

CITY OF PLYMOUTH

Subject: Community Events and Road Closure Policy
Committee: Growth & Prosperity Overview & Scrutiny Panel
Task & Finish Group
Date: 6 Oct 2010
Cabinet Member: Councillor Wigans
CMT Member: Anthony Payne, Director for Development & Regeneration
Author: Ian Ellis, Assistant Network Manager,
Transport & Highways Partnership
Contact: 01752 304223
Ref:
Part: 1

Executive Summary:

This report provides further information for the panel as requested and makes proposed recommendations for consideration

Corporate Plan 2010-2013:

CIP 11 Improving Access across the city

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

This report considers a reduction in spend and a charging policy commensurate with the actual costs

Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

Risk management / legal advice/ Town and Police Clauses Act 1847

Recommendations & Reasons for recommended action:

- a) An Approved List of Civic events is adopted and amended only by a delegated decision
- b) The funding for events on the Approved List be found from within PCC budgets
- c) Traffic Orders continue to be advertised for all events except for those falling within the criteria for street parties and fetes, i.e. Category C events.
- d) The proposed charging model is considered, agreed and reviewed after twelve months; sooner if required by a change in the law. Changes to the charging model will be by delegated decision.

Alternative options considered and reasons for recommended action:

For discussion

Background papers: Report attached

Sign off: comment must be sought from those whose area of responsibility may be affected by the decision, as follows (insert initials of Finance and Legal reps, and of HR, Corporate Property, IT and Strat. Proc. as appropriate): N/A

Fin		Leg		HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											

Growth & Prosperity Scrutiny Panel Task & Finish Group Community Events and Road Closure Policy

Author: Ian Ellis, Assistant Network Manager, Plymouth Transport & Highways

27th Sep 2010

1. Classification of Events

Events have, until now, been classified as shown in the following table.

Classification	Description
Commercial	Any event (incl. Charity events) in which any party is charged for their attendance or participation in the event and/or where there is commercial trading on the public highway e.g. stalls, entertainments, food traders etc.
Charity	An event in which no party is charged for their attendance or participation and where all profit made from trading on the public highway is given to charity. The organiser will be expected to provide a registered charity number.
Community	a)An event organised by local community members/groups, held to encourage/celebrate community spirit, e.g. street party or fete. b)Any event in which no party is charged for their attendance or participation in the event and where there is no commercial trading on the public highway.
Civic Event	a)An event held to celebrate/commemorate a military or civic occasion e.g. Lord Major's Parade, Remembrance Sunday. b)An event on the approved funding list of Plymouth City Council led events.

2. Events Costs

Appendix 1 indicates the events requiring Temporary Traffic Regulation Orders (TTRO's) over the past 12 months along with the actual costs of producing and advertising these Orders. The table also illustrates the organisations contributing towards these costs. Each event has been classified in accordance with the classification of events table, above.

3. Approved List of Events

The following table shows the proposed 'Approved List of Events', i.e. those proposed events to be funded in whole by Plymouth City Council. This proposal is based on events that would be classified as Civic events along with those which have historically, i.e. up to 2009/10, been promoted by Plymouth City Council's Events Team and funded by Transport and Highways.

Event	Month	Venue	Frequency
Lord Mayors Day	May	City Centre	Annually
British Fireworks Championships	August	Hoe and surrounding roads	Annually
Bonfire Night	November	Hoe and surrounding roads	Annually
Christmas Lights Switch On	November	City Centre	Annually
Remembrance Sunday	November	Hoe/Hoe road	Annually
Sports Relief	March	Hoe and surrounding roads	Every 2 years
Transatlantic Race (Transat)	May	Barbican	Every 4 years
All Military marches and processions, e.g. home coming events, Freedom of the City etc.	Varies	City centre, roads around Hoe	No frequency

4. Advertising of TTRO's

As an alternative to using the Herald, Officers have investigated the possibility of advertising TTRO's in the Plymouth Extra with a view to reducing costs. As a 'sister' paper, the Plymouth Extra's advertising costs are the same as those for the Herald. Consequently, there are no opportunities for reducing costs in this respect.

TTRO's for events are governed by the Road Traffic Regulation Act 1984 Section 16a (Special Events). The Government guidance on the advertising of TTRO's under this legislation issued in 1997 is clear that advertisements should be placed in a local newspaper. However, in light of the communication from Eric Pickles MP, Secretary of State for Communities and Local Government, officers have investigated the possibility of advertising only on the council's website and by on-street notices; based on the data provided in Appendix 1 this would have reduced the cost of TTRO's by 74%.

Having considered the legal implications of adopting this approach, Plymouth City Council lawyers have advised that the requirement for public notification for "special events" orders under S16a-c of the Road Traffic Regulation Act 1984, should continue in the form of the publication of a notice in at least one local newspaper. The advice is that we should not stray from this guidance as not every member of the public has internet access. Whilst it may be argued that the internet is more widely accessible than local newspapers, the guidance issued to date does not provide for advertising in alternative forms of media.

However the legal advice is such that for small street parties and fetes then such publication is not necessary, as the recent guidance is clear that the local authority should use its discretion on such events, and, in any case, can rely on the Town Police Clauses Act 1847 for smaller events such as these. Research has revealed that many highway authorities are using the Town & Police Clauses Act 1847 to effect road closures. The advantage of using this legislation is that there is no requirement to advertise the closure beyond on-street

notices. It should be noted that some authorities consider this legislation to be outdated and therefore not fit for purpose.

5. A Proposed Charging Model

Given that TTRO advertisements are still required for the larger events, officers have developed a proposal based on a sliding scale of charges. Such charges would be based on the implications an event would have on the operation of the highway network rather than on the classification of the event, i.e. there is no distinction between a charity and commercial event, rather each would be judged on its impact on the network.

It is proposed that events are categorised as either A, B or C events as follows:

Category	Suggested criteria (still to be fully defined)	Charge
A	<ul style="list-style-type: none"> ▪ Require diversion of major Bus routes ▪ Close any traffic sensitive road (The list online www.plymouth.gov.uk/trafficsensitivestr eets) ▪ Divert significant traffic onto any traffic sensitive road ▪ 1000 or over attendees/participants 	£3,000
B	<ul style="list-style-type: none"> ▪ Important route, but not traffic sensitive, e.g. distributor road ▪ Close less than 200m of road ▪ Close any road for less than 6 hours in total (including setting up and cleaning up) ▪ Divert traffic for less than 1km ▪ Less than 1000 attendees/participants 	£1,200
C	<ul style="list-style-type: none"> ▪ Street parties and fetes ▪ Residential roads only, i.e. not distributor roads. ▪ Limited to a length of road not exceeding 200m ▪ No two adjacent roads closed on a single day 	£35

The charges indicated in the above table are based on the costs incurred for TTRO's over the past twelve months. The charges for Category C events are intended to cover the initial cost of processing the organiser's application; no TTRO advertisement would be required.

Appendix 2 demonstrates the affect of the proposed charging structure when applied to 2009/10 events.

6. Summary Recommendations

- e) An Approved List of Civic events is adopted and amended only by a delegated decision
- f) The funding for events on the Approved List be found from within PCC budgets

- g) Traffic Orders continue to be advertised for all events except for those falling within the criteria for street parties and fetes, i.e. Category C events.
- h) The proposed charging model is considered, agreed and reviewed after twelve months; sooner if required by a change in the law. Changes to the charging model will be by delegated decision.