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WEST OXFORDSHIRE  
DISTRICT COUNCIL

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# Temporary Road Closure Policy

## **1. Introduction**

- 1.1** Parades and events occur on a regular basis throughout West Oxfordshire and are an important part of its culture. They add to the vibrancy of the district and bring life and trade to our town and village centres. While recognising the need take into account the wellbeing of our town centre residents, the Council is keen to make the administration of temporary road closures simple and affordable for a wide range of organisations and community groups.
- 1.2** This Policy sets out the requirements and responsibilities relating to applications for temporary road closures made to West Oxfordshire District Council (the Council), under the provisions of the Town Police Clauses Act 1847 (the Act).
- 1.3** The Act gives local authorities powers for preventing obstruction of the streets in “times of public processions, rejoicing or illuminations, and in any case when the streets are thronged or liable to be obstructed”. These powers enable the Council to make an Order to temporarily close a road.
- 1.4** Closure of major trunk roads, through roads or longer-term closures must be facilitated by application to the County Council for a Closure Order under the Provisions of the Road and Traffic Regulations 1984.
- 1.5** The Council are unable to make a Road Closure Order for roads that are not adopted by the County Council, such as private roads/lanes.
- 1.6** Reference in this Policy to ‘Applicant(s)’ means the person making the application to the Council.

## **2. Applying for a Temporary Road Closure**

- 2.1** Applicants wishing to close a road on a temporary basis to hold a parade, street party or social gathering, require formal permissions to do so, and prior approval must be given by the Council before a road may be closed. For larger events, and prior to an application being submitted a pre-application advice meeting may be required. The pre-application process is a free service to support the applicant meet the requirements set out in the policy.
- 2.2** For closures in respect of long-standing local arrangements for National Events, such as Remembrance Day, this policy does not apply.
- 2.3** The application, fee and relevant documents must be submitted using the Councils ‘Road Closure Application’.
- 2.4** Applications usually take a minimum of 6 (six) weeks to process. Therefore, an Applicant should apply in good time to ensure there is time to validate the application and request for correct / further information if required. Applications submitted less than 6 (six) weeks before the event will usually be rejected.
- 2.5** The Application Form, Policy and Guidance will be made available on the Council’s website and can be posted out from Front of House on request.
- 2.6** An application will only be considered as valid if it has been fully completed with all the relevant information and fee paid. This is to allow for full consideration of the application by the necessary authorities, including the Police and County Council.

- 2.7** An application should demonstrate suitable arrangements for alternative routes and/or access, and that any highways network disruption will be managed effectively.
- 2.8** Where there are residents, businesses and public transport operators which may be affected by the closure, the Council would expect the Applicant to engage with those parties prior to making an application and provide evidence that this has been undertaken. The Applicant should demonstrate their consideration and engagement of any responses.
- 2.9** For all events which require a road closure order, the Applicant will need to provide a risk assessment which consists of:
- A map indicating positions of road closure/route diversion
  - A map indicating positions of stewards
  - A risk assessment identifying risks and appropriate control measures associated with the event
  - A management plan for setting out the closure
  - A contingency plan, which should identify measures that are in place to ensure safety of the public and participants and access for emergency services in the event of any unforeseen circumstances
  - A road signage schedule
  - A minimum £10 million Public Liability Insurance (notice should be given that if the Council consider an event to be of particular high-risk, officers will refer the matter to a relevant person to assess whether an increased level of insurance is required)
- 2.10** It is expected that all signs created by the Applicant will be in accordance with the advice contained in Chapter 8 of the Traffic Signs Manual and the requirements of the Traffic Signs Regulations and General Directions 1994.
- 2.11** The Council expects signage warning of the closure to be displayed by the Applicant a minimum of 10 days in advance of the event. In addition, the Applicant is responsible for ensuring that all signage is removed as soon as reasonably possible at the conclusion of the event.
- 3. Fees – Road Closure Orders**
- 3.1** A non-refundable fee will usually apply to make an application for a Road Closure. Fees and Charges are published on the Council's website. The fee must be paid on making the application.
- 3.2** If the closure requested is solely for an event of national importance, such as commemorative occasions, then the Council reserves the ability to waive the fee in those cases. The decision whether to waive the fee is solely at the discretion of the Council. If Applicants are unsure whether a fee will apply, they are advised to contact the relevant department and obtain confirmation before making their application.
- 3.3** All advertising, signage, notices and any other associated costs remain the sole responsibility of the Applicant.

## **4. Procedure and Determining Applications**

- 4.1** Road closures will affect the movement and accessibility of all residents and businesses for the duration of the event and applications will have to be reviewed by the Council before any approvals can be given.
- 4.2** Upon receiving a valid application, the Council will give notice of the proposed road closure on the Council's website. This notice will invite comments in favour or against the road closure by a specific date. Comments can be made by email or post to addresses which can be located on the Council's website.
- 4.3** The Council will reasonably consider any relevant comments for example relating to public safety or travel disruption. Such comments will be considered in the context of the application as a whole before a decision is made.
- 4.4** If there are comments objecting to the road closure this does not automatically mean the event cannot go ahead, but the objections will be fully considered by the Council when making its decision whether to make the road closure.
- 4.5** The Council will expect that in the first instance the Applicant will engage with those making any comments objecting to the road closure to attempt to resolve the matter informally and without the need for the Council to intervene.
- 4.6** Where objections are received from the County Council, Thames Valley Police or another partner organisation and their concerns cannot be adequately addressed, the Council will not proceed with the order and the application will be refused. Any fee paid in relation to the application will not be refundable.
- 4.7** Accordingly, the Council reserves the right to refuse a road closure, the reason for the refusal may include (but not limited to) one or more of the following:
  - The event organiser has not given the Council enough time to process the application;
  - There is a risk to public safety;
  - The road closure covers heavily trafficked roads, a main bus route or there is likely to be too much disruption to traffic flow;
  - The event organisers risk assessment identifies unacceptable risks;
  - The requested closure closes the road for too long a period;
  - There is no satisfactory emergency services access to the road closure;
  - There are objections that cannot be resolved;
  - The application relates to an inappropriate event which the Council considers falls outside the scope of the legislation;
  - The road closure requirement falls outside of the Act provisions; and
  - The application is vexatious or not made in good faith.
- 4.8** Determination of applications will be made by the Chief Executive Officer in consultation with The Head of Legal Services. The Council will provide a notice of the decision in writing.
- 4.9** If an application is granted, the Council will provide a scanned copy of the sealed Order to the Applicant. The Applicant will then need to place copies of the sealed Order in prominent

location(s) on the road subject to the Road Closure Order (See also 2.10 above). The Applicant should then confirm in writing to the Council that the signage has been displayed in accordance with 2.10 above. Ideally pictures should be taken of the signage displayed. The Council will also take steps to update its website to confirm when the Order will come into effect.

- 4.10** If the Council refuses an application, there is no statutory right of appeal. The only method of challenge would be to judicially review the Council's decision. The Council would strongly suggest obtaining professional legal advice from a solicitor before considering this type of application.
- 4.11** If the Council refuses an application, this does not necessarily prevent a further application. However, a further fee would usually be required. This is subject to the Council's discretion not to charge a fee where it considers the circumstances to be appropriate.

## **5. Signage and Managing the Road Closure**

- 5.1** The Applicant is solely responsible for ensuring that all safeguards, signage, barriers and stewards are in place. The Council will not be held responsible for any damage to property or injury to any person(s) arising from or in connection with the event or closure.

## **6. Emergency Access**

- 6.1** An Applicant must consider emergency access during the road closure. Access points must be maintained for emergency access and egress at all times during the road closure.
- 6.2** If hard barriers are to be used, these must be staffed at all times to ensure emergency access and egress. Space must be identified and maintained within the closure site for an emergency vehicle to be able to park if required to respond

