



Highways Act 1986

JURBY MOTOR CYCLE RACE (NO 1) ORDER 2003

Coming into Operation

19th April 2003

In exercise of the powers conferred on the Department of Transport by Section 38 of the Highways Act 1986¹, and of all other enabling powers, the following Order is hereby made:-

Introductory

1. Citation and commencement

This Order may be cited as the Jurby Motor Cycle Race (No 1) Order 2003 and shall come into operation on the 19th April 2003.

2. Interpretation

(1) In this Order :-

“the Clerk of the Course” means the official so designated by the promoter in the Official Programme of the race and includes (in the absence of the Clerk of the Course) any Deputy Clerk of the Course so designated;

“the Department” means the Department of Transport;

“marshal” means a marshal appointed by the Chief Constable;

“the Course” means the roads and portions of roads set out and described in the Schedule and includes parts of the Course;

“the promoter” means Andreas Racing Association Limited;

“the race day” means the day specified in Article 3(1);

“the race period” means the period of time specified in Article 3(1) when the Course (subject to Article 5 is closed to traffic in order to permit the races and purposes incidental thereto.

“the senior police officer” means a member of the Isle of Man Constabulary of the rank of sergeant or above who is authorised by the Chief Constable to act as senior police officer under this Order.

¹1986 c.17

Authorisation to use roads for the races

3. Authorisation of use of Course for the races

(1) The promoter is authorised to use the Course for motorcycle races including preliminary practices on the 17th May 2003 from the hour of 12.45 p.m. until the races are officially notified as completed in accordance with Article 8 or until the hour of 6.00 p.m. whichever shall be the earlier.

(2) The promoter may for any reason cancel the races, or any section of the races.

(3) Where the promoter cancels the races or any section of the races under paragraph (2) and notifies the senior police officer of such cancellation the relevant authorisation under paragraph (1) of this paragraph shall cease to have effect so far as it relates to the races or section of the races.

Regulation of traffic etc.

4. Suspension of right of way etc.

Subject to Article 5, during any closure period in relation to any part of the Course -

- (a) the right of way over it is suspended; and
- (b) no traffic may pass on to or over it.

5. Exemptions from Article 4

(1) Article 4(a) does not apply to the following persons -

- (a) the Clerk of the Course;
- (b) the promoters;
- (c) persons appointed by the promoter as officials for the purpose of the races;
- (d) constables;
- (e) persons lawfully taking part in the races and their attendants;
- (f) media representatives and photographers approved by the promoter and bearing an official badge or armband issued by the promoter;
- (g) any other person authorised in writing by the Department or the Chief Constable.

(2) Article 4(b) does not apply to the following vehicles -

- (a) vehicles approved by the promoters or the senior police officer for the conveyance of persons mentioned in paragraph (1)(b), (c) and (f);
- (b) motorcycles engaged in the races.

6. Publicity for cancellation etc.

Where the senior police officer is notified of the cancellation of the races or a section of the races under Article 3(3), he shall take such measures as he considers appropriate to inform the public of the effect of it.

7. Notification of end of closure

(1) At the end of the races on the race day for which an authorisation under Article 3 is in force:-

(a) the promoters, or

(b) the senior police officer after consulting the promoters,

shall make such provisions as seem most expedient for giving official notification to the public of the conclusion of the races and the opening of the Course to traffic.

8. Prohibited areas

No pedestrians or other traffic other than persons authorised under Article 5 shall be permitted on any area of land specified in Schedule 2 and indicated by notices bearing the words "Prohibited Area" while the part of the Course adjacent to such area is closed for practices or races under Article 3(1).

9. Erection of barriers and signs

(1) The promoter shall ensure that barriers, diversion signs and closure signs are erected and maintained on all roads leading on to the Course immediately before, or as soon as possible after, the beginning of every closure period on the race day, and in any event before the relevant part of the Course is used.

(2) The barriers referred to in paragraph (1) shall consist of -

(a) tubular steel structures supplied by the Department with suitable signs attached, in any case where the Department so directs; or

(b) a rope across the road with a suitable red flag attached, in any other case.

(3) The closure signs referred to in paragraphs (1) and (2)(a) shall be of the size, colour and type shown in diagram 616 in Schedule 2 to the Traffic Signs Regulations and General Directions 1994².

10. Duty of the Clerk of the Course to notify completion of racing

On the completion of the races on the race day, the Clerk of the Course shall notify the senior police officer present of such completion. Such police officer shall thereupon ensure that an official motor car, displaying in a prominent position a notice with the words "Roads Open" thereon, shall travel along the Course as the official notification of the completion of the races and the Course shall thereupon be open again for traffic.

11. Erection of stands

During the race period the promoter may cause to be erected on the scheduled roads, stands or other apparatus for the accommodation of spectators.

12. Insurance

The promoter shall secure the following insurance and indemnities -

- (1) against injury and damage to persons or property arising out of the conduct of the races;
- (2) any claims or liability on the Department arising from the conduct of the races.

13. Restriction on breaking up the Course for road works

Paragraph 9(1) of Schedule 4 (the Road Works Code) to the Highways Act 1986 shall apply to the Course from the 19th April 2003 to 17th May 2003.

14. Notice of the making of the Order

Public notice of this Order shall be given by advertisement in two Isle of Man newspapers.

SCHEDULE

IN THE PARISHES OF BALLAUGH AND JURBY

1. That length of the Jurby Main Road from its junction with the Jurby Coast Road and the Ballacrye Road to a point 150 yards east of its junction with the Ballavarran Road.
2. The whole of the length of the Ballavarran Road.
3. The length of the Jurby Coast Road from its junction with the Ballavarran Road to its junction with the Jurby Main Road and the Ballacrye Road.
4. The Jurby Church Road for a distance of 100 yards from its junction with the Jurby Coast Road.
5. That length of the Ballacrye Road from its junction with the Jurby Coast Road and the Jurby Main Road to its junction with the road leading to Ballamona Beg.
6. The whole of the length of the Killane Road.
7. Those portions of all roads leading into the foregoing roads from such points thereon as may be fixed by or on behalf of the Department and indicated by barriers and diversion signs.

MADE 24th March

2003



Minister for Transport