

Brighton & Hove City Council

Transport & Sustainability Committee

Agenda Item 67

Subject: School Streets - Queens Park Primary TRO-26-2022

Date of meeting: Tuesday 06th February 2024

Report of: Executive Director, Economy, Environment & Culture

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Ward(s) affected: Queen's Park

For general release

1. Purpose of the report and policy context

- 1.1 This report outlines the consultation results for the Experimental Traffic Regulation Order (ETRO) at Queens Park Primary School (TRO-26-2022) which was implemented as part of the School Streets programme.
- 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.
- 1.3 Locally, the programme 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.
- 1.4 This report considers comments and objections received through the initial obligatory six-month ETRO consultation period and provides recommendations for the scheme.

2. Recommendations

- 2.1 That the Committee, having taken account of all duly made comments and representations, as detailed at Appendix 1, agrees that the provisions of TRO-26-2022 is to be made permanent.

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 Environment, Transport and Sustainability (ETS) Committee made the School Streets programme permanent, with a commitment to the provision of a rolling School Streets programme which implements sustainable, on-going closures outside as many of the city's schools as possible, subject to highway feasibility.
- 3.2 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. Mary's Catholic Primary School (Vale Gardens), Queens Park Primary School (Freshfield Place) and Westdene Primary School (Barn Rise).
- 3.3 Of the 2021/2022 sites, following a successful emergency programme roll out, Downs Infants School and St. Mary's Catholic Primary School, Westdene Primary and Hove Junior School schemes are now in permanent, full-time operation with volunteer or school staff operated gates or signage only enforcement.

Queens Park Primary School (Freshfield Place)

- 3.3 The School Streets scheme at Queens Park Primary School was a new school for the 2021/2022 programme and had not had any School Streets measures implemented previously.
- 3.4 Following consultation in Autumn 2021, the design was finalised and the scheme was implemented on an Experimental Traffic Regulation Order (TRO-26-2022) on 15 August 2022. Changes implemented were the closure of Freshfield Place during School Streets enforcement hours (entry prohibited to non-exempt motor vehicles between 8:15am-9:15am and 2:45pm-3:45pm, Monday-Friday, term time only), on the southern side of Freshfield Place adjacent to the school entrance, the discontinuation of four 'shared' Permit and Pay and Display parking bays to provide space for improvements to pedestrian infrastructure and the introduction of a priority give-way point introduced as a traffic calming measure.
- 3.5 The initial six-month public ETRO comment period closed on 15 February 2023, and the scheme currently remains in full-time operation pending a committee decision. TRO-26-2022 received four responses in total; one in support, two responses objections expressing concerns that the scheme is not being enforced and is not worth the loss of parking bays on the street and a third neutral response that queried what monitoring would take place.
- 3.6 When the scheme originally launched in the autumn term of 2022, the enforcement of the timed restrictions was via signage only however, in October 2023 the new school leadership team agreed to operate a gated closure at both the western and eastern ends of the School Street. This has been running successfully since October 2023 with positive feedback from both parents, residents and school staff. This arrangement will continue if the

scheme is made permanent. This change has addressed the two comment objections received to the TRO.

- 3.7 In March 2022 pre-implementation monitoring took place at the site and post-implementation will take place after April 2024, once the new gated arrangement for the scheme has been operational for six months. In lieu of post-implementation monitoring data, accident data has been reviewed and no accidents have been reported in the scheme boundaries and feedback from the community has been overwhelmingly positive.

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, though an exact timeline for this has not been determined and additional funding would likely be required.
- 4.2 Following the launch period, a change in leadership led to the opportunity for officers to reconsult with the new leadership team on how best to deliver the scheme. It was considered by officers at this time that the scheme was yet to achieve its full potential and a gated closure would greatly enhance the effectiveness of the scheme. In Spring 2023 officers and the new leadership team worked collaboratively to raise awareness of the programme and enhance its effectiveness, including the school staff operating a physical closure to enforce the motor vehicle traffic restrictions from October 2023.

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. Further information on consultation feedback for the respective sites can be found at Appendix 2.
- 5.2 The results of this consultation for the Queens Park Primary School Street scheme site saw the formal consultation survey receive 81 responses. 80.2% of respondents supported the principle of School Streets as a way to support safer travel to school and 80.2% of respondents supported the proposal at Queens Park Primary School.

6. Conclusion

- 6.1 This report provides an update on the status of the School Streets Programme.

- 6.2 The ETRO was advertised following due process and representations considered. Officers recommend that the provisions of TRO-26-2022 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 ETRO 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.

- 7.1 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.

Name of finance officer consulted: John Lack Date consulted: 09/01/2024

8. Legal implications

- 6.3 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.

Name of lawyer consulted: Katie Kam Date consulted: (23/01/2024)

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.

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 3.

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

Appendices

1. ETRO comments
2. School Streets Consultation Results
3. School Streets Equality Impact Assessment

Background documents

- [1. School Streets ETS committee report 21 September 2021](#)

