

## CABINET MEMBER FOR HIGHWAYS AND TRANSPORT – CLLR PHILIP WHITEHEAD

### HIGHWAYS AND TRANSPORT

**OFFICER CONTACT:** Allan Creedy 01225 713444  
email: [allan.creedy@wiltshire.gov.uk](mailto:allan.creedy@wiltshire.gov.uk)

### REFERENCE:

---

#### WILTSHIRE COUNCIL

#### TOWN POLICE CLAUSES ACT 1847 S.21 PROPOSED ROAD CLOSURE OF NEW ROAD, HIGH STREET (PART), KINGSBURY STREET (PART) AND THE PARADE (PART) IN MARLBOROUGH BETWEEN 10AM AND 11PM ON 18 JULY 2015

#### Purpose of Report

1. To consider representations made in relation to the above proposed road closure required to facilitate the 2015 Marlborough Jazz Festival

#### Relevance to the Council's Business Plan

2. The proposed temporary road closure has relevance to two priorities in the Plan:
  - Outcome 2 – People in Wiltshire work together to solve problems locally and participate in decisions that affect them.
  - Outcome 6 – People are as protected from harm as possible and feel safe.

#### Background

3. Consultations held during May and June 2015 sought views on, inter alia, a proposed road closure of New Road, High Street (Part), Kingsbury Street (Part) and The Parade (Part) in Marlborough between 10am and 11pm on 18 July 2015 for the Marlborough Jazz Festival (see plan attached as **Appendix A** indicating extent of proposed closure).
4. A total of 41 responses from individuals were received producing:
  - 24 responses against the road closure, including a petition with a total of 83 signatures and
  - 17 responses in support of the road closure.
5. Of the 24 responses received against the closure (including the petition) the comments which directly relate to the road closure can be summarised as below:
  - Objectors say there is unacceptable disruption to the normal operation and activities of the High Street residents and businesses, causing an adverse effect on trade and inconvenience to customers, resulting in loss of business and significant loss of income. The petition signed by 83 signatories object to the road closures before 5pm which is felt to be damaging to the commercial trade in the town. (The petition however states objection to the unnecessary partial closure of the High Street before 5pm on the Friday, Saturday and Sunday of the event; the closure is only proposed for the Saturday 18 July 2015.)

- Objectors say that the closure causes disruption to normal traffic flow and bus services. Also cite potential risk for emergency vehicle access.
  - Necessity for a road closure is questionable. Risk to public safety could be dealt with by wardens and barriers.
  - Signs when entering Marlborough imply the whole of the High Street is closed (clearer signage, only on the day of disruption, would help).
  - Only one band stand blocked the road last year, the main events were well clear of the road.
6. Other comments received, which are not directly related to the road closure, include:
- The unpleasant clean up after the event of bottles, vomit in shop doorways and litter.
  - Feel the process by Marlborough Arts Association is flawed due to not consulting directly with the Marlborough High Street Retailers Association.
7. Many objectors wish it to be known that they support the event but oppose the road closure.
8. Of the 17 responses in support of the road closure, these can be summarised as:
- Public safety is of paramount importance and therefore the closure is necessary for ensuring safety of the public during the event.
  - The event brings in large numbers of visitors who spend freely with local traders over the weekend of the event. Some shops have stands during the festival for additional trade (which could have potential for others to do the same).
  - Without the closure there would be disruption caused by loading/unloading of equipment for the event.
9. Other comments received which are not directly related to the road closure include:
- The festival brings potentially priceless free advertising.
10. Marlborough Town Council  
At its meeting on 1 June 2015, Marlborough Town Council considered arguments for and against the proposed road closure and resolved:

*“by 8 votes for with 2 against to approve the temporary road closure application with the proviso that a wash-up meeting resolves issues for next year’s festival and involves all interested parties.”*

### **Main Considerations for the Council**

11. In the light of representations received, to decide whether the proposed temporary road closure should be approved.

### **Safeguarding Considerations**

12. There are no Safeguarding Considerations.

### **Public Health Implications**

13. Public safety is a primary objective of the road closure.

### **Corporate Procurement Implications**

14. There are no Corporate Procurement Implications.

### **Environmental Impact of the Proposal**

15. There are no significant environmental impacts associated with the proposal.

### **Equalities Impact of the Proposal**

16. None.

### **Risk Assessment**

17. Marlborough Arts Association has submitted a risk assessment identifying potential hazards and measures to be implemented to ensure safety. The risk assessment gives consideration to the location of the bandstand as well as the viability of alternative locations. It prioritises the deployment of road signs clearly worded to advise members of the public that trading will continue as usual within the area of the High Street outside of the road closure.

### **Financial Implications**

18. None.

### **Legal Implications**

19. The Council's procedure for considering and approving temporary road closures for special events is drawn from, and consistent with, the provisions of Section 21 of the Town Police Clauses Act 1847.

### **Options Considered**

20. To:
- (i) Implement the proposals as advertised.
  - (ii) Not implement the proposals.

## **Reason for Proposal**

11. The Council has prepared a set of guidance notes for event organisers outlining a relatively simple procedure where temporary road closures are requested to facilitate special events.
12. The guidance note admits the possibility of unresolved objections – in that event, the guidance advises:  
  
*“...the Application and the Objection(s) will be passed to the Cabinet Member for Highways and Transport in consultation with the Chair of the appropriate Area Board and the local Divisional Member, who will make the final decision as to whether or not the Closure should be permitted.”*
13. In the vast majority of cases, the Cabinet Member has been content for the local Divisional Member to be the sole arbiter; however, in this instance in view of the involvement of the local member with this application, it is considered appropriate that the Cabinet Member makes the final decision.
14. It is clear that there are unresolved objections to the proposed closure, and a decision needs to be taken in that light.
15. Considerable weight should be attached to the views of the Town Council. It has resolved to support the road closure having considered representations from supporters and objectors, alongside the wider benefits that the event brings to its town.
16. The Town Council's proviso that there should be a post event meeting to resolve outstanding issues prior to next year's festival is an undertaking that Wiltshire Council should support.

## **Proposal**

17. That:
  - (i) The proposed road closure between 10am and 11pm on Saturday 18 July 2015 is approved.
  - (ii) Wiltshire Council supports Marlborough Town Council's resolution to facilitate a post event meeting in an effort to resolve outstanding concerns.

---

## **The following unpublished documents have been relied on in the preparation of this Report:**

None