

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted – N/A

**SERVICE DIRECTORATE:** Regulatory

#### 1. **DECISION TAKEN**

To approve a Town Police Clauses Act (1847) road closure for the Hitchin Christmas Light Switch-on from 12.00 hrs – 22.00hrs on the 19<sup>th</sup> November 2022. Affecting Bucklersbury, Sun Street and the High Street in Hitchin.

#### 2. **DECISION TAKER**

Ian Fullstone, Director - Regulatory.

#### 3. **DATE DECISION TAKEN:**

16<sup>th</sup> November 2022

#### 4. **REASON FOR DECISION**

- 4.1 To close the roads to traffic for public safety to enable the Christmas Light Switch-on to take place in Hitchin.

#### 5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 None, the roads have been closed for the Christmas Light Switch-on event previously.

#### 6. **CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

- 6.1 Ward Councillors were made aware of the proposed closure in advance of the Order to close the roads being processed. NHDC provide road closure notices to the organiser as it is their responsibility to display them within the affected streets and roads 2 weeks prior to the event to advise residents/local businesses etc. of the road closure.
- 6.2 The applicant has confirmed they have consulted with local residents and businesses.

#### 7. **FORWARD PLAN**

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

#### 8. **BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The organisers have completed the on-line application form which requires;

- Confirmation of the road space being available and any suitable diversion routes with Hertfordshire Highways;
- Liaison with Hertfordshire Police;
- Provision of suitable £10m public liability insurance by the applicant.

8.2 The road closures will be placed and managed under the supervision of a chapter 8 authorised person approved by HCC. He will be on duty throughout the parade.

## **9. LEGAL IMPLICATIONS**

9.1 Under the Responsibilities for Functions-Summary Paragraph 14.2.1 of the Constitution it states that decisions about non-executive functions may be delegated by the Council to an Officer

9.2 Section 14.6.1(d) of the Constitution provides that *Before taking a decision under delegated powers which may be controversial or politically sensitive the officer shall notify the relevant Cabinet Executive Member. Delegated decisions must be taken, recorded and published in accordance with the Council's Guidance 28 (or any policy) on the statutory requirements and procedures.*

9.3 Under terms of reference 14.6.11(b)(x) of the Constitution, the Service Director: Regulatory has delegated authority for traffic management including the street closure orders.

9.4 Under terms of reference 14.6.9(xvi) of the Constitution, the Service Director: Legal and Community has delegated authority for the attestation of the Council's common seal on relevant documents

9.5 The Town Police Clauses Act 1847 is frequently used by local councils to close roads to allow public events such as processions or street parties to take place

## **10. FINANCIAL IMPLICATIONS**

10.1 The appropriate application fee has been paid.

## **11. RISK IMPLICATIONS**

11.1 The applicant has the appropriate level of insurance cover, Hertfordshire Highways and the Police have been consulted / notified of the proposed closure.

## **12. EQUALITIES IMPLICATIONS**

12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 Road closures can have a disproportionate impact on vulnerable groups, including those with mobility, sensory or other disabilities. Alternative access routes (as stated in 7.1) seek to minimise the impacts that arise from the closures. Road closures are required in order for public events to take place. These public events may help to 'foster good relations between people who share a protected characteristic and those who do not.'

## **12. SOCIAL VALUE IMPLICATIONS**

12.1 The Social Value Act and "go local" policy do not apply to this decision.

**13. HUMAN RESOURCE IMPLICATIONS**

13.1 None.

**14. BACKGROUND PAPERS**

Application Form and supporting documentation available on request.

**15. APPENDICES**

15.1. None.

**NOTIFICATION DATE**

*Date sent to all Members, put on website and appears in MIS – Committee, Member & Scrutiny Services can confirm this with you,*



Signature of Executive Member Consulted .....

Date .....21<sup>st</sup> November 2022.....



Signature of Decision Taker .....

**Please Note:** that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.

**Call-in does not apply to NON-EXECUTIVE DECISIONS**