

Individual Decision

The attached report(s) will be taken as
Individual Portfolio Member Decision(s) on:

Monday, 28th February, 2011

Ref:	Title	Portfolio Member(s)	Page No.
ID2209	Policy for Holding Street Parties	Councillor David Betts	1 - 12



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Individual Executive Member Decision

Title of Report:	Policy for Holding Street Parties
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	28 February 2011
Forward Plan Ref:	ID2209

Purpose of Report: To inform the Executive Member for Highways & Transport (Operational) & ICT of the proposed policy for holding a Street Party.

Recommended Action: That the Executive Member for Highways, Transport (Operational) & ICT resolves to adopt and implement the Street Party Policy as set out in this report.

Reason for decision to be taken:

- To ensure that the Council's Street Party Policy is clearly defined.
- To have an up to date approved Policy in place in order to be able to deal with applications for street parties.

Statutory: **Non-Statutory:**

Other options considered:

Key background documentation: Appendix A - EIA Stage 1
 Appendix B - Draft Street Party Policy
 Appendix C - Draft application for a Street Party form

Portfolio Member Details	
Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
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Contact Officer Details	
Name:	Andrew Garratt
Job Title:	Principal Traffic & Road Safety Engineer
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Implications

Policy:	The Draft Street Party Policy will be adopted as a new Council policy. The draft document is attached as Appendix B.
Financial:	The full cost of holding a Street Party will need to be met by the residents.
Personnel:	None arising from this report.
Legal/Procurement:	The road closure notice's under Section 21 of the Town Police Clauses Act 1847 will need to be sealed by Legal Services.
Environmental:	None arising from this report.
Partnering:	The Council will work with organisers wishing to hold a Street Party.
Property:	None arising from this report.
Risk Management:	Organisers are required to sign the declaration of indemnity form and carry out a risk assessment to reduce the risk to the Council.
Community Safety:	The approval of a Street Party Policy will make for a safe event.
Equalities:	EIA Stage 1 attached as Appendix A.

Consultation Responses

Members:	
Leader of Council:	N/A
Overview & Scrutiny Management Commission Chairman:	N/A
Select Committee Chairman:	N/A
Ward Members:	N/A
Opposition Spokesperson:	N/A
Local Stakeholders:	Transport Policy Task Group
Officers Consulted:	Mark Cole and Mark Edwards
Trade Union:	N/A

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input type="checkbox"/></p> <p>Considered or reviewed by OSC or associated Task Groups within preceding 6 months <input type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p>		

Supporting Information

1. Background

- 1.1 The government recently published some guidance to the public on organising a street party or fete. This advice is aimed at encouraging such events, particularly in relation to the forthcoming royal wedding on 29th April 2011.
- 1.2 The Council has already received a number of applications for a street party which involves a road closure. Whilst there is no formal policy for dealing with a Street Party the Council have a procedure to close a road for an event, but this can prove expensive. Also organisers are requested to have adequate public liability insurance and the relevant licences.
- 1.3 As street parties are aimed at local residents of a street getting together to celebrate an event, the draft policy does not require organisers to have public liability insurance cover provided that they carry out a risk assessment and sign an indemnity declaration.
- 1.4 The Council will arrange for the legal closure of the road whilst residents will need to fund the cost of the signing. Due to the nature of street parties if alcohol and food is not being sold then an alcohol licence or food permit are not required.

2. Recommendation

- 2.1 To ensure that the Council's Street Party Policy is clearly defined it is recommended that the draft Policy presented in Appendix C be adopted as Council Policy.

Appendices

Appendix A - EIA Stage 1

Appendix B - Draft Street Party Policy

Appendix C - Draft Application for a Street Party form

Equality Impact Assessment Template – Stage One

Name of item being assessed:	Policy for Street Parties
Version and release date of item (if applicable):	7 th February 2011
Owner of item being assessed:	Andrew Garratt – Principal Traffic & Road Safety Engineer
Name of assessor:	Andrew Garratt
Date of assessment:	7 February 2011

1 What are the main aims of the item?

The main aim is to approve the Policy and to provide guidance for Street Parties.

2 Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender, Race, Religion or Belief and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this.

Further Comments relating to the item:

Street Parties are not a West Berkshire Council event as they are organised and managed by local residents. The Council provide guidance for a safe event and undertake the necessary legal process to close a road.

3 Result (please tick)


High Relevance This needs to undergo a Stage 2 Equality Impact Assessment.

Appendix A

	Medium Relevance This needs to undergo a Stage 2 Equality Impact Assessment
	Low Relevance This needs to undergo a Stage 2 Equality Impact Assessment
✓	No Relevance This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

4 Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	✓

<p>Signed:</p> 	<p>Date: 7th February 2011</p>
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DRAFT - Traffic Management Policies:

Street Party Policy

1 INTRODUCTION

- 1.1 Events on the highway often involve a road closure, which includes extensive signing and organisers are requested to have adequate public liability insurance and the relevant licences. These can often prove expensive and may prevent a street party from being held.
- 1.2 To assist residents the Council is willing to work with them to hold a street party that is safe and legal at minimal cost. The Council will arrange for the legal closure of the road whilst residents will need to fund the cost of the signing and if residents sign an indemnity they will not require public liability insurance.

2 ROAD CLOSURE

- 2.1 A closure on a low trafficked road for a small scale local event such as a street party can be authorised using a notice under the Town Police Clauses Act of 1847 at no cost to the organisers. However the organisers will be responsible for installing the correct signs warning of the closure.
- 2.2 Organisers wishing to hold a street party on main routes will need to have the road closed using Section 16A of the Road Traffic Regulation Act 1984 and this will involve publishing a notice in the local paper. As this can prove expensive and is very likely to prevent street parties from being held, the Council is willing to work with the organisers to determine if there is a suitable location nearby where an event can safely take place.
- 2.3 The organiser will need to complete the Street Party Application form at least three weeks prior to the event. The Traffic and Road Safety Team will be responsible for notifying all emergency services and bus companies of a Street Party involving a road closure.
- 2.4 The event shall be organised in such a way that access for pedestrians and essential vehicles can be maintained.
- 2.5 The organiser/applicant will need to ensure that all frontagers on the road to be closed, both residential and commercial, have been individually notified and have no substantial objection. A copy of the notification to all frontagers must be included with the Street Party Application Form together with details of any objections.

3 DEFINITION OF STREET PARTY

- 3.1 It is considered that a Street Party is:
 - An event that is not publicised for the general public and therefore will not draw in people from the wider area.
 - It usually includes the residents of one or two streets only and not larger areas. Therefore attendance will generally involve less than 150 people.
 - There is no amplified entertainment which may cause nuisance to the wider area.
 - There is no alcohol or food being sold.

4 PUBLIC LIABILITY INSURANCE

- 4.1 The Council normally insist that organisers of events on the public highway have public liability insurance. As street parties are aimed at local residents of a street getting together to celebrate an event, the Council has decided that organisers of street parties will not require public liability insurance cover for their event.
- 4.2 Whilst the Council is happy to waive the requirement for the organisers of Street Parties to carry high levels of Public Liability Insurance in order to stage an event on the Highway, it is important to realise that if an incident occurs due to negligence then legal action may be taken either individually or collectively against the organisers of the event. It is unlikely that your household Insurance policy will extend to include this liability which doesn't result directly from occupation of your private dwelling and this is therefore something that you will need to discuss with your Insurers.
- 4.3 To ensure the event goes smoothly organisers will need to undertake their own risk assessment and submit this to the Council for information.
- 4.4 The Council carries high levels of Public Liability Insurance which covers the Authority for its own liability for negligent acts. It does not extend to include other parties such as street party organisers. Whilst organisers may consider the risk to be negligible, the council strongly suggests that organisers take independent advice to ascertain whether or not this is something that should be considered. There are Insurance packages available for such events that can also include cover in the event that the party has to be cancelled.
- 4.5 Where the application is from an ad hoc body set up for the purpose of one event rather than an established body, the person submitting the application will be held responsible for any costs arising, e.g. clearing up, damage to street furniture or road surfaces etc, unless the organising group have all signed the declaration of indemnity form in which case responsibility will be shared.

5 FINANCIAL ARRANGEMENTS

- 5.1 There will be no cost for processing road closures approved using the Town Police Clauses Act 1847. However for road closures on main routes Section 16A of the Road Traffic Regulation Act 1984 will be used and is likely to cost in the region of £1,000.
- 5.2 The organisers of the street party will be responsible for the costs for signing the road closure.

WEST BERKSHIRE DISTRICT COUNCIL**APPLICATION FOR A STREET PARTY**

This form should be completed in accordance with the Street Party Policy and returned to Traffic and Road Safety, West Berkshire Council, Council Offices, Faraday Road, Newbury, RG14 2AF as soon as possible but no later than **three weeks** before the proposed event.

Name, address and telephone number of main organiser	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Email:..... TEL:.....</p>
Name and length of road(s) to be closed	<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
Duration of Closure	<p>From: a.m./p.m on</p> <p>To: a.m./p.m. on</p>
<p align="center">Please tick (<input checked="" type="checkbox"/>) the boxes below to confirm that you have understood and complied with the requirements for holding a Street Party</p>	
<p>I acknowledge that I have read the Council's definition of a "Street Party" and confirm that this event falls within that definition (see criteria and guidance notes). <input type="checkbox"/></p> <p>I have enclosed the completed 'Declaration of Indemnity Form'. <input type="checkbox"/></p> <p>I have enclosed a copy of the Risk Assessment. <input type="checkbox"/></p> <p>I have enclosed a copy of the notification sent to all frontagers (including details of any objections). <input type="checkbox"/></p>	

Declaration of Indemnity Form

We the undersigned are the joint organisers of a Street Party for
(Road name)..... and agree that we will be jointly
responsible for any claims arising from the event and for its safe, orderly and proper
conduct.

Name	Address	Signature
(Main organiser)		

Please continue on a separate sheet if required.

CRITERIA AND GUIDANCE NOTES

1. For the purpose of this application the Definition of a Street Party is:
 - The event is not publicised for the general public and therefore will not draw in people from the wider area.
 - The event applies to the residents of one or two streets only and not to larger areas. Therefore attendance will generally involve less than 150 people.
 - There is no amplified entertainment which may cause nuisance to the wider area.
 - There is no alcohol or food being sold.
 - The organisers / residents agree to and sign the declaration of indemnity on the application form.
2. The Council normally insist that organisers of events on the public highway have public liability insurance. As street parties are aimed at local residents of a street getting together to celebrate an event, the Council has decided that organisers of street parties will not require public liability insurance cover for their event. They will however need to carry out a risk assessment and sign the declaration of indemnity form. The Councils Traffic and Road Safety team can provide advice about risk assessments.
3. The event shall be organised in such a way that access for pedestrians and essential vehicles can be maintained.
4. The organisers / applicants will need to ensure that all frontagers on the road to be closed, both residential and commercial, have been individually notified and have no substantial objection.
5. Each road to be closed shall be clearly defined by means of a “**Road Closed**” sign as described below. Each sign will need to be maintained during the event and must be removed after the event.
6. Each sign shall read “**ROAD CLOSED**” in capital letters 150mm (6 inches) in height, white letters on a red background. The signs are to be supported in an upright manner, ballasted so they cannot be blown or knocked over and lit with an approved road works lamp should the event continue during the hours of darkness.
7. If a road closure for a street party requires diversion signs then a location plan showing the types of signs required will be produced by the Council. The organisers/applicants will be responsible for the erection and maintenance of the signs.
8. All physical obstructions (i.e. tables and chairs) erected in the highway shall be removed along with any debris resulting from the Street Party, during the road closure time specified on the application form. Failure to do so will render the applicants /organisers liable for charges to clean the highway.

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