

Environment, Communities and Fire Select Committee

20 June 2019

Framework for Considering Requests for Events on West Sussex Highways

Report by Executive Director for Place Services and Director of Highways, Transport and Planning

Summary

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.

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 road closures for events on West Sussex highways.

West Sussex Plan: Policy Impact and Context

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.

Focus for Scrutiny

The Committee is asked to consider whether the proposed protocol enables events to happen in a beneficial way, whether it covers the issues sufficiently, has the right objectives and principles and otherwise addresses concerns arising from recent experience.

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 co-ordinating and considering requests to facilitate events on 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 co-ordinating and managing requests to facilitate events on 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, emergency service providers and internal County Council stake holders has been undertaken. Every effort has been made to ensure the document is fit for purpose 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.

4. Financial (revenue and capital) and Resource Implications

- 4.1 There are no financial implications to the Council regarding the implementation of the policy. The resources required to undertake the actions as noted in the guidance, where necessary will continue to be met from within the services existing budget. There is however a proposal to seek cost recovery for work undertaken in relation to such 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 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 on 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 co-ordinating and considering requests to facilitate events on the highway. 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 co-ordinating and approving orders relating to events on 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 likely 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

None 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.

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Appendix 1: Proposed Framework for managing requests for closed road events on West Sussex highways

Framework for co-ordinating and considering traffic regulation orders to facilitate events on West Sussex highways

Background papers

None