

Road Traffic Regulation (Temporary Closure for Filming) Bill

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Department for Culture, Media and Sport with the consent of Iain Stewart, the Member in charge of the Bill, are published separately as Bill 71-EN.

Road Traffic Regulation (Temporary Closure for Filming) Bill

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TO

Make provision for the restriction or regulation of traffic on roads in connection with filming; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Prohibition or restriction of traffic on roads in connection with filming

- (1) The Road Traffic Regulation Act 1984 is amended as set out in subsections (2) to (6).
- (2) After section 16B insert—

“16BA Prohibition or restriction on roads in England and Wales in connection with filming 5

- (1) If the traffic authority for a road in England or Wales are satisfied that traffic on the road should be restricted or prohibited for the purpose of—
 - (a) facilitating any filming, or 10
 - (b) reducing the disruption to traffic likely to be caused by any filming,

the authority may by order restrict or prohibit temporarily the use of the road, or any part of it, by vehicles or vehicles of any class or by pedestrians, to such extent and subject to such conditions or exceptions as they may consider necessary or expedient. 15
- (2) Before making an order under this section the authority must satisfy themselves that it is not reasonably practicable for the filming to take place without restricting or prohibiting use of the road.
- (3) An order under this section may also relate to a road for which the traffic authority making the order (“the initiating authority”) is not the traffic authority provided that—
 - (a) the initiating authority is satisfied of the matters mentioned in subsections (1) and (2) in relation to the road concerned, and
 - (b) the initiating authority obtains the agreement of the traffic authority for the road concerned. 25

- (4) Subsections (8) to (11) of section 16A apply for the purposes of this section as they apply for the purposes of that section, but with the reference in subsection (10)(b) to the purposes mentioned in subsection (2) being read as a reference to the purposes mentioned in subsection (1) of this section. 5

16BB Restrictions on orders under section 16BA

- (1) An order under section 16BA of this Act is not to continue in force for a period of more than 7 days beginning with the day on which it comes into force unless—
- (a) the order is made by the Secretary of State, a strategic highways company or the Welsh Ministers as the traffic authority for the road concerned, or 10
 - (b) before the order is made the relevant Minister has agreed that it should continue in force for a longer period.
- (2) Where an order under section 16BA of this Act has not ceased to be in force the traffic authority that made the order may, subject to subsections (3) and (4), from time to time direct that the order is to continue in force for a further period not exceeding 3 days beginning with the day on which it would otherwise cease to be in force. 15
- (3) A traffic authority may give a direction under subsection (2) only if— 20
- (a) the filming for which the order was made has not been completed, and
 - (b) the traffic authority consider it appropriate for the order to continue in force.
- (4) Where a traffic authority (“the initiating authority”) has made an order under section 16BA of this Act that relates to a road for which the initiating authority is not the traffic authority, the initiating authority may not give a direction under subsection (2) in respect of that order except with the agreement of— 25
- (a) the traffic authority for the road concerned, and 30
 - (b) the relevant Minister.
- (5) If in any calendar year a length of road has been affected by 6 orders made under section 16BA of this Act, no further order may be made in that calendar year so as to affect the same length of road unless the further order— 35
- (a) is made by the Secretary of State, a strategic highways company or the Welsh Ministers as the traffic authority for the road concerned, or
 - (b) is made with the agreement of the relevant Minister.
- (6) For the purposes of subsection (5), a length of road is affected by an order under section 16BA of this Act if the order contains provision— 40
- (a) prohibiting or restricting traffic on that length of road, or
 - (b) suspending any statutory provision applying to traffic on that length of road.
- (7) The “relevant Minister” means— 45
- (a) the Secretary of State, where—

- (i) all the roads to which the order relates are in England or are special Welsh roads (including cases where the order relates to both descriptions of road), or
- (ii) the order is made by the Welsh Ministers and relates to a road in England or a special Welsh road; 5
- (b) the Welsh Ministers, where—
- (i) all the roads to which the order relates are in Wales and none of them are special Welsh roads, or
- (ii) the order is made by the Secretary of State and relates to a road in Wales other than a special Welsh road; 10
- (c) the Secretary of State and the Welsh Ministers, in any other case.
- (8) “Special Welsh road” means a road in Wales for which the Secretary of State or a strategic highways company is the traffic authority.”
- (3) In section 16C (supplementary provision about orders)—
- (a) in subsections (1) and (2), after “16A” insert “or 16BA”, and 15
- (b) in the heading, after “**16A**” insert “**and 16BA**”.
- (4) In section 68 (placing of traffic signs in exercise of powers), in subsection (2), after “16A” insert “, 16BA,”.
- (5) In section 124 (provisions about orders), in subsection (2), after “16A” insert “, 16BA,”. 20
- (6) In Schedule 9 (special provisions for certain orders), in paragraphs 27(1) and 34(1)(a), after “16A” insert “, 16BA,”.
- (7) In Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences), in Part 1, in the entry relating to section 16C(1) of the Road Traffic Regulation Act 1984, for “relating to relevant event” substitute “imposed by order under section 16A or 16BA”. 25
- (8) In Schedule 7 to the Traffic Management Act 2004 (road traffic contraventions subject to civil enforcement), in paragraph 8(2), for “or 16A” substitute “, 16A or 16BA”.
- 2 Consequential repeal or amendment of local Acts** 30
- (1) The Secretary of State may by regulations made by statutory instrument amend or repeal any provision of any local Act passed before or in the same session as this Act if it appears to the Secretary of State to be appropriate to do so in consequence of a provision of this Act.
- (2) Regulations under subsection (1) may include supplementary, consequential, transitional, transitory or saving provision. 35
- (3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- 3 Extent, commencement and short title**
- (1) This Act extends to England and Wales only. 40
- (2) Section 1 comes into force on such day as the Secretary of State may by regulations made by statutory instrument appoint.

- (3) Section 2 and this section come into force on the day on which this Act is passed.
- (4) This Act may be cited as the Road Traffic Regulation (Temporary Closure for Filming) Act 2014.

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To make provision for the restriction or regulation of traffic on roads in connection with filming; and for connected purposes.

*Presented by Iain Stewart,
supported by Mrs Cheryl Gillan, Stuart Andrew,
Eric Ollerenshaw, Karen Lumley and Steve Baker.*

*Ordered, by The House of Commons,
to be Printed, 7 July 2014.*

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