



<u>Committee and Date</u>
Cabinet
18 January 2023

<u>Item</u>
<u>Public</u>

Proposal for consultation on introducing a charge for events on the highway involving Temporary Traffic Regulation Orders (TTRO'S)

Responsible Officer

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1. Synopsis

A proposal on consultation to introduce a fee for the assessment, approval, processing and advertising of Temporary Traffic Regulation Orders (TTRO's) to enable events to take place on the highway.

2. Executive Summary

- 2.1. The Shropshire Plan has been developed around four priorities including a 'Healthy Economy'. Underpinning this our strategic objectives are to develop Shropshire as a safe, strong and vibrant destination to attract people to live in, work in, learn in and visit. And also to deliver excellent connectivity and infrastructure, increasing access to social contact, employment, education, services and leisure opportunities.
- 2.2 The Council has always supported events in the county which are popular with residents and visitors. They promote active lifestyles and, in most cases, boost the local economy. Some commercial organisers have been achieving healthy profits from events in recent years and it seems both reasonable and appropriate to consider and apply charges for the use of the council's highways to provide a financially sustainable approach for the Council as many other local authorities do. This allows us to help fund and maintain a range of key services for Shropshire residents and those who visit the county. An appropriate recovery of costs process that takes account of, and considers all types of, event and event organiser would support the vision, values and priorities of the Shropshire Plan.

- 2.3 In drafting proposals Officers have considered the type and nature of events that would be covered by this proposed change, including fee waivers and/or discounts for non-profit making, charitable events. An important factor in considering proposed fee scales is to ensure fees are defensible, pass scrutiny, accurately reflect officers time and other incurred costs and are also considered reasonable, on a par with those imposed by neighbouring and similar authorities and, importantly are not an unwarranted deterrent for event organisers wishing to hold an event in Shropshire.
- 2.4 Temporary legal orders to enable events to take place on the highway or to enable temporary traffic and pedestrian management to safely manage events held "off highway" are predominantly processed under either Section 14(1) of the "Road Traffic Regulation Act 1984" or the "Town Police Clauses Act 1847"

3. Recommendations

That Cabinet

- 3.1. approve a consultation exercise on the proposed charging structure set out in the Appendix.
- 3.2. Note that, following the consultation, the final policy will be presented to Cabinet for final approval.

REPORT

4. Risk Assessment and Opportunities Appraisal

- 4.1. An opportunity to gain further feedback, comment and views from affected stakeholders including Town & Parish Councils and event organisers.
- 4.2. An opportunity for increased income to assist in savings target and in maintaining key services across Shropshire.
- 4.3. An opportunity to reasonably recoup officer's time and applicable costs in assessing, processing and advertising temporary legal orders required.

- 4.4. An opportunity to reasonably recoup officers time and applicable costs in advising, directing and liaising with organisers and interested parties.
- 4.5. Proposed charges for this service will be new for regular and event organisers. There is a risk that imposing a charge may impact on event organisers with limited or currently non-existent budgets – leading to proposed event applications being withdrawn, or increased request for fee waivers.
- 4.6. No foreseeable impact on Children and vulnerable adults
- 4.7. No foreseeable impact on Human Rights or Equalities. An Equality, Social Inclusion and Health Impact assessment is on-going with a view to being updated following the outcome of the consultation exercise.

5. Financial Implications

- 5.1. Estimated maximum income based on applications received and pending for this financial year and applying all charges as per draft charging structure (April 2022 to April 2023): £30,000, with applications from Town & Parish councils contributing approximately £12,000 of this figure.
- 5.2. A £25,000 per annum income from this proposed charging policy is included within proposed financial savings from 23-24 onwards.
- 5.3. Additional income will assist in contributing to the savings target for 23/24

6. Climate Change Appraisal

- 6.1. It's believed that the proposals would have no direct effect on:
 - Energy and fuel consumption
 - Renewable energy generation
 - Carbon offsetting or mitigation
 - Climate change adaptation
- 6.2. The maximum proposed charge for events likely to attract more than a thousand people from outside the local area and / or affecting a traffic sensitive route, may act as an incentive for event organisers to consider a less disruptive location and hence have a positive indirect effect on energy and fuel consumption.

6.3. The positive indirect on energy and fuel consumption would align with the “Healthy Environment” priority of the “Shropshire Plan”.

7. Background

- 7.1 “Events” on the highway which require some form of TTRO (usually temporary road closure and/or temporary suspension of parking) include large annual shows such as Shrewsbury Flower Show, regular local Market events, fairs and festivals and sporting events. Organisers include but are not restricted to; Town & Parish Councils; private; community led and charitable organisations; television and film companies.
- 7.2 The reasoning for temporary road closures and other restrictions to be applied is predominantly to protect participants and attendees and to temporarily allow useable space on the highway to allow equipment and apparatus to be installed and people to attend without risk of traffic conflict.
- 7.3 Historically, whilst Shropshire Council have the ability and facilities to charge event organisers for the assessment, advice, and processing of the legal order if deemed necessary, the process has been largely accommodated as part of a wider ethos to assist event organisers on limited budgets and to promote events as beneficial to community engagement, increasing footfall, trade & tourism whilst raising Towns and County profile.
- 7.4 There is now an initiative to review this procedure, ensure recovery of reasonable costs, and introduce a reasoned/defendable charge where appropriate to do so.

8. Additional Information

- 8.1 Whilst the pandemic affected the number of events being applied for and taking place over the last two years – we are now seeing a resurgence of interest with a total of 139 separate events taking place between the beginning of March 2022 and the end of December 2022.
- 8.2 Any revised charge/process will be new to regular and historical event organisers. There may be some consideration to ensuring revisions are reasonable, defendable, pass scrutiny and accurately reflect officers time and incurred costs.
- 8.3 An initial “Benchmarking” exercise with similar neighbouring authorities has evidenced that, predominantly they do impose a

charge for this function although the calculations involved are varied.

- 8.5 Imposition of a fee could have a detrimental effect to registered charities and organisers wishing to donate all profit to a named charity. Therefore, Officers may make recommendations of a potential fee waiver for those events evidenced to be non-profit making and /or led by a charitable organisation where all profits are donated to charity.
- 8.6 The proposal is to implement a charge for applicants ranging between £40.00, and a maximum calculated charge of £1480.00 as detailed and dependent on applicant category, the potential for disruption and officers time involved.
- 8.7 In order to set a reasonable and appropriate charge that, as far as reasonably practicable, does not unduly deter event organisers on limited budgets and is defensible, the proposal is to apply percentage "discounts" to the maximum calculated charge that also more accurately reflect the "disruption effect" for each individual TTRO/temporary road closure.
- 8.8 As there are many variables to the types of event, event organiser, and the potential for disruption to traffic & businesses, a "caveat" is proposed in the eventual policy/guidance of officer discretion being used to levy an appropriate charge (within the price range stated and "less or more than") that more accurately reflects the anticipated level of disruption and officers time spent – i.e. a commercial event, anticipated to attract less than 500 people, could involve closing a traffic sensitive/arterial route or have some other factor requiring maximum officer input – conversely an event likely to attract over 1,000 people, but held in a field/on private and off a non-traffic sensitive road involving up to an hour of traffic management to see people safely in and out – may have minimal officer input.

9 Conclusions

- 9.1 Following the pandemic there now looks to be a resurgence of both established and new event organisers wishing to organise events that affect the highway, either by temporary traffic regulation orders applied or by managing an influx of additional traffic and thronging of people. Events vary regarding potential disruption and the officer input required to ensure the event can take place safely and legally, with appropriate consultation and communication. The proposal is to apply a reasonable charge to recoup officers time

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spent – whilst also ensuring charitable organisations & public sector partners are appropriately considered.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

- Place Overview Committee report 30th June 2022
- Briefing Note 30th June 2022
- Events List 2022 to date

Cabinet Member (Portfolio Holder)

Councillor Richard Marshall

Local Member

N/A

Appendices

- **Proposed charge structure**

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