

## Traffic Management

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## Policy Statement

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### Summary

This policy provides guidance to West Yorkshire Police Officers and Staff around traffic management for events that take place on the highway or may impact the highway. This includes authorising the placing of No Waiting Cones for pre-planned events.

The current NPCC policy is that the police do not provide traffic management for events. The Traffic Management Act of 2004 places the responsibility for traffic management matters for events on or affecting the highway on the Highway Authority for the area in which the event takes place.

Nothing contained within this policy prevents a police officer from dealing with an emergency or spontaneous incident at an event as part of their role as a Constable.

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### Scope

This policy applies to all West Yorkshire Police Officers and Staff who are involved in the consultation, planning and implementation phase of any events either on the highway or impacting the highway.

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## Principles

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### General

- It is widely accepted that the police have no general duty to preserve public safety at any public event, except where there are imminent or likely threats to life. Legal opinion suggests that the responsibility for public safety rests with the organisers of an event, the owners of the land on which it takes place and the local authority if the event takes place on a road.
- However, other persons or agencies who undertake responsibilities for public safety at an event may assume a duty of care and, therefore, also become responsible for public safety at the event.
- The core functions and responsibilities of the police are recognised as:
  - Protection of life and property.
  - Prevention and detection of crime.
  - Traffic regulation (within the legal powers provided by statute). This is envisaged as advice to the event organiser within the Safety Advisory Group process.
  - Activation of a contingency plan where there is an immediate threat to life and co-ordination of resulting emergency service activities.
  - Coordinating emergency response activities associated with a major incident taking place at the event.
- The duty on the Local Authority is set out in the Traffic Management Act 2004.

- Section 16 of the Traffic Management Act 2004 imposes a duty on the local authority to manage their road network with a view to achieving the following objectives:
    - a) Securing the expeditious movement of traffic on the authority's road network; and
    - b) Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
  - Traffic Management is not a core policing duty and West Yorkshire Police have no obligation to provide traffic management services. ACPO Guidance on Public Safety Policy (October 2009) makes clear that:
    - Police powers to regulate traffic for planned events are extremely limited.
    - The police have no general duty to preserve public safety at any public event, except where there are imminent or likely threats to life.
    - Police officers should not be used as part of a traffic management plan introduced in consequence of a closure order unless this is completely unavoidable.
  - Traffic management may be provided as part of SPS however this should be subject to a formal written agreement. It would not be appropriate for traffic management to be charged for when it is being provided in furtherance of the core police responsibilities of preventing crime and disorder and the protection of life and property.
  - Traffic management cannot be charged for at football matches.
  - It remains the position of West Yorkshire Police that traffic management is a function of the Local Authority; however, there may be circumstances in which it will be appropriate for West Yorkshire Police to perform traffic management in line with core policing duties.
    - An example may be at a protest where the protestors' rights under the European Convention on Human Rights are engaged and the Gold or Silver Commanders are of the view that police assistance with traffic management is necessary.
    - In these circumstances, West Yorkshire Police expect that the appropriate road closure orders would be obtained by the event organiser as a part of the planning process.
    - There must not be a reliance on the police to utilise their powers to close the road in accordance with S21 of the Town Police Clauses Act 1847.
    - The decision to utilise West Yorkshire Police in a traffic management role will be a matter for the planning Gold.
  - West Yorkshire Police will not routinely authorise the placing of No Waiting Cones and this is a matter for the organiser and the Local Authority in line their duties under the Traffic Management Act 2004.
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## Planning Considerations

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- In relation to events, (whether held on or off a road) West Yorkshire Police will not:
    - Close roads except in an emergency;
    - Take sole responsibility for organising the event;
    - Be the focal point for the event; or
    - Be the lead agency for the event.
  - West Yorkshire Police will:
    - Only act where it has legislative power to do so;
    - Ensure its actions are proportionate having regard for the feelings and needs of the whole community;
    - Work in partnership with the organisers of the event and other agencies that are involved, to offer advice on matters that are the responsibility of the police; and
    - Discharge its statutory responsibilities.
  - Should an event be notified to West Yorkshire Police then the event organiser should be advised to inform the relevant local authority at the earliest opportunity to discuss the traffic management implications for any planned event.
  - This includes events that are on off the highway but may impact on the highway.
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## Nationally Significant Events

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### Principles

- It is recognised that there will be exceptional events (e.g. Remembrance Day Parades, Royal Visits, and some Military Events) which will require police assistance and therefore fall outside of this policy.
  - A planning Silver will assess each of these events and any traffic management provided by the police will be authorised by the Gold Commander.
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## VIP Visits and High Priority Escorts

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### Principles

- To maintain the integrity of any such movements it is essential that a degree of security is maintained particularly around venues and routes. The nature of such 'movements' often necessitates 'real time' police involvement to control and regulate traffic and as such this policy may not apply.
  - Any use of police vehicles to perform traffic management should be as part of a planned operation or as an operational contingency and part of the police responsibility to protect life and prevent crime and disorder.
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## Cycle Races and Other Major Sporting Events

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### Principles

- It is generally accepted that major sporting events, held on a closed road under Section 16A Road traffic Act 1984, that due to the course/length cannot be fully closed with traffic management. To ensure they remain sterile may require a mobile police escort to facilitate the events participants' safe passage.
  - In this case the deployment of the Central Escort Group (or part of) may be authorised as part of the planning process with the relevant Gold authorisation.
  - The deployment will form Special Police Services Contract (SPS) and full cost recovery will be charged accordingly for the deployment.
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## Additional Information

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### Compliance

This policy complies with the following legislation and guidance:

- West Yorkshire Police Guidance on Event Planning
  - Event Policing – NPCC Guidance
  - Health and Safety Executive – Running an Event Safely
  - Find Your Local Council
  - Leeds City Council - Organising Events
  - Bradford Council - Events - Public Safety Liaison Group
  - Kirklees Council – Guidance on Planning Events
  - Calderdale Council – Host an Event
  - Wakefield Council – Organising an Event
  - Traffic Management Act 2004
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