



Northern Ireland
Assembly

Committee for Regional Development

OFFICIAL REPORT (Hansard)

Road Races (Amendment) Bill: Ministerial
Briefing

9 October 2013

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Jimmy Spratt (Chairperson)
Mr Seán Lynch (Deputy Chairperson)
Mr Joe Byrne
Mr John Dallat
Mr Alex Easton
Mr Declan McAleer
Mr Kieran McCarthy
Mr David McNarry
Mr Cathal Ó hOisín

Witnesses:

Mr Kennedy	Minister for Regional Development
Mr Gerry Anketell	Department for Regional Development
Mr David Millar	Department for Regional Development

The Chairperson: I welcome the Minister for Regional Development, Mr Danny Kennedy, along with Mr David Millar and Mr Gerry Anketell. I know that we have had some conversations about this issue. Do you want to give us a briefing, Minister, after which members will have an opportunity to ask questions?

Mr Kennedy (The Minister for Regional Development): Thank you for the opportunity to present to the Committee this morning. As members are aware, Standing Order 42(3) of the Northern Ireland Assembly requires me to address the Committee to explain the need for accelerated passage for the Road Races (Amendment) Bill and to outline the consequences, should it not be granted. The departure from normal procedure through the use of accelerated passage is not something to be sought routinely, nor do I take it lightly. My preference when taking forward legislation is for a full Committee procedure that enables clause-by-clause scrutiny and allows for the resolution of any issues that may arise to the Committee's satisfaction. However, in the case of this Bill, I take the view that there are compelling grounds for departing from normal procedure and the use of accelerated passage.

In my view, we are presented with exceptional circumstances because existing legislation dictates that applications for road closing orders relating to motor races on roads must be received and granted by my Department by 31 March annually. Any new arrangements to be introduced need to be clearly understood by race promoters well in advance of applications being submitted so that potential contingency days can be identified and incorporated into those applications. Furthermore, and more importantly, if accelerated passage is not granted, no flexibility can be introduced into race

arrangements for 2014. In the event of further race cancellations because of bad weather, major sporting events such as the North West 200 and the Ulster Grand Prix could be placed in real difficulties. The proposed legislation will apply to all road races, not just the North West 200. It is appropriate that the organisers of such events are given flexibility because of the rather unpredictable weather that we enjoy here.

Road racing events have value and contribute not only to local economies but to Northern Ireland as a whole through direct spend and positive international media coverage. Chairman, you will know that I played a part at an early stage in meeting the organisers of the Giro d'Italia to secure the start of next year's event for Northern Ireland. Bringing new events has value, but we must also support and protect our existing events, especially those with international recognition and interest.

I will, briefly, lance one myth that seems to have grown up around these proposals for contingency days. They do not breach some bar on Sunday racing, because no such prohibition exists. There are no races on a Sunday at the North West 200 because the organisers do not seek to do so. I understand that the strong instinct of the organisers is to maintain that position. During other events where a road closing order may have implications for those wishing to attend church services, race promoters, quite rightly, have offered access arrangements between races.

Many of the respondents to the consultation — we had something like 860 responses — suggested that the proposed 48-hour notice period should be reduced to 24 hours because of concerns that weather forecast information may not be sufficiently accurate to enable early decisions to be made. The intention of the 48-hour period was that it would offer local residents a longer period of notice in which to put alternative plans in place for the contingency day. However, it is important to note that advice was sought from the Office of the Legislative Counsel, and the advice received was this:

"As the notice period is calculated backwards in time, it would be calculated from the start of the specified day or the contingency day."

Therefore, 48 hours' notice would need to be given by midnight on a Tuesday to, for example, substitute a Saturday for a Friday race day. Taking into account the high percentage of respondents seeking a 24-hour notice period and the Office of the Legislative Counsel's advice, I am now of the view that the notice period required should be 24 hours. I can reassure the Committee that I will continue to approach the issue of accelerated passage with caution and will seek to consider its use only when presented with an exceptional set of circumstances such as those before us. I am happy to take questions.

The Chairperson: Thank you very much, Minister. As you know, the Committee has indicated that it will facilitate accelerated passage. That agreed position still holds. I would like clarity on one or two areas. First, are you satisfied that the consultation exercise was effective? You said that there were 860 responses. That seems a pretty high figure compared with some other consultation processes that we hear about from time to time. Maybe you could give us a breakdown of the figures. It is the first time that I have heard the 860 figure. What level of support do those responses indicate? Given that the Department of Culture, Arts and Leisure has an interest from a sporting perspective, and the Department of Enterprise, Trade and Investment has an interest from a tourism perspective, I assume that some discussions have taken place with those two Departments that you can share with us.

Mr Kennedy: I am pleased with what I regard as the high number of responses to a consultation of this nature because, all too often, the number of consultation responses is very limited. We are seeking to copy all the responses to the Committee for its consideration. I think that we have supplied over 500 so far. Obviously, there was a late surge, given that the consultation ended on Monday. In fact, we also accepted a couple of late arrivals. In broad terms, out of 860 responses, 32 expressed concern or some kind of opposition based on the Sunday racing issue. Again, I make the point that the current legislation technically allows for Sunday racing. I am not seeking to change or amend that, but it is clear that the organisers of events of this nature have not sought Sunday racing. That is the breakdown on that issue.

I had a very useful meeting last week with the Minister of Enterprise, Trade and Investment and the Minister of Culture, Arts and Leisure on issues around the North West 200. I take the view that I am in charge of the road closures legislation. The organisers of such events have made the point that they would like additional support in respect of tourism, promotion and sporting support. I know that both of those ministerial colleagues intend to consult the organisers of the North West 200. I expect to

resume a conversation with those ministerial colleagues in about six weeks, once those discussions have concluded.

The Chairperson: Thanks for that. When officials spoke to us in July, they said that they had had limited contact with the Manx Government because of the timing of the TT races. Have there been further discussions with Isle of Man representatives on the legislation?

Mr Kennedy: A meeting is planned for 23 October. However, there have been consultations, and we are aware of the legislation in the Isle of Man. The circumstances there are slightly different but it has been useful to compare notes. That more detailed meeting will deal with any issues.

The Chairperson: I declare an interest as attending the races at the North West 200 this year. There was good racing on the Friday evening and, if the organisers had had the ability, they would have had allowed a longer period for racing on that evening to facilitate some of the Saturday races. There is criticism of weather forecasting from time to time, but, on that occasion, it was very accurate for the Saturday. There were a lot of disappointed people on the Saturday — thousands of people. It is amazing to see the structures that are put in place and the number of people who go to the North West 200 and the Ulster Grand Prix. I understand the frustration of the organisers.

Mr Lynch: Thank you for the presentation. I have two questions. First, are you confident that you can get the legislation in place for this year's race? Secondly, I know that church groups and residents in the area have issues. Did the Department consult them?

Mr Kennedy: Accelerated passage will allow the legislation to be in place in time for next year's races. It is important to bear in mind that we are not changing the arrangements to facilitate the North West 200; we are doing it for the full range of people who organise road racing, both motorcycle and motor car racing, to allow flexibility for contingencies. We assume that accelerated passage, with the support of the Committee, the Executive and the Assembly, will allow us to get the arrangements in place smoothly.

We had the public consultation so that we could hear from churches, traders, residents and motorcycle aficionados. There has been interest even from outside Northern Ireland. We had representations from people who are interested from an international perspective, which is interesting. That shows the capacity of these events to attract international visitors and tourists, which is a very good thing.

Mr Lynch: You said that there had been a small number of responses that expressed concerns. Did you say 40-odd?

Mr Kennedy: I said 32.

Mr Lynch: Did the majority of those come from residents and church groups? Is that number broken down into any particular category?

Mr Kennedy: I think that 25 of those were from the immediate triangle of the race area.

Mr Lynch: What were their major concerns?

Mr Kennedy: They were about any provision for Sunday racing. We are silent on that. The current legislation is silent on that; equally, we are silent.

Mr David Millar (Department for Regional Development): Aside from the Department's usual consultation arrangements, Coleraine Borough Council issued 2,500 letters to local residents to make them aware of the consultation and ask them to respond.

Mr Ó hOisín: Thanks, Minister, for your presentation. I declare an interest that this is a constituency issue, particularly in respect of the North West 200. The 25 responses that you mentioned came from the area where Coleraine Borough Council sent the 2,500 letters. The 32 responses that you mentioned from residents and church groups almost all related specifically to Sunday racing. I have been lobbied about that by a number of people who live along the route. I have also been lobbied by people who live along the route who want to see the event continue because it is a major earner for

the area, as you know. I am interested in the dynamic. Do those 32 of 860 responses reflect the view of those who would be opposed to Sunday racing only?

Mr Kennedy: I think that the answer to that is yes.

Mr Ó hOisín: You said that we were silent on that issue, and that is exactly the position. I gather from what the organisers say that, if they were to set aside a contingency day, Sunday may be a preferable option in terms of logistics because most people are there over a weekend. If that is a consideration, they will have to look at cases where that has happened elsewhere, such as at the Shackleton rally, where commencement times were after church services on the Sunday. Although that was not, strictly speaking, in the consultation, I take it that that will still be a consideration.

Mr Kennedy: Yes. Provision for organisers to indicate that they wish to race on part of any given day, including a Sunday, exists at the moment. The Bill does not change that, but arrangements would have to be appropriate for residents, churches and businesses in the affected area. The historical position, to the best of our knowledge, and certainly within living memory, is that there is no record of motorcycle racing on a Sunday. There have been cases of motor car racing on a Sunday. Circuit of Ireland rally events have taken place on a Sunday, but appropriate discretion was shown in respect of church activities or business and community concerns.

Mr Ó hOisín: You will appreciate that the past three years has been virtually a disaster for the North West 200 because of weather and racing times. That could cause long-term damage, particularly if those who travel from afar on a one-off basis fail to return. Minister, if 32 of the 860 replies raised concerns about racing on Sundays, would it be fair to say that the rest of the replies were broadly supportive?

Mr Kennedy: Yes.

Mr McNarry: I am very comfortable with the flexibility in the process. It should be welcome all round and be explained when it needs to be explained. It is also vital for the sponsors to have a clear heads-up as to what is involved for them. Are you still meeting a delegation from local churches on this matter today?

Mr Kennedy: Yes.

Mr McNarry: I think that this is an important point. Will it be the first time that you or your officials will hear their objections directly, other than through the consultation?

Mr Kennedy: Yes, other than through the consultation, which afforded everyone that opportunity. Based on representations that I received, I agreed without hesitation to meet that delegation. I like to think of myself as a listening Minister.

Mr McNarry: They may say that you are listening too late because the decision is virtually already made. Could you have met those church people before today?

Mr Kennedy: It was probably prudent to wait until the end of the public consultation, which gave everyone the opportunity to make their representation. As we indicated, some 860 responses were received, 32 of which raised concerns about or opposed Sunday racing. On balance, I believe that it was best to wait until that process concluded.

Mr McNarry: I commend you for being sensitive to their concerns. Churches obviously have concerns about Sunday worship and issues of access etc. Do you intend to tell them anything different from what you are telling us?

Mr Kennedy: What would be the reason for that?

Mr McNarry: I can never read your mind, Minister. It is not beyond possibility that a politician leaves this room, having told us one thing, and then goes somewhere and says something different — not that I am accusing you of that. I never would, but let us just be sure.

Mr Kennedy: I think that I can assuage your concerns on that: yes.

Mr McNarry: That is dead-on. Thank you.

The Chairperson: I had the feeling that I might have to intervene there at one point.

Mr McNarry: We got out of it all right.

Mr Kennedy: My sense is that we would have to tell clergymen the truth. *[Laughter.]*

Mr McNarry: Your sense would also be that clergymen would be telling you the truth. *[Laughter.]* I just wonder who is stretching whom on that.

Mr Dallat: I believe every word the Minister says. *[Laughter.]*

Mr McNarry: There sits a fool. *[Laughter.]*

Mr Dallat: Minister, one of the successful outcomes of this, which I welcome, is an excellent partnership between your Department and Coleraine Borough Council. Is it your intention to ensure that that partnership continues so that, in the event of changes, local residents are kept fully informed of diversions and what needs to happen to ensure that the event takes place with the minimum of inconvenience to other people?

Mr Kennedy: That is a very good and important point. I know that the organisers are aware of and sensitive to that. That is the basis on which we will seek to move forward. Clearly, the council has not only an interest in it but, in many ways, direct involvement. It is important that everyone involved, including residents who live in an area of racing, businesses and the churches, need to be kept fully apprised of what is happening, when it is happening and the reasons for any contingency measures that are applied for.

Mr Dallat: I think that the Committee can take comfort from the fact that there is an excellent working partnership between the Department and the council. The members of that council rely on that. I speak from personal experience of over 30 years of sitting on the council and of having been persuaded to move from being anti-road racing to supporting it, although I still worry about people who lose their lives. I think that we can be confident that, in the event of Sunday racing, it will cause minimum inconvenience. The main thing is that that event is hugely important for the economy, not just of the Triangle area, but far beyond it. It is realistic that sponsors, having been disappointed for two years in a row, could not be expected to invest very heavily again without some type of indication that the event will actually be concluded. Chairman, you will know that you cannot buy the type of advertising that the television coverage provides. That is critical, and I am glad that there is realism about the need for a departure from the normal history of the event. I welcome that, not because of Sunday racing but because it allows the event to take place.

The Chairperson: Thank you, John, for that. I want to stress to the Committee that it is not just about the North West 200. As the Minister indicated, it covers all road racing and associated road closure orders. Those are all of the questions that I have, Minister, but, before you leave, I will put the question to the Committee. Are members content that the Road Races (Amendment) Bill be granted accelerated passage?

Members indicated assent.

The Chairperson: There is unanimous agreement.

Mr Kennedy: That is very helpful, Chairman. Thanks very much to you and to the Committee. I appreciate your cooperation and look forward to the Bill's accelerated passage through the House.

The Chairperson: Thank you.