

Divisional Guidance Document

DP-06-41 {A18 Mountain Road Closure for Events Guidance}

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0.1	19/11/2019	PD	PD draft
0.2	27/11/2019	PD	PD draft amended
0.3	19/12/2019	PD	PD draft for stakeholder review
1.0	22/07/2020	PD	Director signed off

Definitions

1. In this guidance –

“Mountain Road” means the A18 Mountain Road between Ramsey hairpin and Creg ny Baa Back Road, Onchan or any part of that road;

“new event” means an event that does not have a reoccurring and approved closure of the Mountain Road prior to the date of issue of the A18 Mountain Road for Events Policy (“the policy”) and this guidance document;

“organiser” means the person or body of persons organising the activity and seeking the road closure;

“primary route” is a strategic route linking urban centres and major routes within built up areas;

“relevant governing body” has the same meaning given in the Road Races Act 2016; and

“unregulated” means a relevant governing body does not apply.

Purpose

2. The purpose of this guidance document is to describe the issues to be considered by Highway Services when dealing with an application for a temporary road closure on the Mountain Road for an event. The A18 Mountain Road Closure for Events Policy (“the policy”) should be referred to for details on why a closure may be necessary.
3. This document is intended to assist Highway Services staff in the decision making process before consenting to a road closure request. It provides clarity on that decision making process and seeks to implement a framework to ensure a consistent approach to dealing with such requests, whilst setting out the protocol for achieving this.
4. This guidance applies to a road closure of the A18 Mountain Road. It does not apply to a closure that may be required for maintenance purposes or an emergency situation.

Introduction

5. Highway Services is the relevant authority responsible for the approval of road closures. It receives many requests each year for the Mountain Road to be closed to facilitate events.
6. Highway Services recognise the importance of events to the Isle of Man. Its aim is to balance the demand for events with the needs of other road users, businesses and visitors to ensure that these events are sustainable, run safely and successfully, and cause minimal disruption.
7. The Mountain Road is a primary route connecting Ramsey Town and north of the Island with its capital, Douglas. The section between Ramsey hairpin and Creg ny Baa is approximately 18 kilometres in length and makes up the Mountain section of the TT course.
8. The Mountain Road achieves an elevated status and profile in comparison to other roads on the Island. This was evident when it featured in a series of 'Europe's Greatest Driving Roads' produced by Ford Motor Company.
9. For the purpose of this guidance, an event falls under three broad categories. Each category is set out in the table below including the legal powers to facilitate a road closure –

Category of event	Type of event	Legal powers
Motorsport	TT races, Classic TT, Southern 100, rallies, sprints, hill climbs	Section 5 of the Road Races Act 2016
All other events	cycle races, sportives, festivals, parades or general entertainment	Section 38 of the Highways Act 1986
Filming	where the primary purpose of the closure is for the making of a film	Section 3A of the Road Traffic Regulation Act 1985

Criteria to be considered

10. The following criteria will be considered upon receipt of a road closure application –

Is a road closure really necessary?

11. Highway Services will only agree to a closure of the road if, in its opinion, it is necessary or there is no feasible alternative.

Timing, duration and regularity of closure?

12. In relation to the closure that is proposed, Highway Services will consider –
 - ◆ The time of day;
 - ◆ The day of the week;
 - ◆ The duration the road will be closed;
 - ◆ The extent to which the closure disrupts traffic.
13. It is preferable that events are held during off-peak times and avoid the busy commute periods. The busy commute periods are between 7.30am and 9.30am; and 4.00pm and 6.00pm from Monday to Friday. If a closure is proposed on a weekend, it is preferable that it takes place on a Sunday to help reduce impact on businesses in Ramsey.
14. Highway Services should be mindful of the regularity of closures on the road and where it feels that the regularity of these are unduly impacting on other road users.

Conflict with other work, events or closures?

15. Highway Services may decline a closure request if it conflicts with any other planned works, events or closures. This includes a conflict with anything that has potential to disrupt traffic flow on the alternative routes available.

Is the event organiser competent?

16. Highway Services will not authorise the use of a road or roads for a motor race unless it is satisfied that the organiser is competent to organise the racing that is proposed. This is in accordance with section 5(4)(a) of the Road Races Act 2016.
17. The necessity for an organiser to be competent extends to a road closure for all other events and filming. Accordingly, Highway Services should decline a request for a road closure if, in its opinion, the organiser does not appear competent to organise the event that is proposed.

Are safety measures suitable and sufficient?

18. Highway Services will withhold consent when there are safety concerns.

19. An organiser will be required to take all reasonable steps to protect participants, spectators and the general public from the activity that is proposed.
20. Highway Services will not approve a road closure for unregulated motor racing. This includes an unregulated event where its participants may drive or ride motor vehicles at high-speed and, in the opinion of Highway Services, without sufficient controls; for example, a speed limit. Highway Services understand the importance of a relevant governing body approving such events in order to set standards and controls that an organiser and participants must adhere to.

Does the event bring overall benefit to the Isle of Man?

21. Highway Services recognise that a road closure will bring inconvenience and may adversely impact those affected. This includes the travelling public and may extend to businesses, particularly in Ramsey Town, who may experience an unfavourable effect on trade. Therefore, its impact must be outweighed by the economic, social or health benefits of the event.
22. The Department for Enterprise ("DfE") is responsible for managing and promoting tourism on the island and it will be consulted on the proposals by Highway Services. If the DfE support an event, they may be required to demonstrate the economic benefits that it will bring. Highway Services will reject any request for a road closure if the DfE do not support it.

Is the Minister for Infrastructure supportive of the closure?

23. Before consenting to a road closure for an event, Highway Services must obtain the prior approval of the Minister for Infrastructure to the closure taking place on that day. This approval is subject to the criteria and conditions set out in the policy and this guidance document being met. Ministerial approval is not required for a road closure to facilitate filming owing to the tighter timelines that film production companies may need to work to.
24. Several established events already have the support of Highway Services for a temporary closure on the Mountain Road. These events are specified in the policy and will continue to be supported without the need for further approval from the Minister. Any prior approval is subject to an organiser's compliance with the criteria and conditions set out in the policy and guidance document.

Summary

25. Highway Services must discharge its duties responsibly and accordingly it will generally withhold consent when –
 - ◆ The impacts outweigh the benefits;

- ◆ There is a suitable alternative for the event;
- ◆ There are traffic management concerns;
- ◆ There are safety concerns;
- ◆ There are works or other events planned on or near the proposed dates on either the road itself or the alternative routes;
- ◆ The cumulative effect caused by closures is severe;
- ◆ The Department for Enterprise do not support the closure; or
- ◆ The Minister does not support the closure.

Approval process

Principles for approving events

26. The following principles should be evident in an application for it to be considered for a road closure:
 - ◆ Credibility and capability of the organiser;
 - ◆ Economic benefits (contribution, visitor numbers, exposure);
 - ◆ Community benefits (charity, health, wellbeing and social);
 - ◆ Support (includes a relevant governing body (if applicable));
 - ◆ Consultation.

27. There is no weighting to be placed on specific principles; however, all will need to be addressed as part of the review.

28. Additional information may be requested by Highway Services as deemed necessary. This must be provided for the application to be progressed and determined. Additional information may include –
 - ◆ Specific details of the event that is proposed or to further demonstrate competence of the organiser;
 - ◆ Feedback from the relevant stakeholders; for example, affected Local Authorities, such as, Ramsey Town Commissioners and Lezayre Commissioners, Ramsey Chamber of Commerce, MHK's, properties or emergency services;
 - ◆ Potential to offset disruption; for example, a sub-event held in Ramsey to encourage footfall to the Town.
 - ◆ Event specific documents to demonstrate the event will be well managed;
 - ◆ Adequate event (public liability) insurance.

29. Large high profile events that are promoted or delivered by Isle of Man Government will take precedence over smaller events, due to the increased potential benefit that larger events bring.

Application

30. It is important that event organisers have enough time to plan and consult regarding their proposed events. The table below outlines a preferred timeline for when this should take place and when Highway Services will require sight of event plans. Highway Services may specify or agree to an amended timeline where deemed appropriate which an organiser must adhere to.
31. This timeline will allow Highway Services to –
- ◆ assess the feasibility of the closure;
 - ◆ review event plans;
 - ◆ consult internally, including partner agencies;
 - ◆ work through the decision making process; and
 - ◆ draft and advertise a racing authorisation or statutory notice.

Preferred timeline

Documentation	Requirement	Target submission date prior to the event		
		Motorsport	All other Events	Filming
Preliminary enquiry	This is an opportunity to provide an overview of the event that is proposed and seek early feedback from Highway Services.	12 months	9 months	6 months
Application in Writing	This should include specific details of the event that is proposed and include information that demonstrates the principles that should be evident in an application.	9 months	6 months	3 months
Public Communication Plan	The organiser must demonstrate how and when they will	6 months	4 months	2 months

	consult with those who may be affected by the road closure(s).			
Event Safety Plan (draft is acceptable)	This should include: key officials and contact numbers; defined roles and responsibilities; emergency access arrangements; managed access arrangements; marshalling plan; incident plan; closure and opening procedures.			
Risk Assessment	Identifying the hazards and controls in place to manage risk arising from the activity.	4 months	3 months	1 month
Traffic Management Plan	A map based plan clearly specifying signage to be used and where. This should include the signage used to identify the alternative routes available.			
Permit issued by relevant governing body (if applicable)	A road closure to facilitate motor racing will not be approved without it.	As soon as issued	If applicable, as soon as issued	N/A
Public Liability Insurance	Highway Services will not approve a road closure without it.	1 month	1 month	14 days

Consultation

32. The Department for Enterprise is responsible for managing and promoting tourism on the island and it should be consulted on the proposals by Highway Services.
33. As early as possible in the approval process, Highway Services will require an event organiser to consult with the following stakeholders as a minimum –
 - ◆ Emergency services (police, fire and ambulance);
 - ◆ Ramsey Town Commissioners;
 - ◆ Lezayre Commissioners;
 - ◆ Relevant MHK's;
 - ◆ Ramsey Chamber of Commerce;
 - ◆ Landowners of properties situated on or near to the road;
 - ◆ Public Transport Division, Department of Infrastructure.
34. It is preferable that a road closure application is supported by the aforementioned stakeholders.
35. The organiser must provide Highway Services with information about the nature and extent of the consultation undertaken. All relevant comments or issues raised must be shared with Highway Services during the approval process.
36. Highway Services will take into consideration any objections or issues that arise. It is expected that any issues are dealt with reasonably by the organiser.

Advertising an event

37. Highway Services strongly advise that an organiser does not advertise an event that requires a road closure until an approval has been given. This approval should be in writing confirming the closure has been granted subject to compliance with the criteria and conditions set out in the policy and this guidance document.

Signage

38. It is the responsibility of the organiser to ensure it has sufficient signage in order to be able to implement the temporary traffic management and public safety arrangements in accordance with their event plans.
39. For the sake of clarity, it is a responsibility of the organiser to deploy this signage and put in place public safety arrangements in accordance with their event plans.

40. Highway Services will require an organiser to deploy informative advance notice signage at each end of the road approximately 7 days before the closure takes effect. The signage should have black text on a yellow background and be clearly visible to road users. This may not be required where the road forms part of a wider course for an established event; for example, the TT motorcycle races.
41. Where its resources allow, Highway Services may loan signage to an organiser to implement temporary traffic management arrangements. If signage is not returned or returned damaged after the event, Highway Services will seek to recover the full costs for replacement equipment from an organiser.

Appointment of marshals

42. The Road Races Act 2016 provides that an organiser may appoint marshals in accordance with section 9 of that Act. Section 38(5) of the Highways Act 1986 extends this provision to all other events. Once a marshal has been formally appointed utilising the aforementioned powers, they will have the legal powers and functions as set out in section 10 of the Road Races Act 2016.
43. Highway Services will require that an event organiser formally appoints marshals to manage a road closure on the Mountain Road. It should provide further guidance on the requirements of section 9 of the Road Races Act 2016 if necessary to ensure an organiser achieves this. Highway Services may also impose such conditions in a Racing Authorisation or Statutory Notice that an organiser must adhere to.
44. The legal powers for appointing marshals do not extend to a road closure for filming. As such, marshals may not be formally appointed for closures to facilitate filming.

Costs

45. An organiser will be charged for the cost of an advert to be published in a newspaper circulating on the Island.
46. Highway Services will not charge an organiser for the road closure itself or officer time spent reviewing event plans, working through the decision making process, drafting a Racing Authorisation or Statutory Notice or its time spent on any other matters that relate to the event.

Refusing or withdrawing support for a road closure

47. Highway Services has the authority to refuse an application at any stage in the approval process.

48. Highway Services will inform the organiser requesting the closure whether or not their application has been successful. If a closure will not be approved then the reasons for the decision will be explained.
49. In certain circumstances, Highway Services may have to withdraw support for a road closure after an application has been approved. The reasons why an approved closure could be jeopardised include –
- ◆ Applications are not received in time;
 - ◆ Failure to comply with any conditions, actions or timelines agreed;
 - ◆ Traffic management or safety concerns have not adequately been addressed;
 - ◆ A partner such as the Police will not support the application;
 - ◆ Any actions that have potential to damage the reputation of Highway Services, another Department of Isle of Man Government or the Isle of Man;
 - ◆ Any individual or body seeking the closure is a debtor to Isle of Man Government;
 - ◆ Failure to sufficiently consult and engage with those affected and communicate event plans;
 - ◆ Significant objections arise;
 - ◆ A permit is not issued by a relevant governing body;
 - ◆ Emergency works are required that affect the route or key alternative routes.
50. The Road Races Act 2016 sets out that whilst an event is taking place, or before its anticipated start, Highway Services may vary, suspend or revoke a Racing Authorisation if it is satisfied that there is a significant and serious contravention of the Authorisation; or there is an emergency that justifies doing so. This is referred to as a “change notice” and may apply to a Statutory Notice issued for all other events as well.
51. If an application for a closure is not approved by Highway Services, there is no right of appeal against the decision.

Audit

52. Highway Services may audit an event whilst it is taking place. This will depend on its likely impact or risk involved due to the nature of the event. An audit plan should be prepared by Highway Services in advance of the event to inform the audit process.

Debrief

53. Highway Services may impose a post event obligation on an organiser to attend a meeting to review the event and its compliance with this guidance document. It is expected that an organiser has in place a continual improvement process.

References

54. Highway Services A18 Mountain Road closures for events policy document should be read in conjunction with this guidance document, **DP-06-25**
55. Highway Services road racing events procedure is to be read in conjunction with this policy, **OP-06-007**
56. Highway Services events procedure is to be read in conjunction with this policy, **OP-06-008**
57. Highway Services new events procedure document is to be read in conjunction with this policy, **OP-06-011**
58. Highway Services events process – continued procedure document is to be read in conjunction with this policy, **OP-06-012**