

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### **PART 1 – PUBLIC DOCUMENT**

Any interest to declare/or conflict and any dispensation granted: None

**SERVICE DIRECTORATE:** Enterprise: Estates & Asset Management

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

To approve use of St. Mary's Square Car Park and Portmill Lane Car Park (East & West) in Hitchin to facilitate the Farmers on Christmas Light Tour ("the Tour") scheduled for 17<sup>th</sup> December 2022.

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

Steven Crowley, Service Director for Enterprise, in consultation with Councillor Keith Hoskins, Executive Member for Enterprise & Arts.

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

29<sup>th</sup> November 2022.

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

4.1 To approve use of St. Mary's Square Car Park and Portmill Lane Car Park (East & West) to facilitate the Tour so that a temporary licence can be implemented by North Herts Council to formalize use of the Car Parks for the event.

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

5.1 Not to permit use of St. Mary's Square Car Park and Portmill Lane Car Park for the Tour. As these are key destinations for the Tour's planned route, this option would create logistical problems, additional costs and delays for the Tour organiser and risk cancellation of the event.

5.2 Permit use of an alternative public car park(s) in Hitchin. The only realistic alternative is Woodside Car Park off Walsworth Road. However, this Car Park is considered too far outside the core town centre to generate the desired level of ambience and maximise attendance for the Tour.

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

6.1 Consultation has been undertaken with the following individuals & parties:

- Councillor Ian Albert, Executive Member for Finance & IT.
- Richard Hill, local farmer and the Tour's organiser.
- Richard Harbon, Product & Events Manager at Garden House Hospice Care.
- Hertfordshire Highways.
- Hertfordshire Constabulary.

6.2 The Tour is publicised on Garden House Hospice Care's website and other websites.

## **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 Farmers on Christmas Light Tour 2022 is an event scheduled for 17<sup>th</sup> December 2022. The intention is for 120 tractors decorated in Christmas lights and other festive embellishments to drive through the town centres of Baldock, Letchworth Garden City and Hitchin. The public is invited to view and enjoy the colourful sight of the tractors. A similar event in 2021 involving 107 tractors was attended by thousands of people across the three towns and raised just under £8,000 for Garden House Hospice Care. The event was organised by a local farmer.
- 8.2 The same organiser is aiming for the 2022 Tour to attract even more interest and exceed the amount of money raised last year for the Hospice.
- 8.3 Over the past months, North Herts Council has been liaising with the event organiser, the Hospice and key stakeholders across Hertfordshire, including Hertfordshire Highways and Hertfordshire Constabulary, to organise the route and logistics for the 2022 Tour.
- 8.4 North Herts Council intends to allow a total of 40 of the 120 tractors to enter and park in St. Mary's Square Car Park. The remaining tractors will park in the Portmill Lane East & West Car Parks. Both Car Parks are owned by North Herts Council.
- 8.5 Members of the public will have opportunity to view, video and take photographs of the decorated tractors whilst parked. All car parks will have marshals to strictly enforce where they park. The tractors will be required to follow a designated route in the Car Parks until they reach their allotted parking bay, as directed by marshals.
- 8.6 Further details of the event's set up are:
- 8 car parking spaces in St. Mary's Square Car Park will be allocated to a funfair.
  - Staging will be installed on the pavement at the front (east side) of the Car Park, parallel with Queen Street.
  - Food stalls and a Santa's grotto will be positioned on the pavement at the rear (west side) of the Car Park.
  - Toilets and a generator will be installed on the pavement at the northern end of the Car Park, towards the Portmill Lane Car Parks.
- 8.7 The intention is for the Car Parks to be closed at 6pm until 10pm on 17<sup>th</sup> December to normal parking use. Tractors will then enter the Car Parks in a manner controlled by marshals. The later departure of the tractors from the Car Parks will be similarly managed. Members of the public will still be allowed access to the Car Parks by foot or wheelchair only during the period of closure.
- 8.8 The event organiser plans for security personnel to be in attendance throughout the Car Parks from the morning of 17<sup>th</sup> December advising users that the Car Parks will be closed from 6pm. Suspension notices to highlight this arrangement will be erected in the Car Parks by North Herts Council.

8.9 North Herts Council has obtained technical advice from the Engineering Services Manager of Stevenage Borough Council<sup>1</sup> on the safety and suitability of the construction of St. Mary's Square Car Park to accommodate 40 tractors and the funfair in light of the Car Park's construction over underground voids. The advice does not raise any concerns in relation to the safety and suitability of this Car Park for the proposed use described. In addition, the Council has public liability insurance cover in place.

## **9. LEGAL IMPLICATIONS**

9.1 North Herts Council will formalize use of the Car Parks by a licence agreement to be entered into by the event organiser. The licence will stipulate the responsibilities of the event organiser as licensee in using the Car Parks as part of the Tour event. For example, the licence will require the licensee to:

- Ensure the Car Parks remain fully open and accessible until 6pm.
- Take good care of the Car Parks and any property and infrastructure therein, such as lighting columns and drainage coverings.
- Ensure any damage to the Car Parks is made good to the Council's satisfaction.
- Have in place the requisite valid insurances, such as public liability insurance, and for tractor drivers to have motor insurance policies in place.
- Remove rubbish and litter generated during the event from the Car Parks, and removal of any equipment of the licensee.

## **10. FINANCIAL IMPLICATIONS**

10.1. The Council will limit closure of the Car Parks to the minimum duration possible in order to minimise disruption to local traders whose customers may otherwise use the Car Parks. Based on the immense popularity of the 2021 event, many people are expected to be drawn to Hitchin town centre helping balance out the effects of closure.

10.2 If damage is caused to the Car Parks by the tractors, the tractor drivers' motor insurance policies will be expected to cover the cost of damage repairs and any consequential losses such as car park income.

## **11. RISK IMPLICATIONS**

11.1 Based on the technical advice from Stevenage Borough Council<sup>1</sup>, as outlined in paragraph 8.9, the risk of allowing tractors and the funfair onto St. Mary's Square Car Park is not considered heightened.

11.2 The Council has public liability insurance in place.

11.3 The licence to use the Car Parks will require the Tour organiser to have in place all requisite valid insurances, and require documentary proof of insurance.

11.4 A pre- and post-event inspection of the Car Parks will be undertaken to document their condition, help ensure damage caused during the event is identified and help secure prompt remedy of the damage to the Council's satisfaction.

1: Informal view given on the understanding that Stevenage Borough Council does not take on any liability.

**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 There are no equalities implications arising from this decision.

**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 this report.

**15. HUMAN RESOURCE IMPLICATIONS**

15.1 The Council’s Estates and Legal Services departments will be required to collaborate on production of a licence to formalize use of the Council’s Car Parks for the Tour. No further human resource implications are considered to arise from the decision.

**16. BACKGROUND PAPERS**

16.1 E-mail correspondence between Senior Estates Surveyor of North Herts Council and Engineering Services Manager of Stevenage Borough Council.

**17. APPENDICES**


17.1 Appendix A - Site plan:  
St. Mary’s Square Car Park and Portmill Lane (East & West) Car Park are indicated by the areas edged red.

**NOTIFICATION DATE**

29<sup>th</sup> November 2022

**Signature of Executive Member Consulted** .....   
Councillor Keith Hoskins, Executive Member for Enterprise & Arts

**Date** 29<sup>th</sup> November 2022

**Signature of Decision Taker** .....  .....  
Steven Crowley, Service Director: Enterprise

**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**