

A.7 APPENDIX

TENDRING DISTRICT COUNCIL - LOCAL ROAD CLOSURES ORDERS POLICY FOR SPECIAL EVENTS UNDER SECTION 21, THE TOWN POLICE CLAUSES ACT 1847

Introduction

This Policy sets out the requirements and responsibilities relating to applications for temporary road closures made to Tendring District Council (the Council) under provision of the Town Police Clauses Act 1847 (the Act).

If you are holding a special event such as a parade or social gathering and would like to close the road, you will need permission.

The Council has powers under the Town Police Clauses Act 1847 to close public roads to allow such events to take place safely. However, approval must be sought from the Police and the Council and a legal order must be made by the Council before a road may be closed.

The Council will issue a decision confirming whether the Order is being granted or refused, with reasons recorded.

The applicant (and not the Council) is responsible for ensuring that all safeguards, signage, barriers and stewards are in place as applicable and as deemed necessary via the application process.

The Council will expect to see evidence that all necessary steps have been undertaken and relevant adequate safeguards will exist and be in place at all material times immediately before and during the event prior to the granting of any closure order.

The following points must be taken into consideration when applying for a road closure:

- If you are organising an event, which may require a temporary road closure, you must inform key authorities, including the police and the Council and complete the application form available from Tendring District Councils website.**
- If the closure is required for a parade or march the closure may take the form of a rolling closure which will require an authorised police escort.**
- The event organiser is wholly responsible for the safety of the event including the safe temporary closure of any roads.**

- **Signs and barriers will be required to warn traffic of the closure on the day as well as advance warning signs of the intended closure.**
- **The organiser/applicant must provide the Council with proof of its public liability insurance to the value of £10 million or such higher figure that is needed to provide adequate cover for the particular event and would be responsible for any third party liability claims that may arise due to the event.**
- **Following receipt of an application the Council will consult with key organisations or services affected by the road closure including local elected members of the Council.**
- **It is recommended that you consult with residents and businesses that may be affected by the closure as soon as possible and preferably prior to submitting an application.**
- **Pay the appropriate fee if required**

Policy and Terms

1. If the road(s) that you wish to close are **not** adopted by Essex County Council Highways, we are unable to issue a Road Closure Order.
2. Only events that require a temporary closure for the purpose of processions, illuminations, rejoicings or any case where the public arising from a specific event throngs the streets may be considered under this policy. Closure of major trunk roads, through roads, or longer-term closures must be facilitated by application to the County Council for a Closure Order under provisions of the Road Traffic Regulation Act 1984.
3. The Council will not generally consider multiple applications (more than one) for the same or similar events in the same road(s) within a twelve-month period.
4. Should the Council receive multiple applications (more than one) made regularly for the same area by the same or different applicants, these will be referred to the relevant Portfolio Holder for determination. The community benefits for multiple applications would need to be provided prior to applications being considered.
5. In order to make a Road Closure Order we require a **minimum of 12 weeks' notice** commencing from the date that a valid application is received. An application will only be considered as valid if it has been fully completed with all relevant information and the appropriate fee, if required, has been paid. This is to allow for full consideration of the application by necessary authorities including the granting of permission by the County Council Highways Authority. Late or emergency applications are possible providing it is possible to ensure appropriate consultation. However later applications will attract a higher or additional fee.

6. Before making an application, we would strongly recommend that event organisers discuss the proposals with the local police.
7. Under the terms of the legislation, the Council must be satisfied that it is necessary to close the road in order to facilitate the event.
8. Where there are residents, businesses, which may be affected by the closure, the Council will require the event organisers to consult with those parties, confirm and provide proof that this has been done. The Council will consult with key organisations but it is recommended that applicants make early enquiries with any potentially affected parties prior to the application.
9. For all events which require a closure order, the organisers will be requested to provide a risk assessment, which should consist of:
 - a) All identified risks and appropriate control measures associated with the event
 - b) A Road Signage Schedule
 - c) A map indicating positions of road closure/route diversion signs/barriers
 - d) A map indicating positions of marshals/stewards etc.
 - e) Description of wording/size/colour of the road closure/diversion signs, barriers etc.
 - f) A Management plan for setting out the Closure
 - g) A contingency Plan, which should identify measures that are in place to ensure safety of the public and participants and access for emergency services in the event of any unforeseen circumstances.

All signs MUST conform to 'Traffic Safety Measures & Signs for Road Work & Temporary Situations Act', (Traffic Signs Manual, Chapter 8). This may be viewed under the following link.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/203669/traffic-signs-manual-chapter-08-part-01.pdf

10. Signage warning of the closure must be displayed a minimum of two full weeks in advance of the event, the Road Signage Schedule must be submitted with the application. In addition, the applicant is responsible for ensuring that all signage is removed immediately at the conclusion of the event.
11. The organisers will be required to provide marshals or stewards as appropriate depending on the size of the event. Any cost involved in establishing the signage, marshalling and stewards, providing notices etc. must be borne by the organisers.
12. Evidence that the organiser has undertaken all necessary consultation, notifications and assessments will be required as part of the application process. The organiser will therefore be asked to supply information as may be deemed necessary in order to be

satisfied that all procedures have been followed prior to implementing any closure order. This may include (but not exhaustively)

- copies of any letters sent
- copies of any emails sent
- any responses received from residents or other authorities
- a list of addresses with regard to any consultation undertaken
- any proof that may be required by any relevant authority, full SAG member or service provider such as Bus Operators, taxi Operators etc.

13. The application should be submitted online through the Council website at www.tendringdc.gov.uk together with the **correct fee**.

The risk assessment, road signage schedule, map, contingency plan, public liability insurance and details of the marshalling and first aid arrangements must be uploaded with the application. Alternatively, the additional items may be sent once the application has been made to the Parking Services Section at Tendring District Council, Northbourne Depot, Vista Road, Clacton-on-Sea CO15 6AY. Please note however, that the application will only be considered as complete once all documentation and payment is received and cleared.

The Council will then consult the Safety Advisory Group, consisting of the Police, Fire, Ambulance, County Highways Services and others, where this is considered necessary, or appropriate.

14. If any of the Safety Advisory Group objects to the proposals and these cannot be adequately addressed, the Council will not proceed with the Order. A decision providing reasons will be published.

15. If there are objections from any other parties, the organisers may have discussions with the objectors to try to reach a compromise solution. If a compromise is not possible, the relevant Portfolio Holder will consider the objections and representations and decide whether the Order is appropriate for the Head of Public Realm and / or the Assistant Director Building and Public Realm to decide in consultation with the Portfolio Holder. The final decision will lie with the Council, based on advice, if considered necessary from various sources, which will always include County Highways, although views of others such as Police and any other SAG member as may be considered appropriate may be taken into account.

16. Event organisers shall be aware that during the closure there must be clear access/ egress at all times for emergency vehicles and that arrangements are in place for anyone with special requirements such as palliative or urgent home care / mobility restrictions. The closure will apply to all other traffic. Event organisers to be responsible for this in consultation with other authorities. The event organiser to ensure that a representative is available during and immediately before and after the event so that he/she can be contacted by the Council or Police.

2. Fees – Road Closure Orders for Events.

a) For all events, the scale of charges below will apply.

Scale of Charges for Road Closures	
Number of people attending event	Fee
No Limit	£200.00

3. Exemption from Fees

The Portfolio Holder will have the flexibility to waive all fees and charges for road closures for events of national significance.

4. Responsibility for Costs

All advertising, signage, notices etc. and any associated costs remain the sole responsibility of the applicant.

The application should be submitted online in accordance with the above policy, however supporting documentation may be submitted by email to the parking services team at parkingservices@tendringdc.gov.uk or by post to:

**Tendring District Council
Public Realm - Parking Services
Northbourne Depot
Vista Road
Clacton-on-Sea
CO15 6AY**

**APPLICATION FOR ROAD CLOSURE ORDER FOR A SPECIAL EVENT TO
BE MADE UNDER THE TOWN POLICE CLAUSES ACT 1847**

Important - Please read the attached notes before completing this form

Name of applicant and/or contact
Include title.

Role of applicant and/or contact (i.e.
organiser, committee member):

Address of applicant and/or contact:

Postcode:

Telephone no and mobile no:

Email Address

Number of people attending the Event

Name of Event

Purpose and Nature of Event

Date(s) of Closure required:

Time(s) of Closure required:

Roads to be closed:

Has this event been held previously or are you aware of other road closures in the same area?
YES / NO

If yes, please give details

Have you consulted any other organisation regarding this **YES / NO** event?

Have you consulted all residents/occupiers within the road **YES / NO** closure area

If yes, please specify

Please give details of any businesses, including bus services and residents, which may be affected

I wish to seek exemption from fee and reasons.

Checklist	Please Tick
I have:	Please Tick
Enclosed my Risk Assessment to include all items in paragraph 7 of the Road Closure policy.	
Enclosed proof of Public Liability Insurance which must cover the date of the event and be for a minimum liability of £10 million	

Enclosed Evidence of consultation in accordance with paragraph 9 of the Road closure Policy	
Enclosed details of the Marshalling for the event	
Enclosed details of the First Aid arrangements for the event	
Enclosed the appropriate Fee	
Sought exemption from the fee	

ROAD CLOSURE ORDER

1. Whilst it is acknowledged that adequate controls must be in place as outlined in the Road Closure Policy and that these are my/our responsibility. I/we agree that as organisers of an event requiring a road closure I/we and not the District Council are responsible for any claims that may arise by reason of making the Road Closure Order.
2. I/we agree to ensure that all safety controls as identified in my/our risk assessment and management plans will be maintained and operated throughout the duration of the event to ensure that the risk to participants and members of the public is minimised and to reduce the likelihood of any injury or claim resulting from the closure or event.
3. I/we agree to consult all residents and occupiers of premises that may be affected by the closure and to ensure access is maintained for anyone requiring special medical or other requirements.
4. I/we agree to pay all costs associated with the closure as appropriate.
5. I/we agree to pay all reasonable costs relating to any damage to the highway along the route of the closure by reason of making the Road Closure Order.
6. I/we confirm that I/we hold public liability insurance for the event for minimum cover of £10 million. Please note the Council do not accept any responsibility for the level or content of Public Liability insurance policy you have chosen or any consequences, which may arise from this choice.
7. I/we agree to provide, erect, maintain and remove all safety measures, including all signs. This includes closure signs on the day as well as advance warning signs to be erected a minimum of 2 weeks prior to the event, as well as lighting or other items required by the Council or Police to protect the public and property at the site of the event and on the diversionary route for the duration of the closure and to defray all costs incurred in the event of failure to do so.
8. I/we agree to remove all signs at the immediate conclusion of the event.
9. I/we agree to make plans and provide suitable signage to facilitate adequate access/egress at all times for emergency vehicles during the closure and acknowledge that the closure will apply to all other non participating traffic.
10. I/we agree to be available during, immediately before and after the event and to provide details (e.g. mobile phone numbers of nominated persons) so that we can be contacted by the Council or the Police.
11. I/we agree to ensure that there are sufficient marshals to adequately cover the Road Closure Order and that all marshals for the event are adequately trained and briefed for their duties as appropriate to the size of the event.

12. I/we understand that any failure to comply with the above requirements will be taken into account by the Council in considering future applications for Road Closure Orders by me/us.

NOTE:

I/we agree to comply with the above terms and conditions.

Signed..... Date