

# **The Road Traffic (Bicycle Events at the Island Games) (Guernsey) Ordinance, 2023**

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# The Road Traffic (Bicycle Events at the Island Games) (Guernsey) Ordinance, 2023

THE POLICY & RESOURCES COMMITTEE, in exercise of the powers conferred on the Committee by Article 66A(1) of the Reform (Guernsey) Law, 1948, and all other powers enabling them in that behalf, hereby orders: -

## Authorisation of a bicycle event.

1. (1) The Committee for the Environment & Infrastructure ("the Committee") may authorise the holding of a bicycle event on a public highway if, not less than 14 days prior to the day on which the bicycle event is to begin, the promoter serves on the Committee via email at the address [traffic@gov.gg](mailto:traffic@gov.gg) -

- (a) written notice of the proposal to hold the bicycle event containing the particulars in subsection (2), and
- (b) a copy of the written risk assessment relating to the bicycle event completed in accordance with subsection (3).

(2) The written notice of the proposal must contain the following particulars –

- (a) the day or days on which, and the times during which, the bicycle event is to be held,
- (b) a description of the route to be followed by the competitors and the name of, or a description sufficient

to identify, any public highway on which the bicycle event or any part thereof is to take place,

- (c) particulars of any place or places where the bicycle event is to start and finish,
- (d) the maximum number of competitors who will be permitted to take part in the bicycle event,
- (e) sufficient particulars to show what arrangements will be made for marshalling, assisting and supervising the competitors, including whether any person performing such a function ("**a marshal**") will be driving or riding a vehicle whilst doing so and, if so, whether it is proposed that they be authorised to exceed a speed limit whilst performing this function,
- (f) whether it is proposed that a person with permission from the promoter to ride or drive a vehicle on the proposed route in order to provide media coverage of the bicycle event ("**a media operator**") is to be authorised to exceed a speed limit whilst performing this function,
- (g) any measures in respect of regulating the general public's use of specified public highways (such as the imposition of a road closure or the redirection of traffic) that, in the promoter's view, are required in order to safely hold the bicycle event, and

- (h) the day or days on which, and the times during which, the measures specified in paragraph (g) would be required in respect of each public highway for which such measures are proposed.

(3) A written risk assessment completed in accordance with this section must include –

- (a) a suitable and sufficient assessment of the risks to the health and safety of competitors, officials, marshals, media operators, spectators and other road users arising out of the holding of the bicycle event, having regard in particular to the maximum number of competitors eligible to participate in the bicycle event, and
- (b) details of actions that will be taken by the promoter of the bicycle event to ensure the safe operation of the bicycle event.

(4) Where the Committee authorises a bicycle event under this section, it may also authorise a marshal or a media operator to drive or ride a vehicle (whether or not a motor vehicle) over a speed limit whilst performing a function described in subsection (2)(e) or (2)(f).

(5) The Committee may authorise such changes to the particulars given under subsection (2) as it sees fit if, before the holding of the bicycle event, the Committee receives –

- (a) written notice from the promoter detailing the proposed changes, and
- (b) any updates to the risk assessment necessitated by the changes.

(6) The holding of a bicycle event shall not be treated as authorised under this Ordinance unless it is held in accordance with –

- (a) the particulars given under subsection (2), including any changes authorised under subsection (5) (if applicable), and to the extent that they do not conflict with, or contradict, any condition imposed under section 2, and
- (b) any condition imposed under section 2.

**Power to impose conditions on bicycle events.**

2. (1) The Committee may impose such conditions as it thinks fit on the holding of a bicycle event authorised under section 1(1).

(2) Without prejudice to the generality of subsection (1), the conditions that may be imposed by the Committee may include conditions relating to all or any of the following matters -

- (a) the days on which, and the times during which, the bicycle event must be held,
- (b) the places on a public highway where the bicycle event must, or must not, start or finish,

- (c) any public highway, or any part of a public highway, on which the bicycle event must not be held,
- (d) the maximum number of competitors who may take part in the bicycle event,
- (e) the arrangements to be made by the promoters for marshalling, assisting and supervising the competitors participating in the bicycle event, and
- (f) the conditions under which a person authorised under section 1(4) may exceed a speed limit.

**Duty to notify promoter of decisions.**

3. (1) The Committee shall, as soon as reasonably practicable after receiving a proposal under section 1(1), give the promoter a written notice confirming whether the bicycle event has been authorised under this Ordinance, and, if it has -

- (a) what measures (if any) in respect of regulating the general public's use of a public highway will be taken by the Committee for the purpose of safely holding the bicycle event,
- (b) whether an authorisation under section 1(4) has been granted, and
- (c) whether a condition under section 2 has been imposed and, if so, what that condition is and the reasons for imposing it.

#### Amendment to the 1987 Ordinance

4. For section 7(2) of the Road Traffic (Speed Limits and Trials) Ordinance, 1987, substitute –

"(2) Nothing in section 1 or section 2 of this Ordinance applies to –

- (a) the driver or rider of a motor vehicle whilst taking part in a race or trial of speed in accordance with section 4,
- (b) the rider of a bicycle whilst taking part in a bicycle event authorised under section 1(1) of the Road Traffic (Bicycle Events at the Island Games) (Guernsey) Ordinance, 2023 ("**the 2023 Island Games Ordinance**"), or
- (c) a person authorised to exceed a speed limit under section 1(4) of the 2023 Island Games Ordinance whilst riding or driving in accordance with that authorisation."

#### Interpretation.

5. (1) In this Ordinance -

"**bicycle event**" means a race, trial of speed or time trial between bicycles, not being motor vehicles, irrespective of –

- (a) whether competitors start the event at the same time or start separately from each other (or a combination of the two),
- (b) how the result of the event is calculated, and
- (c) whether such bicycles are ridden for all or only part of the event, but for the avoidance of doubt, if they are ridden for only part of the event (such as in a triathlon), the proposal, risk assessment and authorisation referred to in section 1 need only cover that part,

**"the Committee"**: see section 1(1),

**"marshal"**: see section 1(2)(e),

**"media operator"**: see section 1(2)(f),

**"motor vehicle"** means a mechanically propelled vehicle intended or adapted for use on a public highway,

**"promoter"** means the person who organises or arranges, or is responsible for the organisation or arrangement of, a bicycle event,

**"public highway"** includes any road, street, lane or public place, and

**"speed limit"** means the speed over which driving or riding the vehicle being driven or ridden would constitute an offence under section 8(1) of the Road Traffic (Speed Limits and Trials) Ordinance, 1987, having regard to the particular public highway on which the driving or riding takes place.

**Extent.**

6. This Ordinance shall have effect in the Island of Guernsey.

**Citation.**

7. This Ordinance may be cited as the Road Traffic (Bicycle Events at the Island Games) (Guernsey) Ordinance, 2023.

**Commencement and expiry.**

8. This Ordinance shall come into force on 1<sup>st</sup> June 2023 and shall cease to have effect on 15<sup>th</sup> July 2023.