

**SPECIAL DELEGATION PROCEDURE**

Cllr Hewitt

For your approval & return to DSU

**COMMITTEE CONCERNED:** NORTHERN AREA  
**FROM:** VERNON POTTER (LEGAL ASSISTANT)  
**SERVICE UNIT:** LEGAL & PROPERTY SERVICES  
**DATE:** 6<sup>th</sup> AUGUST 2008

1. The Council has received an application from Mr Ivan Holliday on behalf of Wylve Parish Council for a temporary road closure order to be made under **Section 21 of the Town Police Clauses Act 1847** for the purposes of holding the Wylve Parish Fete on 30<sup>th</sup> August 2008.
2. This is an annual community event and as with previous years it is intended that part of the High Street, Wylve between the junction with Dyer Lane (near Wylve Post Office) and as far as the northern end of the High Street as far as the Recreation Ground be closed for the duration of the Fete in order to better manage the high volume of visitors expected and to ensure the safety of those attendees.
3. Wiltshire County Council Highways Department have been consulted as have Wiltshire Constabulary. No objections to the closure have been received at the date of writing.
4. The writer is conscious that in previous years delegated authority for the making of the road closure order has been applied for last minute, and that this has caused some anxiety for the event organisers (as well as reducing administrative efficacy). We would ask therefore, that authority for the Order is granted notwithstanding that we have not yet had any response from WCC/Wiltshire Constabulary and that the authority is given conditional on any reasonable objections that may subsequently be received.
5. Road Closure Orders in respect of Wylve Parish Fete have been made in the past 3 years and in each case the event has passed without complaint. In the unlikely event that reasonable objections are received, the Legal Department will ensure that it makes every attempt to resolve these with the organisers before making any final decision to complete the Order. If it is not possible for the objections to be resolved, the decision whether or not to proceed is entirely at the discretion of Salisbury District Council.
6. Advertising in the Salisbury Journal will not generally be required after the Order has been made unless insufficient notice of the event has been given. We are advised that residents affected by the proposed closure have been notified well in advance by the event organisers. If this has been insufficient we believe that any deficiencies will be remedied by placing copies of the Order (once completed) in prominent or conspicuous positions at either end of the High Street, Wylve. We also understand that Wiltshire County Council normally advertise the closure orders, made by the District Council on its website once we notify them of the closure.
7. A draft of the Order is attached together with a plan indicating the intended diversionary routes and positioning of traffic signals. A. M. Contracting Ltd of Steeple Langford is providing traffic signals which have been agreed with InterRoute (acting for the Highways Agency) in accordance with the requirements of Traffic Signs Regulations 1994 and the Road Traffic Regulations Act 1984.
8. Access for emergency services and residents of the High Street will be assured at all times and marshals will be on hand to manage pedestrian traffic and to remove the temporary barriers should that be needed.
9. There are no affected bus services on Saturday.
10. The Parish Council has provided a copy of its most recent Public Liability Insurance of £5million, which is the standard limit for indemnity, and has also undertaken to meet the Council's reasonable legal costs of drafting and completing the road closure order, which are currently a set fee of £158.

(Please tick relevant box)

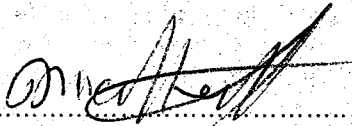
IMPLICATIONS	OFFICER	COMMENTS (incl)	NONE	NOT APPLICABLE
Legal	Vernon Potter	Negligible impact – any potential liability of SDC covered by public liability insurance/indemnity. Legal costs covered by event organisers		
Financial				X
Personnel				X
Environmental				X

Co-ordinated with

Officer (s)

Unit(s)

**APPROVED :**

Chairman :  Vice Chairman : .....

Minority Representative: .....