

Brighton & Hove City Council

Transport & Sustainability Committee

Agenda Item 33

Subject: School Streets – Westdene Primary and Hove Junior School ETROs

Date of meeting: 3 October 2023

Report of: Executive Director, Economy, Environment & Culture

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Ward(s) affected: Westdene and Hove Park, Wish and Westbourne & Poets' Corner

For general release

1. Purpose of the report and policy context

1.1 This report outlines the consultation results for the Experimental Traffic Regulation Orders (ETROs) at Westdene Primary School (TRO-30a-2022) and Hove Junior School (TRO-35-2022), which were respectively implemented as part of the council's School Streets programme. Details of the advertised orders can be seen in Appendix 3.

1.2 The School Streets programme supports the safe movement of children to and from school. Motor vehicles are restricted during school drop off and pick up times, which reduces congestion, improves road safety and air quality, and creates streets that encourage more walking, cycling, wheeling, and scooting. This programme contributes to delivering the council's carbon reduction targets and is aligned with national strategies such as the Department for Transport's 'Gear Change' vision released in July 2020, setting out the national ambition to make walking and cycling the natural choice for short journeys, or as part of a longer journey. Locally, it aligns with the Local Transport Plan 5 (LTP5) which is being developed to help everyone move around the city more safely, sustainably, and easily. School Streets support the vision, outcomes and principles of the new LTP5, as agreed by the Environment, Transport and Sustainability (ETS) Committee on 22 June 2021.

1.3 This report considers comments and objections received through the initial obligatory six-month ETRO statutory consultation period at both sites and provides recommendations for next steps.

2. Recommendations

2.1 That the Committee, having taken account of all duly made comments and representations, agrees that the provisions of TRO-30a-2022 (Westdene Primary School) is to be made permanent, with the minor amendment to authorise unrestricted access for Brighton and Hove City Council vehicles.

- 2.2 That the Committee, having taken account of all duly made comments and representations, agrees that the provisions of TRO-35-2022 (Hove Junior School) is to be made permanent with the minor amendment to authorise unrestricted access for Brighton and Hove City Council vehicles.

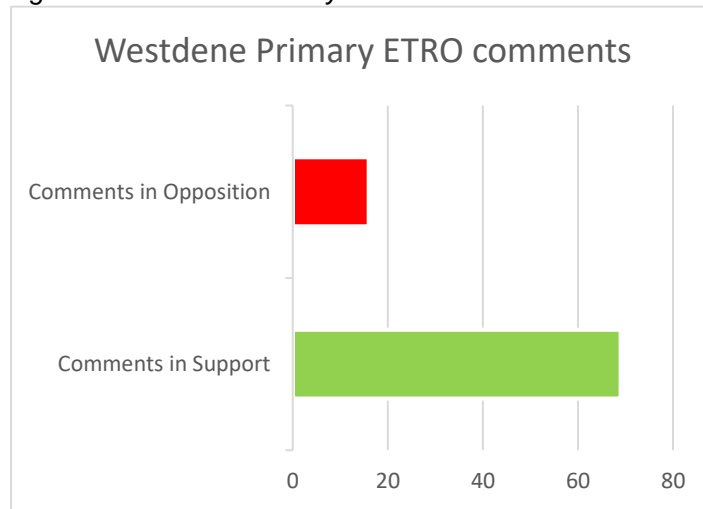
3. Context and background information

- 3.1 School Streets trials were first introduced in the city in March 2019 with a subsequent expansion of trials in June 2020. In October 2021 ETS committee made the School Streets programme permanent, with a commitment to the provision of a rolling School Streets programme which implements sustainable, ongoing closures outside as many of the city's schools as possible, subject to highway feasibility.
- 3.3 In the 2021/2022 programme year, six school sites were prioritised for implementation: Downs Infant School (Florence Place), Downs Junior School (Grantham Road, Edburton Avenue), Hove Junior School (School Road, Marmion Road), St. Marys Catholic Primary School (Vale Gardens), Queens Park Primary School (Freshfield Place) and Westdene Primary School (Barn Rise).

Westdene Primary School (Barn Rise)

- 3.4 Westdene Primary School was shortlisted for the 2021/2022 programme for a School Streets closure and infrastructure improvements.
- 3.5 Following consultation in Autumn 2021, the design was finalised and implemented under ETROs (TRO-30a-2022) on 22 November 2022. The effect of the order is as follows:
- Prohibition of Motor Vehicles Monday to Friday 8.15am to 9.15am and 2.45pm to 3.45pm - Term Time Only except for access in Barn Rise (from the western junction with Dene Vale to its junction with Bankside) to encourage active and sustainable travel.
 - One-Way (except pedal cycles) in Bankside (From the junction with Mill Rise to junction with Barn Rise) and Barn Rise (From the junction with Mill Rise/Dene Vale to the southern boundary of No.14 Barn Rise)
 - Road Closure of Slip Road on Barn Rise leading to Bankside
 - Introduce double yellow lines in Bankside and Barn Rise
 - A flat top road hump on Bankside
 - Amends the descriptions for new no waiting at any time (double yellow lines) in Dene Vale/Mill Rise (no changes will be made on ground)
- 3.6 The initial six-month public ETRO comment period closed on 22 May 2023, and the scheme currently remains in full-time operation pending a committee decision. TRO-30a-2022 received 85 responses in total. Support for the scheme was overwhelming with 81% (69) of comments being supportive and 19% (16) of respondents objecting to the scheme. A summary of ETRO comments can be seen at Appendix 1.

Figure 1. Westdene Primary ETRO comments



- 3.7 The key theme of objector comments was opposition to one-way network changes being operational all the time and not just during School Streets restricted hours. The second key theme was perceived non-compliance with the one-way network change. Whilst it would not be safe to implement a timed one-way restriction, officers have reviewed accident data and no accidents have been reported. It is therefore not appropriate to address these comments in a scheme re-design.
- 3.8 In March 2022 pre-implementation monitoring took place at the site and post-implementation monitoring and evaluation will take place, once the scheme has been operational for one full year. In lieu of post-implementation monitoring data, accident data has been reviewed and no accidents have been reported in the scheme boundaries.

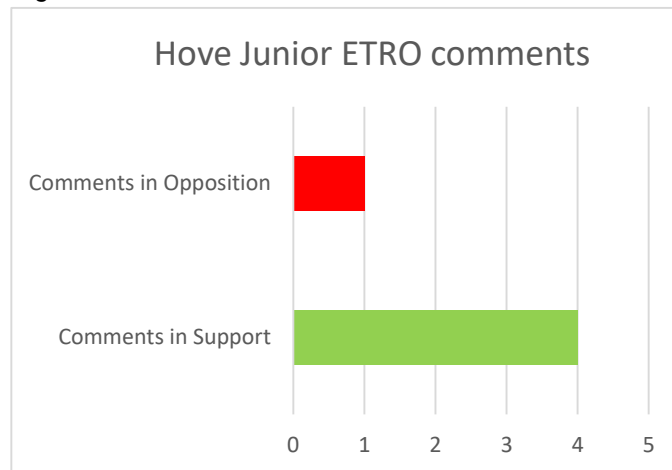
Hove Junior School (School Road, Marmion Road)

- 3.9 The School Streets scheme at Hove Junior School was shortlisted for the 2021/2022 programme for a School Streets closure and infrastructure improvements.
- 3.10 Following consultation in Autumn 2021, the design was finalised and the scheme was implemented on an ETRO (TRO-35-2022) on 03 January 2023. The effect of the order is as follows:
- Prohibition of Motor Vehicles Monday to Friday 8.15am to 9.15am and 2.45pm to 3.45pm -Term Time Only except for access in Marmion Road (From the junction with School Road to its junction with Mainstone Road) and School Road (from Portland Road to of the junction with Milnthorpe Road) to encourage active and sustainable travel.
 - The existing widened footpath will be extended both along and into the carriageway. It will remove some of shared permit and paid parking bays on the west side of School Road will be replaced with double yellow lines.

- A flat top road hump on School Road and Marmion Road respectively

3.11 The initial six-month public ETRO comment period closed on 03 July 2023, and the scheme currently remains in full-time operation pending a committee decision. TRO-35-2022 received 5 responses in total. 4 of the responses were supportive and 1 respondent objected to the scheme. A summary of ETRO comments can be seen at Appendix 1.

Figure 2. Hove Junior ETRO comments



3.12 The single objection stated that enforcement at the time of launch was not effective. In response to this, officers undertook site visits and liaised closely with the school; it was agreed that the initial signage only approach was not effective at this site and school staff therefore agreed to implement a physical closure and operate barriers, this change was implemented on Monday 10 July 2023. Support for this change has been received due the positive impact it has had on enforcement. If the TRO is made permanent at this site, the gated closure will continue.

3.13 In March 2022 pre-implementation monitoring took place at the site and post-implementation monitoring and evaluation will take place later this year, once the scheme has been operational for one full year. In lieu of post-implementation monitoring data, accident data has been reviewed and no accidents have been reported in the scheme boundaries.

4. Analysis and consideration of alternative options

4.1 In 2021 an amendment to the Traffic Management Act 2004 granted Local Authorities in England the ability to apply to central government for 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. In future, Brighton & Hove may apply for these powers for use at School Streets sites.

4.2 To not proceed with making the respective schemes permanent would require construction works to return the highway and public realm to the original arrangement, for which there would be a financial implication. Moreover, this would contravene the wishes of local residents, parents and carers, school

children and businesses who expressed their support throughout numerous consultation and engagement exercises.

5. Community engagement and consultation

- 5.1 In Autumn 2021, a six-week formal city-wide consultation was conducted for each respective 2021/2022 site. Collectively, the results of the consultations saw that 78.8% of respondents support the principle of School Streets as a way to support safer travel to school. Furthermore, collectively 74.1% of respondents supported the proposals at the 2021/2022 sites.

Westdene Primary School (Barn Rise)

- 5.2 A six-week city-wide public consultation took place in Autumn 2021 and the survey received 260 responses. 75.1% of respondents expressed support for the principle of School Streets as a way to support safer travel to school. 70.2% of respondents expressed support for the proposal at Westdene Primary School Street.
- 5.3 TRO-30a-2022 were advertised and open for comment for a minimum of six months as detailed in Section 3 of the report.

Hove Junior School (School Road, Marmion Road)

- 5.4 A six-week city-wide public consultation took place in Autumn 2021 and the survey received 166 responses. 85.4% of respondents expressed support for the principle of School Streets as a way to support safer travel to school. 80.2% of respondents expressed support for the proposal at Hove Junior School.
- 5.5 TRO-35-2022 was advertised and open for comment for a minimum of six months as detailed in Section 3 of the report.

6. Conclusion

- 8.1 The respective ETROs for Westdene Primary School and Hove Junior School were advertised following due process and representations considered. Officers recommend that the provisions of both the Westdene Primary (TRO-30-2022 & TRO-30a-2022) and Hove Junior School (TRO-35-2022) ETROs are made permanent as set out in the recommendations in Section 2.

7. Financial implications

- 7.1 The costs associated with the recommendations of this report for the ETRO to be made permanent will be contained within existing budgets. Should a decision be made to not make the ETROs permanent, additional construction works would be required to return the highway and public realm to the original arrangement for which capital funding would need to be identified or reallocated from existing resources reducing available funds for earmarked schemes. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.

Name of finance officer consulted: John Lack

Date consulted: 19/09/2023

8. Legal implications

- 8.1 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.

Name of lawyer consulted: Katie Kam

Date consulted: 11/09/23

9. Equalities implications

- 9.1 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.
- 9.2 The permanent programme was initially operating under an Equality Impact Assessment developed during the COVID-19 emergency programme. The Equality Impact Assessment for the programme was reviewed and updated April 2023, this is now approved and attached at Appendix 2.

10. Sustainability implications

- 10.1 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

1. Appendices

1. ETRO comments
2. School Streets Equality Impact Assessment
3. TRO-30a-2022 and TRO-35-2022

2. Background documents

1. School Streets ETS committee report 21 September 2021