



DEPARTMENT OF THE ENVIRONMENT (N.I.)
STORMONT, BELFAST BT4 3TX

Mr. N. Hamppa

5 AUG 1985

2725

COPY FOR INFORMATION

Denis Haughey Esq
Assembly Member
66 Fairhill Road
COOKSTOWN
Co Tyrone

POA/21/July.

1st August 1985.

I understand that you telephoned my office on 8 July to enquire about the planning constraints on the erection of festival arches.

As the law is framed at present, there is no single code governing the erection of such arches and they fall to be dealt with under Planning and/or Roads law depending on their siting and the duration of erection. Under Planning law, permission is not required (with certain exceptions not immediately relevant) for the use of land for any purpose on not more than 28 days in total in any calendar year and the erection or placing of moveable structures on the land for purposes of that use.

Under Roads law, the Departmental consent is required for structures erected in or over a road. Applications to erect arches are considered under Articles 42 and/or 45 of the Roads (NI) Order 1980. The law requires that the Department shall not withhold its consent unreasonably and, consequently, the determining criteria for considering applications relate to the safety and convenience of traffic both vehicular and pedestrian.

In the case of the arch at Cooke Crescent, Cookstown, statutory consent was sought and granted, subject to various conditions, to the positioning of recessed sockets (covered when not in use by metal plates) on a permanent basis and to the erection of the superstructure on an annual basis.

I hope you find this information useful.

CHRIS PATTEN