



Subject:	Update on Prevention of illegal use of off-road in parks
Date:	7 February 2017
Reporting Officer:	Nigel Grimshaw, Director City & Neighbourhood Services Department
Contact Officer:	Rose Crozier, Assistant Director City & Neighbourhood Services Department

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report
1.1	Members are reminded that Committee previously considered a report on the prevention of illegal use of off-road vehicles and agreed that the Director would write to relevant Department Ministers advising on the ongoing action by Council to combat this issue on their lands, and offer the support of Officers to work with the Departments and other relevant agencies to consider any potential legislative changes necessary.
1.2	The Committee also requested that research be carried out in particular regarding the introduction of a registration/identification marking scheme and how it is legislated in other jurisdictions.
2.0	Recommendations
2.1	Committee is asked to <ul style="list-style-type: none">Note progress on this issue and that a further update will be provided to Committee after the meeting with the Minister has taken place.
3.0	Main report & Key Issues
3.1	The review of legislation was debated at length by the Assembly on 3 October 2016. <i>‘That this Assembly calls on the Executive to review the current legislation governing</i>

scrambler and quad bikes; and further calls on the PSNI and other responsible agencies to ensure that the current legislation governing these machines is enforced in a robust way.'

3.2 As requested by Members, research was carried out which established that there is a range of existing legislation to deal with the misuse of motorised vehicles as follows:

- All motorised vehicles must be registered in the Republic of Ireland following new legislation implemented earlier this year.
- The situation in the UK is less straightforward in that on road activity is regulated by the DVLA and there is only a voluntary registration scheme for off road motorised vehicles which the Minister of Infrastructure outlined during the Assembly debate needs 'to be extended' to this jurisdiction as it is an excepted matter.
- In 2015 the Scottish Parliament held a similar debate and they too had to consider adopting the DVLA voluntary off road registration scheme however their Members raised concerns about whether every owner would volunteer to register on the scheme.

3.3 Following research the Director wrote to the Minister for Infrastructure, Mr. Chris Hassard outlining our Members' desire to explore a registration scheme, seeking support to align resources and to provide a practical and purposeful approach over the Christmas period and in the long term as the review of the legal framework is progressed.

3.4 In response the Minister for Infrastructure provided the following information:

- The remit of the DoI only extends to the use of motorised vehicles on public roads. Motorised vehicles used on public roads must comply with all legal requirements including type approval and must meet necessary safety standards as well as having appropriate insurance.
- They must also be licensed by the Driver Vehicle Agency (DVA).
- In the case of private roads or land, responsibility lies with the user of the vehicle in question and the land owner.
- At present registration requirements are only attached to motorised vehicles driven on public roads.
- Of-road vehicles such as quad bikes and scramblers cannot be driven on public roads and are exempt from vehicle requirements.
- In Britain there have been several attempts to introduce primary legislation to

<p>3.5</p>	<p>require all off-road vehicles to be registered, however these have not come to fruition.</p> <ul style="list-style-type: none"> ▪ As vehicle registration is an excepted matter, the Department has no powers to introduce similar statutory registration requirements here. <p>The Minister expressed his concern about off-road vehicles being used on private land and welcomed the opportunity to meet to discuss the issue. Arrangements are being made to meet after the purdah period and a further report will be brought forward to update committee.</p> <p>Financial & Resource Implications</p> <p>3.6 There are no Financial implications at this stage</p> <p>Equality & Good Relations Implications</p> <p>3.7 There are no known Equality or Good Relations implications.</p>
<p>4.0</p>	<p>Appendices – Documents Attached</p>
	<p>None</p>