

<b>Cabinet Member for Highways and Infrastructure</b>	<b>Ref No: HI14 (19/20)</b>
<b>September 2019</b>	<b>Key Decision: Yes</b>
<b>Framework for managing planned events requiring road closures of West Sussex highways</b>	<b>Part I</b>
<b>Report by Executive Director Place Services and Director of Highways, Transport and Planning</b>	<b>Electoral Divisions: All</b>
<p><b>Summary</b></p> <p>West Sussex has seen an increase in events taking place on the highway. In order to better consider the benefits from such events and manage the impacts on communities a more open and planned approach to the consideration of such events is required based on sound principles and an understanding of the Council's objectives.</p> <p>This report presents a proposed framework, which sets out a clear timeline and process for the consideration of requests for managing requests for orders to facilitate events requiring road closures of West Sussex highways.</p> <p>It is recognised that, when the framework becomes operational, improvements may be identified and amendments required.</p>	
<p><b>West Sussex Plan: Policy Impact and Context</b></p> <p>The proposal supports the prosperous place priority in the West Sussex Plan by ensuring a well-managed highway network which will help to support local businesses and communities.</p>	
<p><b>Financial Impact</b></p> <p>The framework will support the Council in recovering costs for work undertaken in relation to events, many of which have commercial benefits for the organising body or its sponsors.</p>	

## **Recommendations**

That the Cabinet Member for Highways and Infrastructure:

1. approves the framework for managing planned events requiring road closures of West Sussex highways; and
2. delegates authority to the Director of Highways, Transport and Planning, in consultation with the Cabinet Member for Highways and Infrastructure, to make any subsequent amendments to the framework.

## **PROPOSAL**

### **1. Background and Context**

- 1.1 During the past few years West Sussex has seen an increase in events taking place on the highway and generally across the county. In order to better assess the benefits from such events and the impacts on the community they must be adequately considered through a fair and proper assessment of the request.
- 1.2 The increase in events taking place on closed and open roads, has led to some concerns from local communities regarding their impact, especially in rural areas.
- 1.3 A Framework for managing planned events requiring road closures of West Sussex highways has been developed setting out a clear timeline and process for the approval of road closures, to ensure it is consultative and transparent, whilst balancing the impacts and the benefits. It also sets out expectations in relation to how partners and event organisers communicate and co-ordinate to minimise any impact attributed to events.

### **2. Proposal Details**

- 2.1 The framework for managing planned events requiring road closures of West Sussex highways is aimed at key stakeholders and event organisers and specifically refers to the consideration of road closures for events on the highway under Section 16A Road Traffic Regulation Act 1984 which is used for a large sporting event, social event or entertainment which is held on a road and the regulations and guidance associated with this provision.
- 2.2 The framework does not include the process for approvals of road closures under Town and Police Clauses Act 1847 which is administered by the District and Borough Councils and used for small events such as street parties or carnivals.

## **FACTORS TAKEN INTO ACCOUNT**

### **3. Consultation**

- 3.1 The framework has been produced following good practice established in similar counties experiencing an increase in large scale highways events.
- 3.2 Consultation with the District and Borough councils and emergency service providers and internal County Council stakeholders has been undertaken. Every effort has been made to ensure the document is robust and offers West Sussex County Council the best possible tool to support the proper consideration of applications associated with major events on the highway in the county.
- 3.3 Once the framework becomes operational, it can be reviewed and improved as appropriate.
- 3.3 The draft protocol was considered by the Environment, Communities and Fire Select Committee on 20 June 2019. The Committee's recommendations (set out below) were taken into account by the Cabinet Member for Highways and Infrastructure who amended this decision report accordingly.

#### *The Committee*

- *'Welcomed the report and was broadly supportive and understood the need to have a framework. It noted that the framework balances both the positive and negative impacts of events and reassured that this framework would address many of the issues highlighted by the communities with regards to "Velo" and would allow the Cabinet Member to refuse permission for events to be held if the mitigation offered is not suitable or the risk to the community too high.*
- *Welcomed the long lead-in time required for events to be organised (at least one year) as this would give sufficient time for the local member, County Council services and communities to be properly consulted at the earliest opportunity.*
- *Requested that the report be clearer on when West Sussex County Council can claim back costs, who would take the final decision on whether events would be permitted, and whether the decision could be taken as a key decision.*
- *Suggested that screening points should be added to the timeline, to make it clear when political escalation is required.*
- *Requested clarity on the process for implementing Temporary Traffic Regulation Orders.*

*Resolved – That the Committee welcomes the production of a draft protocol, and asks that the revised version be brought back to the Committee when ready.'*

#### **4. Financial (revenue and capital) and Resource Implications**

- 4.1 It is proposed to recover costs for work undertaken in relation to events, many of which have commercial benefits for the organising body or its sponsors.
- 4.2 The Framework will support West Sussex County Council and partners in the recovery of event related expenditure. This is set out in the attached framework document.
- 4.3 Some events may be given a waiver against some of these charges in special circumstances such as community or charitable events supported by West Sussex County Council. This will be determined by the Director of Highways Transport and Planning. This will not however affect or influence the application of the statutory provisions to the consideration of the application in each case. This will be made clear to the applicant.

#### **5. Legal Implications**

There is a statutory and regulatory framework for the consideration of traffic regulation order requests associated with events on the public highway. The County Council has the power to grant or refuse requests for special event road closures based on professional and operational consideration by reference to the legal provisions. The County Council's scheme of delegation provides for co-ordinating and approving events requiring road closures of West Sussex highways to be discharged by the Director of Highways, Transport and Planning.

#### **6. Risk Assessment Implications and Mitigations**

Adoption of a framework will ensure a consistent, fair and evidence based response is given for all events needing such orders from West Sussex County Council.

#### **7. Other Options Considered (and reasons for not proposing)**

- 7.1 There is no statutory requirement for a Highway Authority to have a framework for managing planned events requiring road closures of West Sussex highways. It is considered good practice to set out the necessary considerations involved for the benefit of potential applicants and communities and individuals who may be affected.
- 7.2 The adoption of a framework will enable the County Council to have a clear and transparent process to agree requests to enable events and will limit reputational and operational risks.

#### **8. Equality and Human Rights Assessment**

Neither the report nor the framework will have a detrimental impact on individuals or groups with protected characteristics or any impact on human rights. The power to make special event road closures is already delegated to officers and the framework will assist in applying this both fairly and

consistently. The process applied in each case will include an impact assessment to ensure compliance with the public sector equality duty.

## **9. Social Value and Sustainability Assessment**

The framework for managing planned events requiring road closures of West Sussex highways will empower officers of the Network Management Team to manage the public highway effectively and support officers efforts to ensure all highway users have all reasonable and lawful use of the highway. Each event relating to an application will be likely to have an impact on local communities and business interests –whether beneficial or detrimental and the Council will, within the constraints of the legislative framework, consider the social value aspects of such impact.

## **10. Crime and Disorder Reduction Assessment**

There are no significant Crime and Disorder Act implications but consultation with the police and other public services in relation to the safe use of roads during events will be a factor in the consideration of applications.

Contact Officer: Jeff Elliott, Highway Network Manager Tel: 033 022 25973

**Lee Harris**  
**Executive Director**  
**Place Services**

**Matt Davey**  
**Director of**  
**Highways, Transport and Planning**

## **Appendix**

Draft framework for managing planned events requiring road closures of West Sussex highways

### **Background papers**

None