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GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL

TO FOLLOW

DATE: MONDAY 12 JULY 2010
TIME: 2.00 PM
PLACE: COUNCIL HOUSE, NEXT TO THE CIVIC CENTRE

Committee Members–

Councillor Nicholson , Chair
Councillor Nelder , Vice Chair
Councillors Berrow, K Foster, Martin Leaves, Roberts, Mrs Stephens, Wheeler and Wright

TO FOLLOW – Please find enclosed additional information for your consideration under agenda item number 7.

BARRY KEEL
CHIEF EXECUTIVE

GROWTH AND PROSPERITY OVERVIEW AND SCRUTINY PANEL

7. COMMUNITY EVENTS AND ROAD CLOSURE POLICY (Pages 1 - 4)

The Panel will be provided with an update on the Community Events and Road Closure Policy.

Briefing Note to Growth & Prosperity Overview & Scrutiny Panel:

Events Management and Proposed Charging Policy

Author: Ian Ellis

30th June 2010

1.0 Introduction

- 1.1 The Traffic Management Act 2004 places a duty on Local Highway Authorities (LHA) to ensure that their highway networks operate efficiently without unnecessary delay to those travelling on it. Clearly, events on or near the highway have the capacity to disrupt traffic flow and therefore it is important that, as a department, the Transport and Highways service has the necessary procedures in place to adequately discharge its legal obligations.
- 1.2 There is no legal requirement on a LHA to allow events to take place; consequently, it is at the discretion of the LHA whether to recover the costs incurred.
- 1.3 At the current time, Plymouth City Council's Transport and Highways service subsidises certain events on the highway.
- 1.4 This briefing note summarises the current position for events management.

2.0 Managing events corporately

- 2.1 At the corporate level events are controlled by quarterly meetings of the Events Safety Group (ESG). The ESG is chaired by the Marketing & Events Manager (Culture, Sport & Leisure Department) and attended by other departments and stakeholders with an interest in events including Transport and Highways, Licensing, the City Centre Company, the emergency services, and the NHS Hospitals trust.
- 2.2 The primary purpose of the group is to raise awareness of upcoming events in order that group members can discuss their implications and, if necessary, liaise direct with event organisers to discuss the planning in more detail.
- 2.3 It should be noted that the ESG has no legal status and therefore event organisers have no obligation to liaise with it. However, where events are likely to have a significant impact on the city event organisers may be invited to the ESG meetings to ensure that they are fully aware of their legal obligations to individual member bodies.
- 2.4 The Marketing and Events team is currently developing guidance for event organisers which will be posted on the Plymouth City Council website. Transport and Highways has been invited to provide guidance notes as they relate to its responsibilities.

3.0 Transport and Highways events management procedures

- 3.1 Events may affect the Transport and Highways Service in a number of ways: Temporary Traffic Orders for road closures, licenses for certain activities on the highway, the loss of parking spaces, and the need to give advice on travel planning and road safety.

- 3.2 In developing the guidance notes for the website, it was clear that events could be better coordinated between individual sections within the service. Consequently, the department's procedures are currently being revised to incorporate all aspects of the Transport and Highways service thus ensuring a coordinated approach when dealing with event organisers.
- 3.3 The new procedure is currently at consultation stage within the Transport and Highways service with a view to implementing it within the next two months.

4.0 Charges for services

- 4.1 Running in tandem with the procedural review is a review of the department's fees and charges arising from events. The aim of the review is to provide a clear, equitable and consolidated charging structure for event organisers whilst ensuring that the Transport and Highways service is not unnecessarily subsidising events from the highways maintenance revenue budget.
- 4.2 Costs for events include the preparation and advertising of Temporary Traffic Regulation Orders (TTRO's) for road closures. In the past, and in the absence of a written policy, the Highways service has charged event organisers a flat rate of £1000 for this service whilst waiving charges for charity, community and certain PCC led events. The significant proportion of the £1000 represents the advertising costs of the TTRO which is statutory requirement.
- 4.3 Through the review of the charges it is apparent that the cost of TTRO's is often more than £1000, with the excess being absorbed by the highways maintenance revenue budget. For a significant event like the Half Marathon the advertising cost of a TTRO may be in excess of £4000.
- 4.4 The number of community/charitable events varies from year to year. In the year 2009/10, Transport and Highways subsidised the TTRO costs for eleven community/charitable events (see Table 4.1) at an approximate cost of £17,800. Six of these events were led or supported by Plymouth City Council's Marketing and Events team.

Table 4.1 – Subsidised Events 2009/10
RNR, MSA Freedom of the City*
29 Cmdo Homecoming Parade*
42 Cmdo Homecoming Parade*
Half Marathon
Race for Life
British Fireworks Championships*
Remembrance Sunday*
Christmas Lights Switch-On*
Plymstock Lamb Feast
Jazz & Blues Festival
Hoe 10 Road Race

*Marketing and Events team led events

- 4.5 In addition to the costs for TTRO's, Transport and Highways' Parking Unit also loses revenue due to the temporary suspension of on-street parking spaces. Income lost due to the closure of parking bays, roads and/or other chargeable parking was

monitored monthly during 2009/10; the total loss of revenue, calculated from takings over the same period in 2008/9, equated to approximately £31,800. The actual cost is likely to be higher as the figure does not include the TTRO costs over and above those absorbed by the service in 2009/10 has not yet been determined.

- 4.6 Further costs are associated with policing events but these are paid direct to the Police by the event organiser.
- 4.7 The possible charging options and their consequences for the Transport and Highways revenue budgets are currently under consideration. The preferred option will be subject to the approval of the Portfolio Holder for Transport, and will commence in unison with the launch of the new events management procedure.

5.0 Police presence at events

- 5.1 The Devon and Cornwall Constabulary's Acting Deputy Chief Constable (ADCC) has recently informed Plymouth City Council of its intention to gradually withdraw its support for providing traffic management at pre-planned events.
- 5.2 It should be noted that only the Police, or other suitably qualified body, can direct traffic on the public highway, and then only when a TTRO is in place. In most cases traffic management, i.e. barriers, signs etc. should be self enforcing although, in certain circumstances, the Police (or other suitably qualified person) may need to be present to direct traffic, e.g. to allow a parade or carnival to cross a main road.
- 5.3 The need for Police attendance and action at public events is principally based on the need to discharge its core responsibilities which are stated as being:
- The protection of life and property.
 - Prevention and detection of crime.
 - Preventing or stopping breaches of the peace.
 - Traffic regulation within the legal powers provided by statute, a Road Closure Order (TPCA 1847) or a Traffic Regulation Order (RTRA 1984).
 - Activation of a contingency plan where there is an immediate threat to life and co-ordination of resultant emergency service activities.
- 5.4 The ADCC's letter refers to the withdrawal of road traffic management therefore the Council is only likely to be directly affected where Authority supported events require Road Closure Orders or Temporary Traffic Regulation Orders (TTRO) to enable the Police to direct traffic on the Highway. Should the Council require police assistance in such circumstances then the police might elect to charge for this service although this is yet to be clarified.
- 5.5 The A/DCC suggests that the police will, where appropriate, support community events although it is unclear what would be deemed a community event. The police's own Guidance on Public Safety Policy document states: *'Events of national significance, such as Armistice Day Parades and Services, are particularly sensitive within the community and it is imperative that they should be allowed to proceed.'* Again clarification from the police is yet to be forthcoming.
- 5.6 The council might be indirectly affected where private events organisers are directed to the Authority by the police with the message that both they and the Authority, and not the police, are responsible for traffic management. Whilst the Authority has certain responsibilities under the Traffic Management Act 2004, the provision of traffic

management (and indeed any costs arising from Police attendance) is the responsibility of the event organiser.

- 5.7 Transport and Highways' Network Management Unit is currently investigating the viability of providing suitably trained 'Traffic Officers' to undertake traffic directing duties at Plymouth City Council led events. Assuming that this is a viable approach, there is likely to be opportunity to provide this service to private events organisers at a cost.

6.0 Summary

- 6.1 Legislative, operational and financial pressures have necessitated a full review of the Transport and Highways service's approach to managing events on or affecting the highway. A review of the department's processes and charges is currently underway with a view to adopting a new events management procedure along with a fair and equitable charging regime.