

# **Report to Licensing Committee**

**Date of meeting: 9<sup>th</sup> April 2014**

**Subject: Temporary Road Closure Orders- Fee**



**Epping Forest  
District Council**

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**Committee Secretary: Adrian Hendry, ext. 4246**

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## **Decisions Required:**

- 1. To note the request from Epping Town Council to waive the fee for road closure for the Christmas Market and other similar events;**
- 2. To make a recommendation to the next full Council meeting on the charging of fees for primarily charitable events; and**
- 3. To recommend that this decision be delegated to either the Full Licensing Committee or to a Licensing Sub-Committee.**

## **Executive Summary:**

1) The Town Police Clauses Act 1847 gives Local Authorities powers for preventing obstruction of the streets in times of public procession, rejoicing, or illuminations, and in any case when the streets are thronged or liable to be obstructed by substantial numbers of people, on foot or in a vehicle, participating as spectators or otherwise in the occasion. These powers have been interpreted to include making a temporary road closure although not all orders under this power need to take the form of a closure. This Act can be used for commercial and non-commercial events.

2) The Council at its meeting on 17 December 2013 (minute 86) resolved that the Council exercises its powers to make temporary road closures from 1 April 2014 at a cost of £170; and that the Licensing Committee give further consideration to the charging of this fee for primarily charitable events.

## **Reasons for Proposed Decision**

3) The licensing authority has received a request from Epping Town Council to waive the fee for a road closure for the Christmas Market and other similar events. In order to consider the request to waiver the fee when and where appropriate (for example for charity events) and other requests from other applicants, members need to recommend an appropriate policy.

4) In order to consider this request this Committee will need to make a recommendation to the Council on the levying of fees for temporary road closures for charitable events.

5) The options available are:

- i) Not to allow a waiver of a fee; or
- ii) To offer a reduced fee for charitable events –and to make a recommendation on the size of the reduction envisaged; or
- iii) To waive the entire fee for any charitable event.

The committee is asked to make a recommendation to council on one of the above options.

**Other Options for Action:**

To consider each instance on a case by case basis.

**DELEGATION OF FUNCTIONS**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for a Road Closure Order		If an objection	If no objection made
All policy matters except the formulation of the licensing policy	All cases		
To waiver a fee	All applications?		

**Resource Implications:**

Loss of income

**Legal and Governance Implications:**

The Council has authority under the Town Police Clauses Act 1847 to make these orders. The proposed procedure would allow the Council to assess the application in consistent way.

**Safer, Cleaner and Greener Implications:**

These road closures were historically undertaken by the Highways department of the County Council but with effect from April 2014 the licensing section will undertake these applications.

**Consultation Undertaken:**

None needed

**Background Papers:**

None

**Impact Assessments:****Risk Management**

Applicants would be required to provide a risk assessment of their application

**Equality and Diversity**

The report does not impact adversely on any group identified in the legislation as having protected characteristics.