



North

Yorkshire County Council

Highways & Transportation Event Planning Protocol

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1 Introduction and background

North Yorkshire County Council encourages events in the County that boost the life experience of its residents. As many of the County's businesses rely on tourists, those events which attract visitors into the area are especially supported.

However any event which causes disruption to traffic must be carefully managed as the County Council, as Traffic Authority, has a Network Management Duty to minimise congestion on the highway network.

With this in mind the Council plays an active role within the local Safety Advisory Group (SAG). SAG's are partnerships involving local District Councils, County Council, Police, Fire and Ambulance Services and are set up to provide a central group to agree the legal requirements which will be expected to be undertaken by any organisers of events. The SAG will look at Health and Safety, Licensing and Law and Order.

- 1.1 There are many events held within North Yorkshire which have an impact on the local infrastructure and community.
- 1.2 This protocol sets out to provide a consistent approach to highway matters relating to events across the County.
- 1.3 The Traffic Management Act 2004 places a Duty of Network Management on Traffic Authorities, included within this duty is effective planning and management of planned events.
- 1.4 The aim of this document is to provide advice to **Event Organisers** to enable them to understand and manage the risks associated with events on or affecting the Highway. This document will explain the actions required by **Event Organisers** in order that the Traffic Authority can demonstrate that any resultant disruption to road users has been minimised as required by the Network Management Duty.
- 1.5 Further helpful advice and guidance including a blank generic risk assessment form can be found in '*The Good Practice Safety Guide - for small and sporting events taking place on the highway, roads and public places*' published by the Home Office in 2006.

2 Roles and Responsibilities

- 2.1 The **Event Organiser** is responsible for planning, managing and running the event in a safe manner whilst avoiding unnecessary disruption and impact on the rest of the community.

If it is decided that any event may have an impact on traffic, then regardless of whether the event is actually taking place on the highway or not, the **Event Organiser** will be required to apply for a Temporary Traffic Regulation Order (TTRO). This allows for signing to be placed on the road (by suitably qualified operatives) and may allow roads to be closed or temporary traffic signals to be erected.

2.2 **The Event Organiser** must:-

- a. Carefully consider where the safest location for their event is. The public highway should only be used where there is no alternative.
- b. Prepare **Risk Assessments**, a **Traffic Management Plan** and appropriate **Method Statements** explaining how the risks associated with the event are to be managed. These documents are expected to be detailed as proportionate to the scale of the event planned.
- c. Contact the local **Safety Advisory Group** (where available). Most Districts have a Safety Advisory Group (SAG) which is a partnership made up of the emergency services, voluntary services as well as the Local Authority representatives and other invited stakeholders. The setting up of these groups allows an effective, co-ordinated approach to event safety.
- d. Contact the County Council (as **Traffic Authority**) who should be able to advise on safety strategy on the Highway and basic traffic management issues. The County Council will incur costs carrying out the process for the legal order to be made and the **Event Organiser** is required to pay these costs in full.
- e. Contact the **Police** who will provide advice regarding crime, disorder and public safety.
- f. Contact the relevant **District Council** (see Appendix A) whose role it is to manage Health & Safety and Environmental Health together with licensing activities including premises, sale/supply of alcohol, music, dancing, entertainment, films and plays and street trading consent. The District Council also provide other services which include the management of parks and car parks.
- g. Consider travel associated with the event and encourage the use of public transport and other non-car modes of travel.
- h. Be aware of the need for early and timely notification of an event. The more complex and large scale the event, the more time is required to organise. Any requirement to temporarily close a road to traffic requires a notification at least three months before the event. Discussions with the Traffic Authority should therefore begin to take place six months before the event.
- i. Be responsible for appointing competent and qualified contractors to undertake functions such as traffic management which cannot legally be carried out by non-qualified personnel.
- j. Ensure that all affected parties including neighbours, businesses, the emergency services, passenger transport companies, parish/town councils, regular road users etc. are notified of the event and that their needs are fully considered in the planning of the event.

2.3 *The role of the **Police** is to provide advice with regards to crime and disorder issues and to assist the SAG with the determination of threat assessments with respect to public safety. The Police, in common with all the SAG members will work in partnership, but are not required to act as the lead agency. In this respect ACPO Public Safety Policy and Police Force Operational Planning Policy will be observed with regards to the extent to which the Police become involved in a particular event and their role in that event.*

2.4 The role of the **Traffic Authority** is to ensure that any event which may impact on the road infrastructure is managed in a safe manner and minimises the impact on

other highway users. This may involve either road closures or traffic management schemes.

3 Legal Framework and Powers

- 3.1 If it is necessary to hold all or part of the event on the public highway or if the event will affect the public highway (e.g. create extra congestion, involve the use of a normally little used access, etc.) it will be necessary to close or control the highway using a Temporary Traffic Regulation Order (TTRO). Any planned road closures or controls must be executed correctly, using the appropriate legislation.
- 3.2 Police powers to regulate traffic are for emergency use (e.g. a road traffic incident) and are designed for the 'protection of life and property'. This does not include closing sections of the highway to allow events to take place or for filming to be carried out.
- 3.3 Any planned road closures or other traffic measures should be the subject of a TTRO. TTRO's are made to ensure safety and to ease traffic problems which may possibly occur when a proposed event or activity involves public highways and other public rights of way and where a diversion or other control measure for vehicular or pedestrian traffic is required for the safety of the public.
- 3.4 TTRO's are made under either:-
 - The Town Police Clauses Act 1847 Section 21
 - The Road Traffic Regulation Act 1984 Section 16A

Depending on which Act and Section is relevant and appropriate to the particular event being planned, the Orders will be processed by the relevant authority. Details of these Acts are provided below:-

3.5 Town Police Clauses Act 1847 (TPCA)

- a. The Town Police Clauses Act 1847 was incorporated into general effect by the Public Health Act 1875 and later by Section 180 of the Local Government Act 1972. Although Police notification is recommended, it is not necessary for the police to lead in the use of Section 21 to close a road.
- b. All local district authorities are able to use this piece of legislation to allow traffic to be managed during an event which impacts upon the highway. Therefore, any district authority in North Yorkshire area can issue an order under section 21 with the agreement of the Traffic Authority. If the District Council is unable to issue a TPCA Order, NYCC can issue the order for the normal charge (See Section 4.1).
- c. Where the Police are actively involved in traffic control (military parade, state funeral or Remembrance Day), Section 21 of the Town Police Clauses Act 1847 may be used. This section of the Act expressly allows the control of a large body of people, a 'throng'. It prevents the unnecessary obstruction of the street by vehicles when the streets are thronged with people. If the street becomes obstructed by people it allows the obstruction to be managed safely (ie outside a busy theatre / football ground). Section 21 was brought into being specifically, to allow the safe management of large crowds outside theatres etc.
- d. Although the use of Section 21 (rather than RTRA s16A) may appear to result in reduced costs; as advertising costs are less, it should be noted that authorised signs and traffic management will still be required and North Yorkshire Police will

require competent and qualified staff to undertake these potentially expensive activities before authorisation is given.

3.6 Section 16A of the Road Traffic Regulation Act 1984 (RTRA)

- a. Where the TPCA is not appropriate (where the Police are not actively engaged in traffic control) and provided the event is not held more than once per year, a TTRO under Section 16A of the Road Traffic Regulation Act 1984 (RTRA) should be used. This section, however, has its restrictions as it is only permitted once in a calendar year on any particular section of road. Special authorisation is required from the Secretary of State for Transport for additional use of this legislation on a particular section of road within one calendar year.
- b. If an order under Section 16A is required, the **Event Organiser** should apply to the Traffic Authority to issue the necessary Order (and make it clear to the SAG that it is requested). Before making an order under this section the Traffic Authority shall satisfy themselves that it is not reasonably practicable for the event to be held otherwise than on a road.
- c. Section 16A (RTRA) allows a road to be closed for the purposes of a sporting, social event or entertainment which is held on a road. All or certain vehicles or pedestrians may be prohibited or allowed. The Cycle Racing on Highways Regulations, 1960 (and 1980 and 1995 amendments) enables North Yorkshire Police to authorise 'time trials' and 'bicycle races' on the highway.
- d. Section 16(A) (RTRA) states:-

(1) In this section "relevant event" means any sporting event, social event or entertainment which is held on a road.

(2) If the traffic authority for a road are satisfied that traffic on the road should be restricted or prohibited for the purpose of:-

- a) facilitating the holding of a relevant event,*
- b) enabling members of the public to watch a relevant event, or*
- c) reducing the disruption to traffic likely to be caused by a relevant event.*

The authority may by order restrict or prohibit temporarily the use of that road, or any part of it, by vehicles or vehicles of any class or by pedestrians, to such extent and subject to such conditions or exceptions as they may consider necessary or expedient.

Before making an order under this section the authority shall satisfy themselves that it is not reasonably practicable for the event to be held otherwise than on a road.

4 The Application Process

- 4.1 It is to be emphasised here that it is the responsibility of the **Event Organiser** to undertake all of the necessary actions required to plan and hold the event safely and with minimum disruption to other highway users. This will include:-

- Consultation and liaison with all affected parties including local residents, regular highway users, emergency services, passenger transport companies, District and parish/town councils, etc.
 - Preparing a detailed **Event Plan** which includes Risk Assessments and Method Statements (including a **Traffic Management Plan**, **Emergency Plan**, etc.). These documents consider what might go wrong, how this can be avoided, and how any problems which might arise will be managed.
 - Arranging appropriate **Public Liability Insurance** (a minimum of £5million in any one claim) to indemnify the Authorities and to provide protection to third parties who may be injured or harmed by or as a result of the event.
 - Arranging and paying for suitably qualified and insured **traffic management personnel** to undertake the necessary traffic control measures.
 - **Paying for all costs** for arranging any TTRO's. Provided all TTRO's are written and sealed at the same time, there should only be one fee payable. Currently (February 2011) an order under s16A of RTRA will cost £300 (plus advertising costs likely to be in the region of £800). The charges for TPCA s21 orders vary between different District Councils, but will be £300 if issued by NYCC. Note that if any TTRO's require amending or extra Orders are required, extra fees will be payable. Charitable events and not-for-profit organisations may be exempt from the £300 fee, although the Council reserves the right to recover the costs of advertising from the Event Organiser.
- 4.2 Applications for events should be made through the local **SAG** (or through the District Council Events Officer where applicable) who will assist in ensuring that all of the Statutory Agencies are informed of the event. Contact details for the SAG can be obtained from the Internet or from the local Area Highways office (See Appendix A).
- 4.3 It is intended that, using one set of documents to capture all the initial information required from organisers of all events, it will be possible to identify where additional applications or notifications may need to be made and to act as a check sheet for the organisers. A Sample **Application for Event on Highway Pack** is included as an appendix to this document.
- 4.4 The application should include a copy of the **Event Plan** including all of the **Risk Assessments** appropriate to the nature of the event being planned. It should consider all of the risks which may be encountered during the course of the event for participants, operatives and the general public.
- 4.5 The application should also include **Method Statements** based on the **Risk Assessments** detailing how the risks identified can be reduced. This should include details of signing, marshalling, arrangements for access, emergency arrangements, advertising, etc. Further guidance in relation to this can be obtained from the Health & Safety Executive.

5 The Traffic Authority Approval Process

5.1 Following receipt of the application, the SAG will advise the appropriate agencies of the event and seek their views. The Traffic Authority (North Yorkshire County Council for most roads, the Highways Agency for trunk roads) will consider the effect of the event on the highway and highway users.

5.2 Consultation

- a. Before implementing any proposed traffic measures or making any TTRO's it will be necessary for the Event Organiser to carry out consultation and liaison with all the affected parties including directly affected local residents, emergency services, passenger transport companies, parish/town councils, etc. Details of all consultation including responses received and objections must be provided to the Traffic Authority.
- b. Consideration should be given to the degree of disruption likely to be caused. Most events are of short duration and the disruption caused can usually be managed provided sufficient notification is provided.

5.3 Temporary Traffic Regulation Orders

- a. The **Traffic Management Plan** should identify what traffic management measures are required for the event to be held safely and whether TTRO's will be needed to implement these measures.
- b. The legislation appropriate to implementing any TTRO's will be based on the type of event to be held e.g.
 - For a small parade or mobile gathering, either the District or County Council should be requested to implement an order under the TPCA.
 - For a major event it is appropriate to make the order under section 16A of the RTRA although use of this section can only be by the Traffic Authority and is limited to one event in any calendar year on a particular road. Special authorisation is required from the Secretary of State for Transport for additional use of this legislation on a particular section of road within one calendar year; therefore it is important to allow additional time for obtaining this consent when planning your event.
- c. A fee will be payable (by the **Event Organiser**) to the Traffic Authority, the District Council and/or North Yorkshire Police for the legal costs in order to implement these TTRO's (see 4.1).

5.4 Signs in the Highway

- a. In order to implement these TTRO's and other traffic management measures it will usually be necessary to erect appropriate signs in the highway. The Home Office document *'The Good Practice Safety Guide'* sets the following as a useful principle:-

**NO ROAD USER SHOULD APPROACH IN ANY DIRECTION TOWARDS
THE EVENT WITHOUT UNDERSTANDING EXACTLY WHAT IS
HAPPENING AND WHAT IS EXPECTED OF THEM**

- b. All signs which are placed on the highway must comply with the Traffic Signs Regulations and General Directions 2002 (as amended by the Traffic Signs Regulations and General Directions 2005) and Chapter 8 of the Traffic Signs Manual (Ch.8) or be specifically authorised by the Department for Transport.
- c. All signs should also be placed by a person trained, accredited and insured in accordance with Ch.8 and the New Roads and Street Works Act 1991 (NRSWA) or the LANTRA Awards.
- d. It is the responsibility of the **Event Organiser** to appoint **suitably qualified and insured traffic management personnel** to undertake this work in agreement with the Traffic Authority. The **Event Organiser** will be required to provide evidence that the traffic management personnel are qualified, competent and insured to undertake such tasks.

5.5 Marshals and Stewards

A **Marshal** is someone responsible for the safety and care of competitors (participants), and a **Steward** is responsible for the safety and care of spectators.

- a. Although traffic management can only be undertaken by those properly qualified and authorised for the task, marshalling and stewarding may be undertaken by people under the direction of the **Event Organiser**. Marshals and Stewards are not permitted to direct traffic. The **Event Plan** should consider how many people will be required to properly direct participants and spectators in order to maintain safety for all at the event.

5.6 Arrangements For Access

- a. In addition to the access required for participants and spectators, many events will disrupt access for residents and businesses in the affected area. The **Event Organiser** must detail how access is to be maintained for these people. In order to notify other highway users who may need to use the affected section of road, advance notice of any TTRO should also be given in the form of:-
 - On site notice boards complying with Ch.8 (in addition to legal notices) erected at least one week in advance of the event. Signs may only be placed on the highway by a competent, accredited and insured operative (see 5.4).
 - Information letters to affected properties providing contact information for the **Event Organiser** including emergency contacts for when the event is in operation.
 - Advertisements in the local press and other media if appropriate.
- b. Public Transport services providers and users will need to be considered if bus services are affected by any event or TTRO. The **Event Organiser** is expected to liaise with the relevant public transport operators in sufficient time to effect route and/or timetable amendments.

5.7 Arrangements for Emergency Services

- a. The **Event Plan** and **Risk Assessments** should consider what will happen in the event of an emergency and what arrangements are necessary to allow emergency services onto or through the Event site.
- b. As well as considering the possibility of emergencies happening at the event, it may be necessary to consider the need to provide emergency vehicles with rapid progress through any road closures or traffic congestion caused by the event.

5.8 Advertising

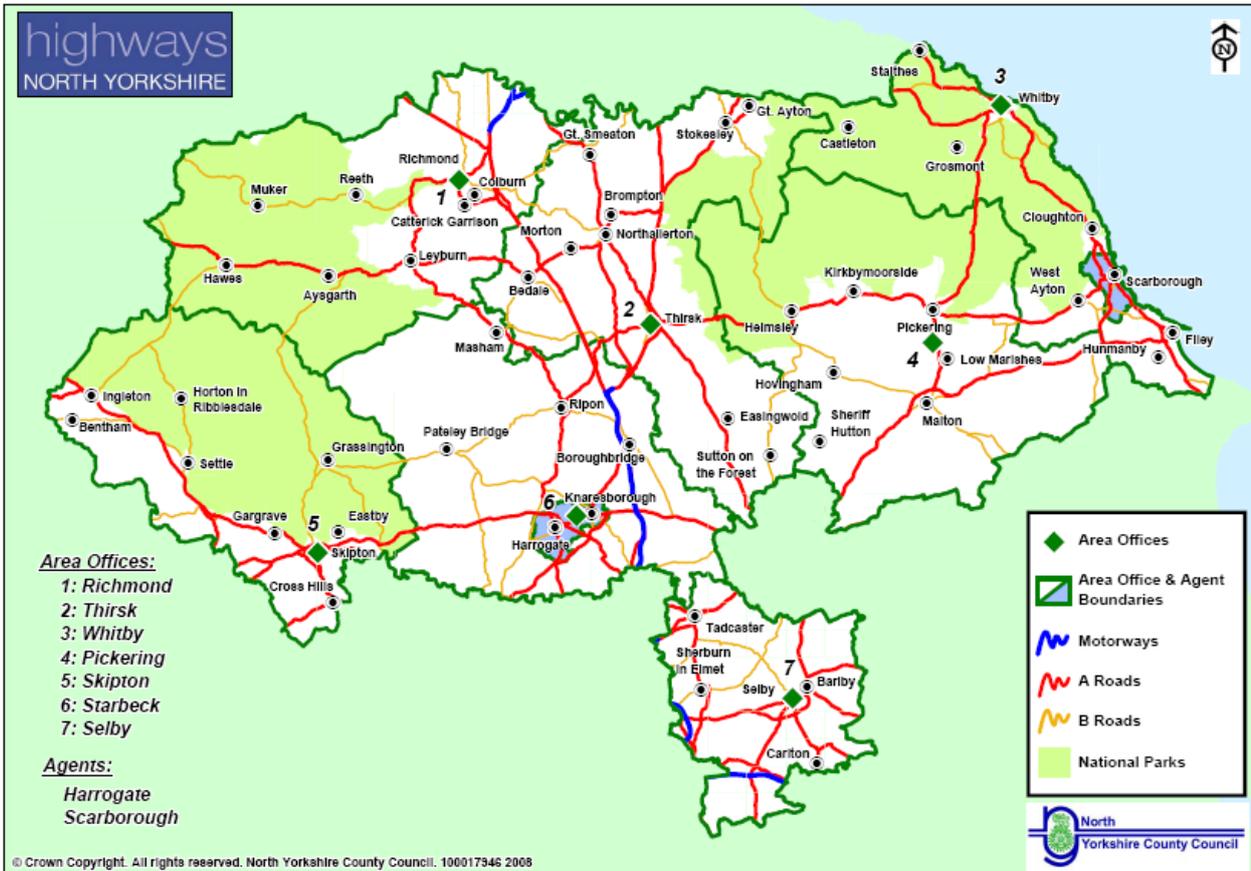
- a. For major events with significant traffic disruption (when RTRA s16A is used) it will be necessary to advertise the proposed TTRO's. The cost of any advertising will be borne by the **Event Organiser**
- b. Advertising may also be beneficial for increasing awareness of the event to reduce disruption and to advise participants/attendees of travel and parking arrangements. This can be particularly useful in encouraging the use of public transport to reduce traffic problems.

5.9 The Traffic Authority will assess all of the above information and proposals and, providing they are satisfied that the safety and convenience of highway users has been properly protected, will process any necessary traffic orders and confirm their permission for the event to take place.

5.10 The Traffic Authority retains the right to withdraw consent for the event should they receive significant objections prior to the event taking place.

Location map

Appendix A



<p>Area 1 Richmond Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>	<p>Area 2 Thirsk Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>	<p>Area 3 Whitby Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>
<p>*Richmondshire District Council 01748 829100 John.jamieson@Richmondshire.gov.uk</p>	<p>*Hambleton District Council 0845 1211 555</p>	<p>*Scarborough Borough Council 01723 232323 events@scarborough.gov.uk</p>
<p>Area 4 Pickering Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>	<p>Area 5 Skipton Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>	<p>Area 6 Starbeck Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>
<p>*Ryedale District Council 01653 600666 EasternAreaEvents@northyorkshire.pnn.police.uk</p>	<p>*Craven District Council 01756 700600 lwhitaker@cravenc.gov.uk</p>	<p>*Harrogate Borough Council 01423 500600 robin.derry@harrogate.gov.uk</p>
<p>Area 7 Selby Tel 08458 727374 Fax 01609 532009 Email: customer.services@northyorks.gov.uk</p>	<p>Harrogate B C Tel 01423 500600 Fax 01423 501076 Email: HighwaysMaintenance@harrogate.gov.uk</p>	<p>Scarborough B C Tel 01723 232323 Fax 01723 354979 Email: events@scarborough.gov.uk</p>
<p>*Selby District Council 01757 705101</p>	<p>*Harrogate Borough Council 01423 500600</p>	<p>*Scarborough Borough Council 01723 232323</p>

*Contact District Councils for details of street cleansing, refuse collection and parking zones and charges etc.

Bibliography

Title	Author
The Good Practice Safety Guide - for small and sporting events taking place on the highway, roads and public places'	Home Office
Road Traffic Regulation Act 1984	Stationary Office
Town Police Clause Act 1847	Stationary Office
Traffic Management Act 2004	Stationary Office
ACPO Public Safety Policy	ACPO
Police Force Operational Planning Policy	North Yorkshire Police
The Cycle Racing on Highways Regulations 1960	Stationary Office
The Event Safety Guide HSG 195 (Purple Guide)	HSE
Managing Crowds Safely HSG 154	HSE
The Guide to Safety at Sports Events (Green Guide)	Stationary Office