

<b>Subject:</b>	<b>School Streets</b>		
<b>Date of Meeting:</b>	<b>21 September 2021</b>		
<b>Report of:</b>	<b>Executive Director, Economy, Environment &amp; Culture</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

*Note: The special circumstances for non-compliance with Council Procedure Rule 7, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that additional time was needed to deal with enquiries relating to Traffic Orders.*

### **1 PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to set out the proposed delivery approach of a city-wide School Streets programme for consideration.
- 1.2 The report also provides an update on the School Streets closures trialled as part of the emergency School Streets programme and considers comments and objections received through the consultation and advertisement of the relevant Experimental Traffic Regulation Orders.

### **2 RECOMMENDATIONS**

- 2.1 That the Committee approve the proposed delivery approach for the School Streets programme, including the identified priority list of schools for closures to be delivered in the first two years of the programme as detailed in Appendix 1.
- 2.2 That the Committee note the comments and objections received through the ETROs for current School Streets closures, as detailed in paragraph 5 and Appendix 3, and agree to the Traffic Regulation Order amendments as set out in paragraph 3.6.

### **3. CONTEXT/BACKGROUND INFORMATION**

- 3.1 School Streets support the safe movement of children to and from school by creating streets that allow for more walking, cycling and scooting. Motor vehicle access to streets near school entrances is restricted during school drop off and pick up times which reduces vehicle congestion around the school gates and improves road safety. This in turn encourages and enables active and sustainable travel by children and their parents/carers on the school journey.

- 3.2 The delivery of a School Streets programme is proposed within the national and local policy context. Nationally, the Government released their 'Gear Change' vision document in July 2020 which sets out the national ambition to make walking and cycling the natural choice for short journeys, or as part of a longer journey. Locally, the new Local Transport Plan 5 (LTP5) is being developed to help everyone move around the City more safely, sustainably, and easily. School Streets will support the vision, outcomes and principles of the new LTP5, as agreed by the ETS Committee on 22 June 2021. One of the key principles is shifting how people travel – prioritising walking and cycling for shorter journeys and public transport for longer journeys.
- 3.3 The concept of School Streets was first introduced in the city in March 2019, as part of the Access Fund for Sustainable Travel, when a one-day School Streets road closure took place at St Luke's Primary School on Queen's Park Rise. The school subsequently made a formal request for a permanent, timed closure of the road. A successful internal bid was made to the council's Sustainability & Carbon Reduction Investment Fund (SCRIF) for capital funding, to trial permanent closures outside St Luke's Primary School and Brunswick Primary School in the 20/21 financial year.
- 3.4 The Covid-19 pandemic caused additional need for space outside schools when they returned in September 2020 to support physical distancing. A decision was made at ETS Committee in June 2020 to commit to implementing a programme for School Streets in the city, to support the safe reopening of all primary and nursery schools, as part of the Interim Covid-19 Response Local Cycling & Walking Infrastructure Plan. The council successfully bid for funding through the DfT's Active Travel Fund to deliver School Streets closures. 9 schools trialled a closure in September 2020, with the support of local volunteers and council staff marshalling barriers during school drop off and pick up times.
- 3.5 The School Streets closures introduced as part of the pandemic response, were enforced through Experimental Traffic Regulation Orders (ETRO). An amendment to the orders was made in February 2021 so that more sustainable methods of delivery, supported by infrastructure, could be trialled at Brunswick Primary School, St Luke's Primary School and Downs Junior School. A further closure at St Nicolas CE Primary School was also introduced as part of the Access Fund project. A period of six months was allowed for objection from the date the amendments to the ETROs came into operation.
- 3.6 Details of comments and objections received through the ETROs can be found at Paragraph 5 of this report and are summarised in Appendix 3. Based on the feedback through the ETROs, it is recommended to:
- a) Amend TRO-19-2020 (and amendments) for Queen's Park Rise at St Luke's Primary School, so that the prohibition of motor vehicles Mon-Fri, 8-10am and 2-4pm is retained and reinstated for the Queens Park Rise/Queen's Park Terrace junction. (This will remove the prohibition of driving as detailed in the amendment and revert the restriction back to the original ETRO)
  - b) Amend TRO-18-2020 (and amendments) to:

- i. Retain the prohibition of motor vehicles Mon-Fri 8-10am and 2-4pm on Grantham Road at Downs Junior School and remove the prohibition of driving (This will remove the prohibition of driving as detailed in the amendment and revert the restriction back to the original ETRO)
  - ii. Retain the prohibition of motor vehicles Mon-Fri 8-10am and 2-4pm on Somerhill Road at Brunswick Primary School and remove the prohibition of driving (This will remove the prohibition of driving as detailed in the amendment and revert the restriction back to the original ETRO)
  - iii. Retain the prohibition of motor vehicles Mon-Fri 8-10am and 2-4pm on Highlands Road at St Nicolas CE Primary school
- 3.7 Following the trialling of School Streets closures as part of the pandemic response, a commitment of £100,000 revenue funding and £50,000 capital funding was made in the Council's Budget, to deliver a rolling School Streets programme with the aim of implementing sustainable, ongoing closures outside as many of the city's schools as possible, subject to highway feasibility.
- 3.8 In total 55 infant, junior and primary schools have been assessed for their eligibility for a School Streets closure, resulting in a long list of schools and a prioritised shortlist for 12 closures in the first two years of the programme. The priority schools for School Streets closures in the next two years, have been determined using the criteria in Appendix 2, which was agreed by ETS Committee in January 2020 and is based on the Hackney toolkit.
- 3.9 Implementation of infrastructure as part of School Streets will be complemented by support to schools by the Council through School Travel Planning, Personalised Travel Planning for parents/carers, cycle training for children and additional resources for schools to encourage participation in active travel initiatives such as Walk to School Week.
- 3.10 Schools that are not eligible for a School Streets closure due to highway feasibility assessments and those not in the priority list for a closure in the next two years, will also receive support through provision of active travel resources and child cycle training delivered by Bike It Officers and Bikeability cycle trainers in schools.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 An amendment to the Traffic Management Act 2004, which is expected this year, will grant Local Authorities in England greater enforcement powers, including the use of automatic number plate recognition (ANPR) cameras, which could positively impact the delivery of the School Streets programme in future years. ANPR cameras are widely used in London boroughs to enforce School Streets closures. Brighton & Hove will be applying for the powers when they are released.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 In total, 10 objections and 10 comments of support were received in relation to the school closures enforced through TRO-18-2020 and amendments.

### Brunswick Primary School, Somerhill Road

- 5.2 4 objections and 5 comments of support were received in relation to the closure at Brunswick Primary School on Somerhill Road.
- 5.3 2 Objectors claimed that the introduction of the School Streets closure had caused displacement on surrounding roads and an increase in double parking. Short term motor traffic displacement was anticipated in surrounding roads of School Streets closures, however, there is consistent evidence that motor traffic displacement does not cause road safety issues of any significance in neighbouring streets and that in almost all cases, the total number of motor vehicles at school street closures and neighbouring streets is reduced.
- 5.4 1 Objector claimed that there had not been adequate risk assessment done in advance to assess the risk to children of road safety accidents. Assessments were carried out by the council's road safety, traffic management and engineering teams in advance of implementation. Risk assessments were carried out by transport officers and the council's health & safety team were consulted. An independent traffic management company was contracted by the council to provide training to School Streets volunteers and council staff on how to operate the closure safely. Overall, the reduction of general traffic outside schools at drop off and pick up times creates a safer environment for children as they arrive and leave school.
- 5.5 1 Objector claimed that an assessment had not been carried out on the impact on emergency services requiring access to the road. The emergency services were consulted in advance of the implementation of the School Streets closure and were informed when amendments were made to the ETRO to introduce a prohibition of vehicles at all times at the Somerhill Road/Lansdowne Road Junction. Emergency services have access at all times to roads where School Streets closures are operating.
- 5.6 1 Objector claimed that there had been a lack of public consultation in advance of the implementation of the scheme. The emergency School Streets programme was implemented quickly as part of the council's pandemic response, through an amendment at committee to the Interim Covid-19 Local Cycling & Walking Infrastructure Plan. As such, residents were informed by letter prior to implementation and sent details of how to comment through the Experimental Traffic Regulation Order. This enabled residents to give their views on the scheme with the measures in situ.
- 5.7 1 Objector perceived that the scheme would disadvantage people with disabilities due to the impact on Blue Badge Holders. We have ensured that Blue Badge Holders and parents of children who are Compass Card holders have access to the road at all times. Volunteers and staff are trained to ensure that those permitted access to the road are able to access it when they need to and this is also included in the council's guidance to volunteers and schools.

### Downs Junior School, Grantham Road

- 5.8 3 objections and 1 comment of support were received in relation to the closure on Grantham Road.

- 5.9 2 objectors claimed that as a result of the closure children were using the road as a playground unsupervised and that this was creating a dangerous environment, as well as having a detrimental impact on residents. While School Streets closures reduce general traffic from accessing the roads around schools, they are not pedestrianised areas, nor should they be considered a 'play street'. The council works in close partnership with the school to ensure that children and their parents/carers are aware of how the closure operates and how to use the road space safely.
- 5.10 1 objector claimed that the scheme had been designed poorly. School Streets closures were introduced quickly in the Covid-19 pandemic to support the reopening of schools in September 2020. The method that was trialled initially required volunteers, council and school staff to marshal temporary barriers to restrict access to general traffic at school drop off and pick up times. This method was based on the experience of other Local Authorities.
- 5.11 1 objector claimed that the introduction of bollards in the mid-section of Grantham Road had created a more dangerous environment and that the scheme was unsafe. An amendment was made to the TRO so that physical measures could be trialled at some sites to reduce the pressure on schools to recruit the numbers of volunteers required to operate the closure.

St Nicolas CE Primary School, Highlands Road

- 5.12 1 comment of support was received.

Other

- 5.13 3 further objections and 3 comments in support of School Streets closures were received in response to this ETRO but were not attributed to specific schools.
- 5.14 1 objector claimed that the implementation of a School Streets closure would create more traffic congestion, worse air pollution and result in an increase in accidents. School Streets closures are a response to the issues that have been experienced outside schools over many years, including congestion, idling, double parking and road safety issues. Restricting access to general traffic at peak times reduces the number of motor vehicles using the road space, thereby reducing or removing congestion, improving road safety and creating more space for sustainable and active modes of travel for the school journey.
- 5.15 1 objector stated that residents should not be required to change their lives or routines or have restricted access to their properties as a result of the scheme. Residents who live on the road of a School Street closure have access at all times and this is ensured by volunteers and staff who operate the closure. We request that, where possible, residents arrange for deliveries outside of the closure times but deliveries to residents and businesses are given access as required.
- 5.16 1 objector stated that residents had not been consulted in advance and had been given a short period of notice before the scheme was implemented. The emergency School Streets programme was implemented quickly as part of the council's pandemic response, following an amendment at ETS Committee to the

Interim Covid-19 Local Cycling & Walking Infrastructure Plan. As such, residents were informed by letter prior to implementation and sent details of how to comment through the Experimental Traffic Regulation Order. This enabled residents to give their views on the scheme with the measures in situ. We have used the experience of the emergency programme to inform the delivery approach of the School Streets programme in future which proposes a public consultation and engagement exercise in advance of implementation.

- 5.17 In total, 45 objections and 35 comments in support were received in relation to TRO-19-2020 (and amendments).

St Luke's Primary School, Queen's Park Rise

- 5.18 22 objectors claimed they had been inconvenienced by the introduction of a permanent closure on Queen's Park Rise, referencing the impact on their normal routines, travel and deliveries to their properties. We have listened to the concerns of residents who live on Queen's Park Rise about the impact of the permanent closure at the Queen's Park Rise/Queen's Park Road junction. This report recommends that the permanent closure is removed, in place of lesser restrictions to reinstate the temporary closures to operate during school term time, at drop off and pick up times only.
- 5.19 19 objectors stated that there had been a lack of consultation with residents prior to the scheme being implemented. The emergency School Streets programme was implemented quickly as part of the council's pandemic response, following an amendment at ETS Committee to the Interim Covid-19 Local Cycling & Walking Infrastructure Plan. As such, residents were informed by letter prior to implementation and sent details of how to comment through the Experimental Traffic Regulation Order (ETRO). This enabled residents to give their views on the scheme with the measures in situ. Residents were sent a further letter in February 2021 informing them of an amendment to the ETRO, to trial the prohibition of driving at all times at Queen's Park Rise/Queen's Park Road through the introduction of a modal filter. The six-month period for objections through the ETRO was restarted to ensure sufficient time for the public to feedback on the changes to the scheme.
- 5.20 16 objectors perceived air quality would worsen as a result of the scheme due to the turning of vehicles at the bottom of Queen's Park Rise. Air quality monitoring has not been carried out outside School Streets schools in Brighton & Hove, however, studies from other Local Authorities has shown that closures to general traffic outside schools at drop off and pick up times can improve air quality by reducing nitrogen dioxide levels.
- 5.21 13 objectors perceived road safety would worsen as a result of the closure and that children would not be aware of the dangers of other roads. While School Streets closures reduce general traffic from accessing the roads around schools, they are not pedestrianised areas, nor should they be considered a 'play street'. The council works in close partnership with the school to ensure that children and their parents/carers are aware of how the closure operates and how to use the road space safely.

- 5.22 9 objectors stated that they were opposed to the removal of car parking spaces that had happened as a result of the scheme. Three parking spaces on Queen's Park Rise were removed in order to ensure there was enough space for vehicles that entered the road to turn when the modal filter was introduced. Subject to the committee's decision on the recommendations of this report, the three parking spaces could be reinstated.
- 5.23 7 objectors stated that their refuse and recycling collections had been impacted as a result of the closure. Some collections were missed following the introduction of the scheme and this has now been resolved. City clean have advised that their preference moving forward, would be for temporary measures to be reinstated at both ends of Queen's Park Rise to ensure ease of access for drivers at collection times.
- 5.24 6 objectors claimed that the closure had resulted in traffic displacement on surrounding roads. Short term traffic displacement was anticipated in surrounding roads of School Streets closures, however, there is consistent evidence that motor traffic displacement does not cause road safety issues of any significance in neighbouring streets and that in almost all cases, the total number of motor vehicles at school street closures and neighbouring streets is reduced.
- 5.25 5 objectors perceived that access to the road by emergency vehicles would be hindered as a result of the scheme. The emergency services were consulted in advance of the implementation of the School Streets closure and were informed when amendments were made to the ETRO to introduce a prohibition of vehicles at all times at the Queen's Park Rise/Queen's Park Terrace junction. Emergency services have access at all times to roads where School Streets closures are operating.
- 5.26 5 objectors stated that noise pollution on the road had worsened since the implementation of the scheme due to the number of turning vehicles. We anticipate that this issue would dissipate over time as people become aware that there is no through access. However, we have listened to the feedback of residents about the impact of the permanent closure and this report recommends that it is removed in place of temporary measures which would remove the noise pollution from turning vehicles as there would be through access.
- 5.27 A public consultation and engagement exercise will take place prior to any future closures being implemented, allowing members of the public, including key external stakeholders such as residents, schools, parents and businesses, to comment on proposed School Streets designs in their area.

## **6. CONCLUSION**

- 6.1 This report presents the proposed delivery approach for a School Streets programme, to support the safe movement of children to and from school by creating streets that allow for more walking, cycling and scooting, particularly at school drop off and pick up times.
- 6.2 The report also presents the comments and objections to the School Streets closures introduced in September 2020 as part of the urgency response to the pandemic.

- 6.3 Feedback from the closures trialled through the emergency programme has informed the proposed approach to the School Streets programme going forward, including the need for public consultation and engagement in advance of the implementation of schemes.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 An annual revenue investment of £100,000 and capital funding of £50,000 was made in the Council's Budget to deliver a School Streets programme. Costs associated with this programme will be contained within these budgets and any significant variation to budget will be reported as part of the council's monthly budget monitoring process.
- 7.2 Exploring options for introducing ANPR cameras to enforce School Streets in the future, pending legislation, would require a review of budgets and options brought back to a future committee for decision.

*Finance Officer Consulted: John Lack*

*Date: 10/09/21*

### Legal Implications:

- 7.3 The Council, as traffic authority, is empowered to make Experimental Traffic Regulation Orders (ETROs) under the provisions of s9 of the Road Traffic Regulation Act 1984. An ETRO cannot remain in force for longer than 18 months. Public notice must be given that the ETRO has been made, that the traffic authority will be considering in due course whether the provisions of the ETRO will continue in force indefinitely, and that any objections to the making of such a permanent order must be made within six months of the making of the ETRO or any order amending the same (Sched. 5 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996). The traffic authority must give consideration to any duly made objection.

*Lawyer Consulted:*

*Hilary Woodward*

*Date: 10/09/21*

### Equalities Implications:

- 7.4 The Equality Act 2010 requires public sector authorities to comply with the Public Sector Equality Duty in carrying out their functions. This includes making reasonable adjustments to the existing built environment to ensure the design of infrastructure is accessible to all.
- 7.5 For new infrastructure schemes implemented outside schools as part of School Streets, an Equality Impact Assessment will be completed.
- 7.6 All School Streets schemes will meet requirements outlined in Local Transport Note 1/20 (LTN 1/20) which was published by government last year and sets the current national design standards for cycling.

Sustainability Implications:

- 7.7 The measures will improve the transport network for sustainable modes of transport by reallocating road space, predominantly at school drop off and pick up times when timed restrictions will be enforced.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. List of priority schools for closures in years 1 & 2 of the programme
2. School Streets assessment criteria
3. TRO objections and comments

**Background Documents:**

None

