

2010 No. 178

ROAD TRAFFIC AND VEHICLES

The Road Races (Mourne Rally) Order (Northern Ireland) 2010

Made - - - - *7th May 2010*

Coming into operation - *28th May 2010*

The Department for Regional Development^(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 (Mourne Rally) Order (Northern Ireland) 2010 and shall come into operation on 28th May 2010.

Interpretation

2. In this Order—

“the course” means the roads specified in the Schedules;

“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;

“the promoter” means the Newry and District Motor Club.

Application

3. Subject to compliance with all the requirements of this Order, the course may be used by the promoter for motor races between the times and on the day specified in Schedules 1 to 3.

Suspension of right of way and notice

4. On the day specified in Schedules 1 to 3 from and until the times specified therein 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;

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

(a) S.I. 1999/283 (N.I. 1) Article 3(1)

(b) S.I. 1986/1887 (N.I. 17)

(c) S.R. 1999 No. 481 Article 6(d) and Schedule 4 Part IV

- (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.

Cordonning 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.

Provision of marshals

9. The promoter shall—

- (a) before the race consult with the Chief Constable as to the number and positioning of marshals;
- (b) provide a sufficient number of marshals for the proper conduct of the race;
- (c) place marshals at the junction of each road, laneway and accommodation road adjoining the course and also at such other positions as shall be requisite in the interests of public safety;
- (d) provide each marshal with at least an armband 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

10. Not less than 14 days before the date of the race the promoter shall lodge with the Department 5 copies 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

11.—(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.....£30,000,000
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.....£65,000
 - (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£65,000
 - (iii) total loss by physical severance of one limb or total and irrecoverable loss of all sight in one eye.....£32,500
 - (iv) permanent total disablement.....£65,000
 - (v) temporary total disablement necessarily preventing such person from attending to business or occupation or necessarily confining such person to hospital or similar institution or to such person's house or apartment.....up to £350 weekly limited to 104 weeks.

Sealed with the Official Seal of the Department for Regional Development on 7th May 2010

(L.S.)

D J Millar
A senior officer of the Department for Regional Development

SCHEDULE 1

Articles 2, 3 and 4

SPECIAL STAGES 1, 4 & 7 - SLIEVE GULLION

ROADS IN THE COUNTY OF ARMAGH

Saturday 5th June 2010 from 08:00 to 19:00

Wood Road (Unclassified No. 5274) from its junction with Ballintemple Road (Unclassified No. 5269) to its junction with Ring of Gullion Way.

Mountain Road (Unclassified No. 5275) from its northern junction with Ring of Gullion Way to its junction with Newry Road (Route B113).

SCHEDULE 2

Articles 2, 3 and 4

SPECIAL STAGES 2, 5 & 8 – BLACK HILL

ROADS IN THE COUNTY OF ARMAGH

Saturday 5th June 2010 from 08:00 to 19:00

Carrickananny Road (Unclassified No. 5087) from its junction with Tullyah Road (Route B134) to its junction with Drumnahoney Road (Unclassified No. 5084).

Carrickananny Road (Unclassified No. 5087) from its junction with Drumnahoney Road (Unclassified No. 5084) to its junction with Chapel Lane (Unclassified No. 5088).

Carrickananny Road (Unclassified No. 5087) from its junction with Chapel Lane (Unclassified No. 5088) to its junction with Carrickgollogly Lane (Unclassified No. 5086)

Carrickgollogly Lane (Unclassified No. 5086) from its junction with Carrickananny Road (Unclassified No. 5087) to its junction with Carrickgollogly Road (Route C204).

Carrickgollogly Road (Route C204) from its junction with Burns Lane (Unclassified No. 5086) to its junction with Unnamed Road (Unclassified No. 5085).

Carrickgollogly Road (Route C204) from its junction with Unnamed Road (Unclassified No. 5085) to its junction with Levin Road (Unclassified No. 5126) and Lurgana Road (Unclassified No. 5082).

Levin Road (Unclassified No. 5126) from its junction with Carrickgollogly Road (Route C204) to its junction with Outleckan Road (Unclassified No. 5125).

Outleckan Road (Unclassified No. 5125) from its junction with Levin Road (Unclassified No. 5126) to its junction with Carrickgollogly Road (Route C204).

Carrickgollogly Road (Route C204) from its junction with Outleckan Road (Unclassified No. 5125) to its junction with Cold Brae Road (Unclassified No. 5123).

Carrickgollogly Road (Route C204) from its junction with Cold Brae Road (Unclassified No. 5123) to its junction with Ballintemple Road (Unclassified No. 5122).

Ballintemple Road (Unclassified No. 5122) from its junction with Carrickgollogly Road (Route C204) to its junction with Cluster Road (Unclassified No. 5121).

Ballintemple Road (Unclassified No. 5122) from its junction with Cluster Road (Unclassified No. 5121) to its junction with Whiterock Road (Unclassified No. 5120)

Whiterock Road (Unclassified No. 5120) from its junction with Ballintemple Road (Unclassified No. 5122) to its junction with Ballymoyer Road (Route C213).

Ballymoyer Road (Route C213) from its junction with Whiterock Road (Unclassified No. 5120) to its junction with Dairy Lane (Unclassified No. 5067).

Ballymoyer Road (Route C213) from its junction with Dairy Lane (Unclassified No. 5067) to its junction with Coiners Road (Unclassified No. 5068).

Coiners Road (Unclassified No. 5068) from its junction with Ballymoyer Road (Route C213) to its junction with Unnamed Road (Unclassified No. 5069).

Unnamed Road (Unclassified No. 5069) from its junction with Coiners Road (Unclassified No. 5068) to its junction with Aghincurk Road (Unclassified No. 5065).

Aghincurk Road (Unclassified No. 5065) from its junction with Unnamed Road (Unclassified No. 5069) to its junction with McRorys Road (Unclassified No. 5071).

McRorys Road (Unclassified No. 5071) from its junction with Aghincurk Road (Unclassified No. 5065) to its junction with Ballymoyer Road (Route C213).

SCHEDULE 3

Articles 2, 3 and 4

SPECIAL STAGES 3, 6 & 9 – DEAD MAN HILL

ROADS IN THE COUNTY OF ARMAGH

Saturday 5th June 2010 from 08:00 to 19:00

Ninemile Road (Unclassified No. 8147) for $\frac{3}{4}$ of a mile south of its junction with Unnamed Road (Unclassified No. 8148).

Ninemile Road (Unclassified No. 8147) from its junction with Unnamed Road (Unclassified No. 8148) to its junction with Friary Hill Road (Route C204).

Unnamed Road (Unclassified No. 8148) from its junction with Ninemile Road (Unclassified No. 8147) to its junction with Unnamed Road (Unclassified No. 8144).

Unnamed Road (Unclassified No. 8144) from its junction with Unnamed Road (Unclassified No. 8148) to its junction with Markethill Road (Route B78).

Unnamed Road (Unclassified No. 8144) from its junction with Unnamed Road (Unclassified No. 8148) to its junction with Unnamed Road (Unclassified No. 8146).

Unnamed Road (Unclassified No. 8144) from its junction with Unnamed Road (Unclassified No. 8146) to its junction with Friary Road (Route C204).

Friary Road (Route C204) from its junction with Unnamed Road (Unclassified No. 8144) to its junction with Rockstown Road (Unclassified No. 8141).

Friary Road (Route C204) from its junction with Rockstown Road (Unclassified No. 8141) to its junction with Unnamed Road (Unclassified No. 8133).

Friary Road (Route C204) from its junction with Unnamed Road (Unclassified No. 8133) to its junction with Unnamed Road (Unclassified No. 8132).

Unnamed Road (Unclassified No. 8133) from its junction with Friary Road (Route C204) to its junction with Unnamed Road (Unclassified No. 8132).

Unnamed Road (Unclassified No. 8132) from its junction with Unnamed Road (Unclassified No. 8133) to its junction with Friary Road (Route C204).

Friary Road (Route C204) from its junction with Unnamed Road (Unclassified No. 8132) to its junction with Clady Road (Route C204).

Clady Road (Route C204) from its junction with Friary Road (Route C204) to its junction with Rockstown Road (Unclassified No. 8141).

Rockstown Road (Unclassified No. 8141) from its junction with Clady Road (Route C204) to its junction with Unnamed Road (Unclassified No. 8142).

Rockstown Road (Unclassified No. 8141) from its junction with Unnamed Road (Unclassified No. 8142) to its junction with Unnamed Road (Unclassified No. 8143).

Unnamed Road (Unclassified No. 8143) from its junction with Rockstown Road (Unclassified No. 8141) to its junction with Unnamed Road (Unclassified No. 8146).

Unnamed Road (Unclassified No. 8146) from its junction with Unnamed Road (Unclassified No. 8143) to its junction with Unnamed Road (Unclassified No. 8149).

Unnamed Road (Unclassified No. 8149) from its junction with Unnamed Road (Unclassified No. 8146) to its junction with Markethill Road (Route B78).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order permits the Newry and District Motor Club, as promoter of the Mourne Rally 2010, to use for that event certain roads by suspending the right of way of other traffic on the day and during the times specified in the Schedules.

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 roads and by publishing advertisements in 2 local newspapers. The promoter must also provide marshals, seal off the roads 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—

- (c) to obstruct or interfere wilfully and unlawfully with the conduct of the event;
- (d) 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;
- (e) to enter or remain without authority on any road closed for the event;
- (f) to keep any animal or any vehicle without lawful authority on any specified road; or
- (g) to contravene wilfully any provision of a road closing Order or any traffic direction given by the police for the purposes of the event.