

REPORT TO: Organisation Improvement & Environment Overview and Scrutiny Commission

DATE: 21 July 2008

DEPARTMENT: Development Services

REPORTING OFFICER: Head of Highways and Transport
(Mrs D Hodgson, Principal Engineer (Traffic))

SUBJECT: **Events, Activities and Parades on the Highway**

WARDS AFFECTED: All Wards in the Harrogate and Knaresborough Highways Agency Area

FORWARD PLAN REF: N/A

1.0 PURPOSE OF REPORT

- 1.1 To update members of progress made on the issue of managing events and activities including parades on the highway.
- 1.2 A further report to the Cabinet Member (Planning and Transport) is being prepared which seeks approval to implement additional measures aimed at further reducing the costs incurred by charitable, community and non-profit making organisations who are promoting events etc on the highway.

2.0 RECOMMENDATION

- 2.1 That members of the Environment Commission note the report and that any appropriate comments be reported back to the Cabinet Member for Planning and Transport.

3.0 RECOMMENDED REASON FOR DECISION

- 3.1 Not applicable.

4.0 ALTERNATIVE OPTION CONSIDERED AND RECOMMENDED FOR REJECTION

None

5.0 BACKGROUND INFORMATION

- 5.1 At its meeting on 7th April 2008 this Commission considered comments made by a number of community and fundraising organisations regarding new arrangements and charges associated with events on the highway following the withdrawal of support for these events by North Yorkshire Police. The meeting also received a presentation from Superintendent Higgins from NY Police who set out the Chief Constable's policy on the management of events.
- 5.2 The Council's view is that there is no legal reason to prevent the Police from managing traffic at events and the change in their position is simply due to a change in their policy, not the law. Consequently, if North Yorkshire Police are prepared to undertake traffic management at any future events, the Council will, if necessary, produce a temporary road closure Order.
- 5.3 Although the Police have said they will not manage traffic this policy is not being applied consistently, which places event organisers and Council officers in a very difficult position. For example, at the recent St George's Day parades held by the scouts in both Harrogate and Knaresborough the Police took full control of the event and undertook traffic control at key locations.
- 5.4 However, following extensive discussions with the Police it is clear, at least for the time being, that they will not manage traffic at any events. The police however still remain the enforcement agency in respect of all temporary road closures. In these situations, where a road closure order is necessary, the latest and most appropriate legislation to use for the temporary closure is Section 16A of The Road Traffic Regulation Act 1984 and not the Town Police Clauses Act 1847 as advocated by North Yorkshire Police.
- 5.5 In previous years, temporary road closure Orders for events using the TPCA did not incur a charge to the organisers from the Council simply because there was no requirement to advertise the Order in the local press and the administration effort involved was, in the main carried by the event organisers themselves in notifying affected businesses and residents of the proposed closure and their ability to make representations to the Council prior to any order being made. The administrative burden on the Council was therefore, minimal. Closures using Section 16A require the event to be advertised and a cost is, therefore, incurred. With the exception of the advertisement costs, there are no other significant differences between the two pieces of legislation that would affect the event organisers directly; the distinction is mainly related to the enforcement of the legislation should a breach of the Order result in legal proceedings.
- 5.6 Although the cost of advertising the Order has been raised as a major concern by event organisers, the most significant cost for most events is the installation of traffic management measures such as traffic signs, cones and barriers to control traffic movement at the time of the event. These are necessary to safeguard the participants in the "event" and the general public and to actually introduce the road closure.

6.1 The Council is aware that the costs of advertising the temporary road closure order and traffic management measures may be prohibitive for many smaller and non-profit making events and is keen to support the continuation of the often longstanding and worthwhile activities in our community. As a consequence, in discussion with the Cabinet Member, it has been resolved that officers will:

- Produce an annual Temporary Road Closure Order to advertise all the community and charitable events in that calendar year, subject to those event organisers informing the Council of their activities by a set date in the year. The cost of this advertisement will be borne by the Council.
- Produce separate closure Orders throughout the year at the full expense of the organisers for commercial events and all additional requests submitted after the advertisement of the annual Order. Wherever possible, events that are not included in the annual closure Order will be combined and the full costs divided equally amongst all of the organisations in the advertisement.
- Assist event organisers with the basic requirements of the Traffic Management Plan to ensure their event is planned safely.
- Purchase a number of basic traffic signs that are available for organisations to use free of charge subject to some conditions relating to the type and complexity of the event and their safe return.
- Negotiate an arrangement with a local contractor who is experienced, qualified and insured to undertake the installation, maintenance and removal of traffic signs, cones and barriers for such activities on the highway. The costs of this element, although very reasonable would have to be met by the event organiser.
- Waive all council officer fees associated with the assessment of event applications and the production of temporary road closure Orders for community led, charitable and non-profit making events.
- Produce an Event Application Pack and associated Guidance Notes that assists organisers through the process of gaining approval for their activities. This pack will be available on the Council's website.

7.0 CONCLUSION/S

7.1 The measures set out above will ensure that the majority of local community and charitable events can still operate at minimal cost, whilst ensuring that the legislative process has been applied appropriately.

7.2 It is understood that further direction with regards this process is expected in due course from the North Yorkshire County Council as Highway Authority for the area. Unfortunately the content and timescale for consideration of this report is, as yet, unclear and it is considered appropriate to implement the above measures at least until this directive has been discussed and agreed with the other District Council's affected.

7.3 The Commission Members comments on the above proposals are requested.

OFFICER CONTACT: Please contact Mrs Donna Hodgson if you require any further information on the contents of this report. The officer can be contacted at the Department of Development Services, Knapping Mount, West Grove Road, Harrogate, HG1 2AE, by telephone on 01423 556609 or by Email – donna.hodgson@harrogate.gov.uk

SUSTAINABILITY ASSESSMENT / POLICY CONSIDERATIONS

		Implications are		
		Positive	Neutral	Negative
A	Economy		✓	
B	Environment		✓	
C	Social Equity			
i)	General		✓	
ii)	Customer Care / People with Disabilities		✓	
iii)	Health Implications		✓	
D	Crime and Disorder Implications		✓	

If all comments lie within the shaded areas, the proposal is sustainable.