

Report to the Council

Committee: Licensing **Date:** 2 November 2010
Subject: Temporary Road Closures
Chairman: Councillor Pat Brooks **Item:** 17

Recommendation:

(1) That in accordance with powers under section 21 of the Town Police Clauses Act 1847, the following fees be charged for applications for temporary road closures in addition to any costs of the County Council and for advertising the event:

- (a) £150 for a small event; and**
- (b) £400 for a larger event;**

(2) That applications for a temporary road closure be determined by officers if no objection is made or by a Licensing Sub-Committee in the event of an objection; and

(3) That all policy matters except the formulation of licensing policy be determined by the Licensing Committee; and

(4) That appropriate amendments be made to the Council's Constitution.

The provisions of the Town Police Clauses Act 1847 are used by local authorities to make temporary road closures for street parties, fetes, processions etc.

We have received a report that the Secretary of State for Communities and Local Government has recently issued guidance to make it easier for communities to apply for the temporary closure of a highway to enable street parties and fetes to be held. The guidance directs members of the public to the District Council although Essex County Council also has powers to make closure orders in these circumstances and previously any applications received had been referred to the County's Highways Department.

In the light of the Secretary of State's guidance it is likely that more applications will be made to the District Council and we have considered the delegations necessary and other matters required in order for the District Council to undertake this function.

Although the Secretary of State's guidance sets out the background in respect of the requirements for a making a road closure where small events such as street parties and fetes are to be held a more detailed process will be required in relation for larger public events.

It will be necessary to consult the Highways Authority about applications and the Essex County Highways Department have expressed concerns that the information required by the Secretary of State's guidance may not be sufficient to allow them to agree a road closure. Further information as to their requirements is being sought and will be included in the application process.

We are proposing that a fee of £150 be charged in respect of a small event and £400 in respect of a larger event. Additional costs of the County Council, any advertising or other costs would also be charged.

We are suggesting that the decision to agree an application for a road closure would be made by the officers if no objections are received and if objections are received or the officers consider it appropriate, by a Licensing Sub-Committee.

All matters of policy other than formulation of licensing policy will be agreed by the Council.