



Road Races Act 1982

ISLE OF MAN YOUTH TOUR CYCLE TRIALS (ELLERSLIE) ORDER 2005

Coming into Operation

5th March 2005

In exercise of the powers conferred on the Department of Transport by Sections 1 and 2 of the Road Races Act 1982¹, and of all other enabling powers, the following Order is hereby made:-

Introductory

1. Citation and commencement

This Order may be cited as the Isle of Man Youth Tour Cycle Trials (Ellerslie) Order 2005 and shall come into operation on Saturday 5th March 2005.

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 Isle of Man Youth Tour Cycle Trials 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 under Section 3 of the Road Races Act 1982;

“practice day”, “practice period” and “race day” means the day and period of time respectively specified in Article 3(1);

“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 the Manx Cycling Promotions;

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

¹C14 p.281, ²SI 2002/3113, ³1986 C17

“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.

Authorisation to use roads for cycle practices and races

3. Authorisation of use of Course for cycle practices and races

(1) The promoter is authorised to use the Course for practices and races on Saturday 2nd April 2005 from the hour of 2.00 p.m. until the hour of 3.30 p.m. or until the practices or races are officially notified as completed in accordance with Article 6 whichever is the earlier.

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

(3) Where the promoter cancels the cycle practices and races or any section of the cycle practices or 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 cycle practices or races or section of the cycle practices or 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) persons appointed by the promoter as officials for the purpose of the cycle practices or races;
- (c) constables;
- (d) persons lawfully taking part in the cycle practices or races and their attendants;
- (e) media representatives and photographers approved by the promoter and bearing an official badge or armlet issued by the promoter;
- (f) persons driving or being carried in an ambulance, fire brigade vehicles or police vehicle in use for emergency purposes and authorised by the Clerk of the Course;
- (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) cycles engaged in the races and practices.

Administration

6. Publicity for cancellation etc.

Where the senior police officer is notified of the cancellation of the cycle practices or races or a section of the cycle practices or races under Article 3(2), 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 race 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 cycle practices or races and the opening of the Course to traffic.

8. 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 practice or races 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 2002².

9. Duty of the Clerk of the Course to notify completion of cycle practices and races

On the completion of the practices and races on the practice and 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 practices and races and the Course shall thereupon be open again for traffic.

10. 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 cycle practices and races;

(2) any claims or liability on the Department arising from the conduct of the cycle practices and races.

11. Restriction on breaking up the Course for road works

Paragraph 9(1) of Schedule 4 (the Road Works Code) to the Highways Act 1986³ shall apply to the Course from the 5th March 2005 to the 2nd April 2005.

12. Notice of the making of the Order

Public notice of this Order shall be given by advertisement in one Isle of Man newspaper.

SCHEDULE

1. The C11 Ellerslie Road from its junction with the A26 Glen Vine to Ballasalla Road to its junction with the B35 Garth Road. The Garth Road from its junction with the Ellerslie Road to its junction with the A24 Foxdale to Kewaique Road. The Foxdale to Kewaique Road from its junction with the Garth Road to its junction with the A26 Glen Vine to Ballasalla Road at The Braaid. The Glen Vine to Ballasalla Road from its junction with Foxdale to Kewaique Road to its junction with the C11 Ellerslie Road.

2. 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 as indicated by barriers.

MADE

3rd March

2005



Minister for Transport
