, agents or servants, any competitor in the race, the Crown or any servants of the Crown or any constable may become legally liable to pay for compensation and litigation expenses in respect of the death of, or bodily injury to, any person, or the loss of, or damage to, lands or property adjoining the course caused by or arising out of the race, provided that such a policy of insurance may exclude any claim made by one competitor against another arising out of accidents occurring during the race; and

(b) the promoter shall have so effected as in sub-paragraph (a) a personal accident policy of insurance for such benefits as are specified in paragraph (2)(b) in respect of the death of, or bodily injury to, the promoter's officials, marshals, agents or servants, the servants of the Crown, constables and members of voluntary medical services solely in connection with or arising out of the holding of the race.

(2) The specified sums are—

(a) liability of the promoter, the promoter's officials, marshals, agents or servants, the Crown or any servants of the Crown or any constable or any competitor in the race, £100,000,000 for any one accident or series of accidents arising out of one occurrence, but unlimited in amount as to the total sum payable; and

(b) in respect of death of, or bodily injury to, any of those persons mentioned in paragraph (1)(b) the following benefits—

(i) death, £75,000;

(ii) total loss by physical severance of two limbs or total and irrecoverable loss of all sight in both eyes or total loss by physical severance of one limb together with the total and irrecoverable loss of all sight in one eye, £75,000;

(iii) total loss by physical severance of one limb or total and irrecoverable loss of all sight in one eye, £75,000;

(iv) permanent total disablement, £75,000;

(v) temporary total disablement, either

(aa) up to £600 per week or 100% of the weekly wage (whichever is lesser), during the disablement, limited to 104 weeks from the date on which disability occurs in respect of those in regular employment; or

(bb) up to a maximum of £2,000 for expenses necessarily incurred in any one accident in respect of those not in regular employment.

Sealed with the Official Seal of the Department for Infrastructure on 3rd May 2023

(L.S.)

M Toner
A senior officer of the Department for Infrastructure

SCHEDULE

Article 2

ROADS IN COUNTY TYRONE COMPRISING THE COURSE

1. Drumnabey Road, Route C677, from its junction with Scarvagherin Road, Unclassified No. 112, to its junction with Ballynaloan Road, Route C672.

2. Ballynaloan Road, Route C672, from its junction with Drumnabey Road, Route C677, to a point 150 metres east of its junction with Creevy Road, Route C679.

3. Creevy Road, Route C679, from its junction with Ballynaloan Road, Route C672, past its junctions with Creevy Road, Unclassified No.119 – stretch nos. 13 and 14, to its junction with Magheracreggan Road, Route C679.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order permits the Omagh Motor Club Ltd, as promoter of the Spamount Hill Climb 2023, to use for that event certain roads by suspending the right of way of other traffic on Saturday 27th May 2023 from 8.00 a.m. to 6.00 p.m.

In effect this Order temporarily closes these roads.

This Order requires the promoter to give public notice of the promoter's intended use of these roads by displaying placard notices in prominent positions in the neighbourhood of the road and by publishing advertisements in 2 local newspapers. The promoter must also provide marshals, seal off the road and arrange insurance to cover death, bodily injury or loss or damage to property resulting from the event.

It is an offence for any person—

(a) to obstruct or interfere wilfully and unlawfully with the conduct of the event;

(b) to obstruct any constable acting in the course of that constable's duty or any marshal or any other person exercising any function conferred on that person;

(c) to enter or remain without authority on any road closed for the event;

(d) to keep any animal or any vehicle without lawful authority on any specified road; or

(e) to contravene wilfully any provision of a road closing Order or any traffic direction given by the police for the purposes of the event.