

## **Report to the Licensing Committee**

**Report reference:** **LSC-003-2010/11**

**Date of meeting:** **13 October 2010**



**Epping Forest  
District Council**

**Portfolio:** **Safer & Greener.**

**Subject:** **Temporary Road Closure Orders**

**Responsible Officer:** **Alison Mitchell (01992 564017).**

**Democratic Services Officer:** **Gary Woodhall (01992 564470).**

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### **Recommendations/Decisions Required:**

- (1) To note the Authority's powers under S21 of the Town Police Clauses Act 1847 to make temporary road closure orders; and**
- (2) To recommend to the Council that the schedule of delegation and fees be adopted.**

### **Executive Summary:**

The provisions of the Town Police Clauses Act 1847 are used by District Councils to make temporary road closures for street parties, fetes, processions etc. The report seeks to put in place the necessary delegated authorities and other requirements to permit these road closures to take place.

### **Reasons for Proposed Decision:**

The Secretary of State for Communities and Local Government has recently issued the guidance that is attached to this report to make it easier for communities to hold street parties and fetes. The guidance directs members of the public to the District Council to make this application. The Authority has not had occasion to make road closures but it is considered that the new guidance will make applications more likely. The report seeks to put in place the necessary delegations and other matters required to permit the Licensing Section to undertake this type of licensing work

### **Other Options for Action:**

There is no legal option other than to process the licence application when requested.

### **Report:**

1. The guide issued by the Secretary of State sets out the background in respect of the requirements for making a road closure where small events such as street parties and fetes are to be held. However, for larger public events the Council's own form will be required and a similar but more detailed process followed.
2. The fees being set is £150.00 and where a larger event takes place the cost should be increased to £400 and the cost of advertising the event in the local newspaper will also be charged.
3. The Essex County Council's Highways Department have been consulted. Applications for road closures are usually authorised by the County under Highways legislation and the County have concerns that the information required by the guide issued by the Secretary of State may not be

sufficient to allow the County Council to agree to a road closure and they will be looking into this further. Further information as to their requirements will be sought and included in any application process used.

### DELEGATION OF FUNCTIONS

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
Application for a Road Closure Order		If an objection	If no objection made
All policy matters except the formulation of the licensing policy	All cases		

**Resource Implications:**

None.

**Legal and Governance Implications:**

S21 of the Town Police Clauses Act 1847.

**Safer, Cleaner and Greener Implications:**

The Council Plan 2006 – 2010 – A Safe Community.

**Consultation Undertaken:**

Essex County Council.

**Background Papers:**

None.

**Impact Assessments:**

Risk Management

N/A

Equality and Diversity:

*Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?*

No

*Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?*

No

*What equality implications were identified through the Equality Impact Assessment process?*  
No.

*How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?*  
None.