

**RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY**

**PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

**DIRECTORATE:** Regulatory

**1. DECISION TAKEN**

1.1 To approve a Town Police Clause Act (1847) road closure for a Food & Drink Festival in Hitchin Town Centre, affecting the High Street at its junction with Brand Street/Bancroft to Market Place junction with Sun Street, Hitchin on the 7<sup>th</sup> and 8<sup>th</sup> September 2019 between 07.00 & 19.00 and 08.00 & 17.00 respectively.

**2. DECISION TAKER**

Ian Fullstone Service Director - Regulatory

**3. DATE DECISION TAKEN:**

01 August 2019

**4. REASON FOR DECISION**

4.1 To close the roads to traffic for public safety and to encourage the economic vitality of Hitchin Town Centre.

**5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 None, the roads have been used for events 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 (Hitchin BID) have confirmed that they have consulted with local residents and businesses via the press and a newsletter.

**7. RELEVANT CONSIDERATIONS**

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

- Confirmation of the road space being available and suitable diversion routes with Hertfordshire Highways;
- Liaison with Hertfordshire Police;
- Provision of suitable public liability insurance

## **8. LEGAL IMPLICATIONS**

- 8.1 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
- 8.2 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'.*
- 8.3 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.
- 8.4 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
- 8.5 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

## **9. FINANCIAL IMPLICATIONS**

- 9.1 The appropriate application fee has been paid.

## **10. RISK IMPLICATIONS**

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

## **11. EQUALITIES IMPLICATIONS**

- 11.1 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.
- 11.2 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 event is open to everyone.

## **13. HUMAN RESOURCE IMPLICATIONS**

- 13.1 None.


**14. BACKGROUND PAPERS**

Application Form and supporting documentation available on request.

**15. NOTIFICATION DATE**

15.1 16 August 2019

**Date 01 August 2019**

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**