

Open Report on behalf of Andy Gutherson, Executive Director – Place

Report to:	Councillor R. G. Davies, Executive Councillor for Highways, Transport, and IT
Date:	Between 30 October 2019 and 6 November 2019
Subject:	Events affecting the Highway Network policy
Decision Reference:	I018754
Key decision?	No

Summary:

The subject of this report is 'Events affecting the Highway Network'. This report proposes the replacement of the 'Traffic Management for Events' Policy, dated March 2013.

In March 2013, Committee approved the 'Traffic Management for Events' policy. Since that time, events which affect the highway are continuing to grow in number and have a severe impact on the highway network. This previous policy is now outdated and requires a complete refresh. Due to changes with processes, in particular managing 'constitutional parades' and the way LCC need to manage and coordinate activities on the highway network, including events, this policy will replace the 'Traffic Management for Events' policy from 2013 and bring the policy up to date with legislation and the changes to the process and assistance to organisers that LCC follow when managing events.

Recommendation(s):

That the Executive Councillor for Highways, Transport and IT approves the new Events affecting the Highway Network Policy, attached as Appendix A.

Alternatives Considered:

To reject the proposed policy and to continue with the existing policy dated March 2013. This would mean a lack of co-ordination on the highway network when managing events and an adverse customer experience for organisers. There would also be a reputational risk for the Authority with constitutional parades / events.

Reasons for Recommendation:

To ensure that LCC are actively managing events that affect the highway network to ensure compliance with the Traffic Management Act 2004 and to provide guidance to event organisers to allow them to manage safe and successful events in Lincolnshire.

1. Background

Events that take place on the highway network or that impact on the highway network have the potential to cause significant disruption and delays.

The County Council has a duty under the Traffic Management Act 2004 to be proactive in the planning of events to ensure that the event can take place safely and any adverse effect on the highway network is minimised.

Changes to the role of Lincolnshire Police for events management has also required event organisers to take full responsibility for traffic management for their events to ensure the safety of the people attending the events and also the public who are affected by the event.

Since 2016, Lincolnshire Police have been withdrawing their support for providing assistance at constitutional parades – including provision of Police Officers to stop traffic for parades. It is recognised in Lincolnshire that these constitutional parades and associated events are very important in the County to enable communities to honour military personnel.

The Proposed Policy

Details of the proposed policy are attached as Appendix A to this report. The main points are:-

- The role of the Highways Authority and staff in relation to events affecting the highway network. This includes the requirement to maintain a central register of events impacting on the highway network, providing traffic management safety checks, liaison with other teams and bodies (internal and external) to facilitate an event taking place and acting as a single, consistent point of contact for organisers and Safety Advisory Group members
- The relevant considerations for officers when managing events – including traffic management details, public safety, the impact on the highway network and the travelling public.
- The role of the police in relation to events.
- LCC's role in events management – including advice for organisers and other authorities, representation at Safety Advisory Groups and the Lincolnshire Events Safety Partnership.
- Collaborative working with the police and other blue light Services through our role at the Safety Advisory Groups and event organisers for approving temporary traffic orders for constitutional parades, including joint awareness training and provision of equipment and budget to ensure a safe event. The joint awareness training provided is the first of its kind in the UK, parade organisers have praised LCC and the Police on the process and other local authorities and Police forces are now starting to provide similar courses following guidance given by us.

Conclusion

Following consideration of the report by Scrutiny Committee, the Executive Councillor is requested to consider and approve the new Events affecting the Highway Network policy.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Council has the power to adopt this policy. The decision is consistent with the policy framework and within the remit of the Executive Councillor.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The effect of the refresh to the Events affecting the highway network policy on the JSNA and JHWS has been considered and deemed to have no direct impact.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

The duties under Section 17 of the Crime and Disorder Act 1988 have been considered and it is deemed that the proposed refresh to the Events affecting the highway network policy will have no direct impact.

3. Conclusion

Following consideration of the report by Scrutiny Committee, the Executive Councillor is requested to consider and approve the new Events affecting the highway network policy.

4. Legal Comments:

The Council has the power to adopt this policy.

The decision is consistent with the policy framework and within the remit of the Executive Councillor.

5. Resource Comments:

Any cost associated with events affecting the highway are covered by the appropriate fees or by other income received by the Street Works and Permitting Team. From this there is no resourcing issue with the current levels of activity.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

This Report will be considered by the Highways and Transport Scrutiny Committee on 28 October 2019 and the comments of the Committee will be reported to the Executive Councillor for Highways, Transport and IT.

d) Have Risks and Impact Analysis been carried out?

N/A

e) Risks and Impact Analysis

N/A

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Events affecting the Highway Network Policy

8. Background Papers

No Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report.

This report was written by Ellie Baker, who can be contacted on 01522 553116 or Ellie.Baker@lincolnshire.gov.uk .