

Rother District Council

Report to	-	Licensing and General Purposes Committee
Date	-	13 July 2020
Report of the	-	Executive Director
Subject	-	Temporary Street Closure Orders

Recommendation to COUNCIL: That the policy for approving temporary street closure orders, as set out at paragraph 8 be approved and adopted.

Head of Service: Richard Parker-Harding

Introduction

1. This matter was deferred from the last meeting (Minute LG19/20 refers).
2. The District Council has the authority to issue Temporary Street Closure Orders for street parties, bonfire/fireworks, processions, cultural events etc. under Section 21 of the Town Police Clauses Act 1847 (as amended by the East Sussex Act 1981).
3. Events must not be promoted for private gain. They must be for a genuinely public event. The application fee is £100.
4. The Council should not incur any additional costs, such as exceptional street cleansing as a result of an event.
5. Although these events are not taking place on Council owned land, there is still a responsibility on the Council to check that the applicant has produced a suitable event management plan, to protect the safety of the public attending.
6. Applications for other closures, such as road works must be made to the Highways Authority.

Policy

7. Although the legislation defines the circumstances when the District Council can make a road closure order, it will assist officers in determining applications if the Council has an adopted policy. Applications falling outside the policy will be referred to Committee, if requested by the applicant.
8. It is proposed that the following policy of approving Orders be adopted:
 - in all cases except Remembrance, a fee of £100 or as set annually by Cabinet is paid.
 - if required by the Police to ensure the safety of a public event (e.g. carnival).
 - the road closure facilitates a cultural or community event as listed below, or a similar type event:

Good Friday and other religious processions
St George's Day Procession High Street & Upper Lake Battle
Remembrance Day Parades
Anglo Continental Market, Devonshire Road, Bexhill
Bexhill Wheel & Walk, Channel View East
Bexhill Carnival
Battle Medieval Fayre Abbey Green Road, Battle
Battle Summer Fayre & Carnival High Street & Abbey Green, Battle
Battle Festival
Battle Medieval Fayre
Battle Marbles
Rye Jazz Festival Market Street & Lion Street, Rye
Rye Ancient Trials
Ticehurst Family Fun Day, The Village Square, Ticehurst
Lights On & Christmas Celebrations High Street & Abbey Green Road, Battle
Bexhill Christmas Lights Switch on
Christmas Capers, Robertsbridge
Rye Christmas Event
Ticehurst Christmas Event The Village Triangle, Ticehurst

- For events not falling within this definition, Orders will only be made if the previous years' audited accounts show that over fifty percent (50%) of the profit from the event was paid to a registered or local charity. For first-time applications, an undertaking must be given that this will apply.
- Applicants must provide an adequate event management plan (including risk assessments) with the application to show how the event can take place without creating unnecessary or uncontrolled hazards to the public.
- Applicants undertake to litter pick the road after the event as far as reasonably practical, or if this does not occur pay for any exceptional street cleaning costs.
- Applicants provide evidence of having adequate Public Liability Insurance.
- The applicant has a right of appeal against a refusal to the Licensing and General Purposes Committee.

Conclusion

9. It is recommended that the Council adopt a policy for making road closure orders.

Malcolm Johnston
Executive Director

Risk Assessment Statement

In order to comply with legislation, the Council should ensure that applicants for road closures are not doing so for private gain, that the road closure will not unduly disrupt other road users and that the event will be safe.