

COUNTY COUNCIL LOCAL COMMITTEE FOR EDEN
Meeting date: 30 September 2021
From: Executive Director – Economy and Infrastructure

EXPERIMENTAL TRAFFIC REGULATION ORDER IN SUPPORT OF THE SCHOOL STREET INITIATIVE BEING INTRODUCED AT BEACONSIDE PRIMARY SCHOOL, PENRITH

1.0 EXECUTIVE SUMMARY

- 1.1 *This report introduces the School Streets initiative, which is aimed at reducing traffic levels outside of Schools, during the arrival and departure times.*
- 1.2 *This report informs Members of the Eden Local Committee of the responses received following statutory consultation of the School Streets Initiative being introduced at Beaconside Primary School, Penrith.*
- 1.3 *This report also seeks approval from Members of the Eden Local Committee that Officers do NOT progress with the implementation of an Experimental Traffic Regulation Order (“ETRO”) in support of the School Street Initiative and, instead, agree to improvements for the area and surrounding streets being covered through the Penrith Traffic Regulation Order Review with informal consultation anticipated to commence late 2021/22 financial year.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *In considering any implications, members must consider if there are any adverse effects on the community and if the proposals impact on the Council’s commitments -*
 - *To protect and enhance Cumbria’s world class environment*
 - *To provide safe and well-maintained roads and an effective transport network*

- ***The measures contained in these proposals contribute to these commitments by continuing to ensure that the Council are able to provide an effective, efficient and safe Highway Network.***
- ***No significant equality implications have been identified at this stage, and the statutory processes provide the mechanisms for any Equality Issues to be raised and aired.***

2.2 ***The prioritisation, programming and design of highway improvement schemes have the potential to generate either beneficial or adverse impacts on people with mobility or vision impairments. The development of detailed proposals is undertaken in accordance with the County Council's policies and procedures for equality and diversity.***

3.0 RECOMMENDATION

3.1 ***That the Local Committee, having taken into consideration the responses which have been received through the statutory consultation of the ETRO for the School Streets Initiative, agree NOT to proceed with the implementation of the ETRO at this time and, instead, approve Officers to identify and make improvements on the surrounding streets of Beaconside Primary School through the Penrith Traffic Regulation Order review which is anticipated to commence with informal consultation works February 2021.***

4.0 BACKGROUND

- 4.1** The School Streets initiative is an idea pioneered by the Sustrans Charity that aims to tackle the congestion and road safety concerns that many schools experience during school muster times. This is achieved by way of traffic regulation at these times on the roads in the vicinity of the school gates.
- 4.2** The restrictions prohibit vehicular traffic outside of the school with exemptions that include emergency vehicles and residents. The objectives of the School Street are to both improve road safety and reduce congestion outside of the School, which may then lead to increased walking and cycling to the School.
- 4.3** The extent of a School Street is typically defined by signage and supported by cones, which need to be placed and removed each day. Details of the associated signage is shown in Appendix 2 of this report.
- 4.4** Not everywhere is suitable for School Streets and Officers have been in contact with both Leeds City Council and the London Borough of Hackney to learn from their experiences. These Councils have concluded that those Schools with the minimum of roads serving the School, together with local support and enthusiasm for the schemes are the key to their success.
- 4.5** Funding has been secured to pilot a School Street within each of the six Local Committee boundaries in the current financial year. However

timescales were set against the budget with the intention that implementation of the ETRO was in place for October 2021.

- 4.6 Given the time constraints and the pilot status, the Chair of this Committee authorised the Traffic Team Leader to proceed with a statutory consultation upon the piloting of a School Street by way of an Experimental Traffic Regulation Order at Beaconside Primary School, Penrith. A location plan showing the proposed extents is included within this report as Appendix 1
- 4.7 An ETRO allows the introduction of the restrictions on the ground to be assessed as to their effectiveness, and to enable people to comment and feedback on them whilst in operation. A 6-month period for feedback commences once the restrictions are brought into operation and this is advertised and affected residents, business are given the opportunity, within the first six months of the Experimental Traffic Order's operation, to make representations as to whether the Experimental Traffic Order should be introduced on a permanent basis.
- 4.8 During these 6 months changes can be made to the restriction, however these must be less onerous than those implemented through the ETRO. Once the 6 months has passed all comments and feedback are reported back to Eden Local Committee for consideration and a decision as to whether to make the Experimental Traffic Order permanent. A decision on whether the Experimental Traffic Order is made permanent must be made within an 18-month period, after which the Experimental Traffic Order will automatically expire.

The statutory consultation of the proposals began on 03rd September 2021 concluding on 24th September 2021. Although the consultation is still out for comment at the time of writing this report, a total of 22 responses have been received from residents of the affected streets and parents. Any additional comments received before the 24th September will be reported to Eden Local Committee on the 30th September 2021.
- 4.9 The responses received through the consultation were 15 objections, 4 in favour and an additional 3 were comments in relation to the proposal or suggestions for alternative measures. A copy of the letter which was circulated and the responses can be seen in Appendices 3 to 5 of this report.
- 4.10 A copy of the Council's Statement of Reasons for introducing the ETRO is attached as Appendix 6.
- 4.11 Whilst the school are in favour of the proposal and welcome the introduction of the scheme, objections were received from parents which causes concern that the restriction may not be adhered to.
- 4.12 Comments were also received by the local PCSO in advance of the consultation to address their concern to the proposal and that the restriction would likely need additional support from the Police to prohibit people contravening the restriction, therefore adding additional strain to the Police Force and potential hazards for the School during their monitoring of the restrictions.

5.0 OPTIONS

- 5.1 *That the Eden Local Committee Members approve the recommendation set out in 3.1 of this report*
- 5.2 *That the Eden Local Committee Members progress with the introduction of the ETRO without other restrictions being considered.*

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 If Members agree to the recommendation set out in 3.1 of this report there will be no requirement for funding. The improvements for the streets to be addressed through the Penrith Traffic Regulation Order Review will be brought to the Eden Local Committee at a later date.

7.0 LEGAL IMPLICATIONS

- 7.1 If the Local Committee decide to introduce the ETRO, the County Council, as Traffic Authority, must take into consideration the matters contained in section 122(2) of the Road Traffic Regulation Act 1984 ("the 1984 Act") detailed below at paragraph 7.2. In considering whether it is expedient to agree to the implementation of the Experimental Order detailed in this Report for the reason specified at sections 1(1)(a),1(1)(c) and 1(1)(f) of the 1984 Act, as set out in the Statement of Reasons which is attached as Appendix 6, namely for avoiding danger to persons or other traffic using the road or for preventing the likelihood of any such danger arising; for facilitating the passage on the roads or any other roads of any class of traffic (including pedestrians) and for preserving or improving the amenities of the area through which the road runs.
- 7.2 Under Section 122(2), the matters which must be taken into account in exercising that duty are: -
- (a) The desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on amenities of an area;
 - (c) the national air quality strategy prepared under section 80 of the Environment Act 1995;
 - (d) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - (e) any other matters appearing to the authority to be relevant.

- 7.3 Local Committees may, pursuant to Part 2D, paragraph 5.1.2 g) of the Constitution, approve the making of traffic regulation orders in accordance with powers under Parts I, II and IV of the Road Traffic Regulation Act 1984, **except** for the making of Traffic Regulation Orders which involve the introduction for on-street residents permits, which are delegated to the Executive Director – Economy and Infrastructure subject to a decision of the appropriate member body to introduce such charges. (KB – 21.9.2021)

8.0 CONCLUSION

- 8.1 That Members do NOT progress with the implementation of an Experimental Traffic Regulation Order (“ETRO”) in support of the School Street Initiative and, instead, agree to improvements for the area and surrounding streets being covered through the Penrith Traffic Regulation Order Review

Angela Jones

Executive Director - Economy and Infrastructure

September 2021

APPENDICES

Appendix 1 – Location Plan

Appendix 2 – Signage detail

Appendix 3 – Consultation Letter

Appendix 4 – Consultation Responses

Appendix 5 – Letter from Resident in response to consultation

Appendix 6 – Statement of Reasons

Electoral Division(s): *Penrith East

Executive Decision	<input type="text" value="Yes*"/>
Key Decision	<input type="text" value="No*"/>
If a Key Decision, is the proposal published in the current Forward Plan?	<input type="text" value="N/A*"/>
Is the decision exempt from call-in on grounds of urgency?	<input type="text" value="No*"/>
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<input type="text" value="N/A*"/>
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<input type="text" value="No*"/>
Has an environmental or sustainability impact assessment been undertaken?	<input type="text" value="N/A*"/>
Has an equality impact assessment been undertaken?	<input type="text" value="N/A*"/>

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers

REPORT AUTHOR

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