

**2. TEMPORARY ROAD CLOSURES:
REVISION OF DELEGATED POWERS**

RR 11163

Officer responsible Council Secretary	Author Max Robertson
Corporate Plan Output: Temporary Road Closures	

The purpose of this report is to seek an extension of the existing delegated powers regarding applications for temporary road closures.

DELEGATIONS TO ROAD CLOSURE SUBCOMMITTEE

At its meeting on 25 March 1999 the Council appointed the Road Closure Subcommittee (comprising the Council Secretary and the relevant Community Advocate or his/her nominee) with the following delegated powers:

1. To exercise the powers of the Council contained in paragraphs 11(e), 11A and 11B of the Tenth Schedule of the Local Government Act 1974.
2. To give such public notice it considers necessary in the exercise of its delegated powers.

This Subcommittee's powers relate to applications for road closures for events such as exhibitions, fairs, markets, concerts, film making, races and other sporting events or public functions. Such road closures can only be approved by the Subcommittee after the proposed closure has first been advertised calling for public objections. If objections are received, the Subcommittee is required to take such objections into account before reaching a final decision.

PROPOSED DELEGATION TO EFFECT OTHER TYPES OF ROAD CLOSURES

In addition to road closures for the foregoing purposes, the Tenth Schedule of the Local Government Act 1974 also permits road closures for the following additional reasons:

- “(a) While the road, or any drain, water race, pipe, or apparatus under, upon, or over the road is being constructed or repaired; or*
- (b) Where, in order to resolve problems associated with traffic operations on a road network, experimental diversions of traffic are required; or*
- (c) During a period when public disorder exists or is anticipated; or*
- (d) When for any reason it is considered desirable that traffic should be temporarily diverted to other roads.”*

The foregoing powers may be exercised by the Mayor on behalf of the Council, or by any officer of the Council authorised by the Council on their behalf.

Because applications for such closures are often received at short notice, it is considered that the Council Secretary should be delegated power to approve road closures in such circumstances, subject to such conditions as he thinks fit (including the imposition of a reasonable bond) and after consultation with the Police.

Recommendation:

1. That the Council Secretary be delegated power to exercise the remaining powers of the Council relating to the temporary prohibition of traffic on roads contained in paragraph 11(a) to (d) of the Tenth Schedule of the Local Government Act 1974.
2. That this delegation exclude those delegations previously granted to the Road Closure Subcommittee, relating to paragraphs 11(e), 11A and 11B of the Tenth Schedule of the Local Government Act 1974.