



Road Races Act 1982

**CLASSIC MOTOR CYCLE RACES
(CASTLETOWN, ARBORY AND MALEW) ORDER 2005**

Coming into Operation

29th April 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 Classic Motor Cycle Races (Castletown, Arbory and Malew) Order 2005 and shall come into operation on the 29th April 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 Classic Motor Cycle Races 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 days” and “practice periods” means the days and periods 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 Southern “100” Motorcycle Racing Limited;

“race day” means the day specified in Article 3(2);

¹1982 C14 p.281 ²SI 2002/3113 ³1986 c17

“the race periods” 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 motor bike racing 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.

Authorisation to use roads for motor cycle practices and races

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

(1) The promoter is authorised to use the Course for practices:-

- (a) on Friday 27th May 2005, from the hour of 6.30 p.m. until the practices are officially notified as completed in accordance with Article 6 or until the hour of 9.25 p.m. whichever shall be the earlier;
- (b) on Saturday 28th May 2005, from the hour of 1.00 p.m. until the practices are officially notified as completed in accordance with Article 6 or until the hour of 3.45 p.m. whichever is the earlier.

(2) The promoter is authorised to use the Course for races on Monday 30th May 2005 from the hour of 9.10 a.m. until the hour of 12.05 p.m. and from the hour of 12.50 p.m. until the races are officially notified as completed in accordance with Article 6 or until the hour of 3.45 p.m. whichever is the earlier.

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

(4) Where the promoter cancels the motor cycle races or any section of the motor 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 motor cycle practices or races or section of the motor 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 motor cycle practices or races;

- (c) constables;
 - (d) persons lawfully taking part in the motor 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) motorcycles engaged in the races and practices.

Administration

6. Publicity for cancellation etc.

Where the senior police officer is notified of the cancellation of the motor cycle practices or races or a section of the motor cycle practices or 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 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 motor 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 practices 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 motor cycle practices and races

On the completion of the practices and races on the practices and races days, 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 motor cycle practices and races;
- (2) any claims or liability on the Department arising from the conduct of the motor cycle practices and races.

11. Prohibited areas

(1) On the days and hours specified in Article 3 the respective sections of the Course specified in paragraph (2) or until the practices and races in those particular sections shall be officially notified as completed in accordance with Article 7 whichever shall be the earlier, no traffic or pedestrians shall be permitted on those areas of land specified in paragraph (2) and indicated by notices bearing the words "the public is not permitted in this area".

- (2)
 - (i) both sides of the railway bridge wall at Castletown Corner;
 - (ii) along the railway embankment for a distance of 75 yards from the Castletown Corner railway bridge towards the starting area;
 - (iii) at the exit of Ballabeg Hairpin on the grass area.

14. 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 29th April 2005 to the 30th May 2005.

15. Notice of the making of the Order

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

SCHEDULE

1. The Castletown By-Pass Road from its junction with the Malew Road and Alexandra Road, Castletown, to Ballakeighan Corner, thence the road leading the Ballabeg as far as its junction with the Ballabeg/Ballasalla Road, thence along the latter road to Cross Four Ways, Malew, thence along the Ballamodha/Castletown Road, past Malew Church to Castletown By-Pass Road.

2. The Red Gap Road in the Parish of Arbory from its junction with the Castletown By-Pass Road at Balladoole eastwards to its junction with the entrance of the campsite situated thereon.

3. 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
