

RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted - *none*

SERVICE DIRECTORATE: Regulatory

1. **DECISION TAKEN**

To approve a Town Police Clause Act (1847) road closure for the Hitchin Food Fest on the 2nd September 2023 from 06.45am and 10.15am then 15.45 and 20.15 hrs. And on the 3rd September from 07.45 and 20.15hrs. Affecting the High Street and Market Place, Hitchin, Herts.

2. **DECISION TAKER**

Ian Fullstone, Director - Regulatory.

3. **DATE DECISION TAKEN:**

14th August 2023

4. **REASON FOR DECISION**

4.1 To close the roads to traffic for public safety to facilitate the Hitchin Food Fest to take place in Hitchin.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 None, the application for the road closure meets the required standard.

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 emails a copy of the road closure notice to the organiser to print and protect from weather 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 where applicable suitable diversion routes offered in consultation with Hertfordshire Highways;
- Liaison with Hertfordshire Police;

- Suitable public liability insurance.
- Confirmation that residents and businesses affected are/will be notified in addition to the display of the closure notices.

8.2 The High Street is already closed on a Saturday, hence the application seeks to close the road before and after the existing closure.

8.3 The closure is undertaken by closure of the existing gate, used to facilitate the existing closures and is monitored by the Rangers to ensure emergency vehicle access if required.

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 14.6.10(b)(ix) of the Constitution, the Service Director: Regulatory has delegated authority for traffic management including street closure orders.

9.4 Under terms of reference 14.6.8 (a) (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's traffic management company has the appropriate level of insurance cover, £10m, 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.'

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and “go local” policy do not apply to this decision.

14. ENVIRONMENTAL IMPLICATIONS

14.1. There are no known Environmental impacts or requirements that apply to [the actions/ Policy/this report].

15. HUMAN RESOURCE IMPLICATIONS

15.1 None.

16. BACKGROUND PAPERS

16.1 Application Form and supporting documentation available on request.

17. APPENDICES

17.1 None.

NOTIFICATION DATE

24th August 2023

Signature of Executive Member Consulted ...Consulted with Councillors
.....

Date ...14th August 2023.....

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