

## OFFICER'S DECISION

**Subject** Implementation of School Street through the use of Traffic Regulation Orders (x1) – Mayfield Primary School

**Decision by** Nicky Fiedler, Strategic Director of Housing and Environment

### Non-key decisions

**Portfolio** Portfolio holder for climate action - Cllr Paul Driscoll

**Authority** Cabinet decision 13 July 2022 Item 12

[Agenda for Cabinet on Wednesday, 13 July 2022, 7.00 pm \(moderngov.co.uk\)](#)

'Delegates authority to the Director of Housing\* to take the necessary steps to implement the schemes identified in the Transport Programme (which includes those schemes funded through S106 monies) as set out in Appendix A following consultation with the Portfolio Holders for Climate Action and Healthy Lives\*\*, subject to relevant detailed design and approvals and the outcome of any statutory consultation that may be required'

**Council constitution: Part 8 – paragraph 1.3 General Principles of [Officer delegations](#)**

Functions delegated by reference to job titles or posts which have changed will continue in force and shall be exercised by officers whose duties include or most closely correspond to the duties of the post originally referred to.

### Purpose

To allow the extension of the School Street at Mayfield Primary, providing a low traffic area around the school, at school opening and closing times, making it easier for pedestrians and cyclists to use the road space and to authorise the making of the Traffic Management Order.

### Background of Ealing School Streets

School Streets are schemes where the streets outside a school are closed to most traffic only at school start and finish times (the exact times will vary by school). Closing the streets to school and through traffic helps to achieve a safer, more

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pleasant environment for everyone using the streets, whilst maintaining access for vehicles registered at residences and businesses within the zone, and pedestrians and cyclists.

School Streets can also help to reduce air pollution and improve road safety. The streets around school entrances become a pedestrian and cycle-only zone, except permit holders, before and after school. Signs at the entrances to the scheme will inform drivers of the restrictions.

Ealing Council's first School Street was implemented in September 2020, for Perivale Primary and St John Fisher Catholic schools, by way of Experimental Traffic Orders (ETO). 24 schemes have now been implemented across the Borough. All schemes are now permanent with Traffic Regulation Orders. See Appendix 1 for list of schemes.

The Ealing School Streets programme aligns to the Healthy Streets approach that puts people and their health at the centre of decisions about how we design, manage and use public spaces. It aims to make our streets healthy, safe and welcoming for everyone. [Healthy Streets - Transport for London \(tfl.gov.uk\)](https://www.tfl.gov.uk/road-works/healthy-streets)

In November 2020, to help achieve social distancing during the pandemic and make the area safer for children arriving at school, a barrier controlled School Street was installed on a small section of High Lane, outside the main entrance for pupils. This was successful and has continued to operate.

Observations by the council, school, parents/carers and children showed there was a need to improve road safety further. An extension of the scheme was proposed, along High Lane to Hobbayne Road, and a small section of Mayfield Gardens to Bridge Avenue

School Streets will be enforced by Automatic Number Plate Recognition (ANPR) cameras.

A new Memorandum of Understanding (MOU) will be signed by the Headteacher and Chair of Governors of each school to demonstrate their commitment to delivery of the scheme and continued promotion of active travel and road safety.

## **Legal Implications**

The TMO will be made by way of an order pursuant to section 6 of the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 (the 1996 Regulations). The 1996 Regulations require the Council to give notice of the making of orders to be made pursuant to section 6 giving objectors a minimum of 21 days in which to make objections to the making of the order. Any objections received will be taken into account before any decision is

made to proceed. Notice of the making of the orders was given on 8<sup>th</sup> May 2024 and 1 objection was received.

By virtue of section 122 of the 1984 Act the Council must exercise functions under 1984 Act '(so far as practicable...) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway...' and having regards to matters including the desirability of securing and maintaining reasonable access to premises and the effect on the amenities of any locality affected and any other matter appearing to the Council to be relevant.

## **Human Rights**

Articles 1 and Article 8 of the Protocol to the European Convention of Human Rights (which are enshrined in the 1998 Act) confirm as follows

Article 1 "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and the general principles of international law. The preceding provisions shall not, however, in any way impair the right of the state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest...."

Article 8 "Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country. For the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others'.

To the extent that Articles 1 and/or 8 applies it is considered that the decision to introduce Traffic Orders to create School Streets is justified in the public interest given the anticipated positive outcomes outlined above.

## **Consultation**

Between 15<sup>th</sup> April to 12<sup>th</sup> May 2024 initial consultation was undertaken with the school and its local community, through engagement events and an online survey. The school received newsletter content to share with their school community (children, staff, parents/carers) inviting them to complete the survey. Residents and businesses in and around the proposed school street zone were invited to participate in the consultation via a letter sent by Royal Mail. The school and local community were invited to ask for a hard copy of the online survey.

Members were notified of the proposal. They received a copy of the school newsletter and the letter that was sent to residents and businesses.

The Portfolio Holder (Cllr Paul Driscoll, Portfolio holder for Climate Action) has been consulted, as required by the [Cabinet delegation of 13 July 2022](#), and supports the making of the order.

Emergency services have been consulted in the making of the TMO as part of the statutory consultation.

Notice of making each of the order was made on 8<sup>th</sup> May 2024 and the 21 day period in which objections could be made expired on 29<sup>th</sup> May 2024. Objections were received from 1 resident. The objection was considered and it was agreed that no further action was required.

An independent analysis of the responses received following the consultation outlined above was undertaken and the overall recommendation was to implement the scheme and continue to monitor to assist in assessing the impact of the scheme.

A summary of results:

- The online survey ran from 15 April to 12 May 2024. 143 responses were received.
- The principal concerns of the responders are 'congestion', 'parking behaviour' and 'road safety'. Whilst there is a positive perception of 'vehicle speed', 'engine idling' and 'active transport' there is still room for improvement. The proposed School Street would help to mitigate the impact of these concerns, especially as a reduction in car use around the school site should also improve road safety for the pupils and staff who are choosing to travel actively to the school.
- Respondents' felt the most important aim of a School Street was 'Safer to walk and cycle', followed by 'Pleasant and calm atmosphere'.
- There was more 'Positive' than 'Negative' support for the proposed School Street. (65% vs 30%). And the 'Further comments' were assessed as having a positive (56%) rather than negative (30%) sentiment.
- 'Residents outside School Street' gave equal scores of positive and negative feedback. They raised concerns that the scheme will exacerbate existing congestion and parking issues. This will be monitored and amendments considered once the scheme has bedded in.

The full evaluation report can be found at Appendix 2.

It is considered that the scheme has the following benefits: support for the Council's climate emergency action plan and air quality priorities; encourage active travel measures to enable residents to walk and cycle around the Borough. Active travel is affordable, delivers significant health benefits, improves well-being, mitigates

congestion, improves air quality and can help with individual resilience. The schemes help to improve road safety on the children's school journey.

## **Equalities Analysis Assessment**

An Equalities Analysis Assessment (EAA) was undertaken for implementation of all School Streets. The most recent EAA (2022/23) has been reviewed and has been updated for this School Street. See Appendix 3.

## **Decision**

1. To authorise the School Streets scheme for Mayfield Primary to be implemented by way of a Traffic Management Order and following consideration of the responses to the consultations.
2. To authorise the installation of ANPR cameras for enforcement purposes.

## **Reasons**

The Strategic Director of Housing and Environment had regard to the above report, the consultation responses, human rights (including Article 8 and Article 1 of the First Protocol) and the Equality Analysis Assessments. The Strategic Director of Housing and Environment took into account the fact that the public sector equality duty applies to the making of and that the needs of those with protected characteristics, including in particular the needs of disabled people, are an integral part of the design and assessment process when making TMOs, that none of the TMOs made changes to any disabled parking bays and that the design assessment did not identify any specific additional accessibility issues for disabled persons over and above the restrictions on vehicular access which affect vehicle traffic generally.

The Strategic Director of Housing and Environment had regard to the duty in section 122(1) of the 1984 Act, the factors in section 122(2) and then balanced the various considerations. The Strategic Director of Housing and Environment concluded that the TMOs have the following benefits: support for the Council's recovery programme, climate emergency action plan and air quality priorities; encourage active travel measures to enable residents to walk and cycle around the Borough, assist social distancing whilst it is necessary, relieve public transport capacity and reduce the need for private car journeys; active travel is affordable, delivers significant health benefits, improves well-being, mitigates congestion, improves air quality and can help with individual resilience.

Having regard to all the above, and having concluded that the making of the TMOs is consistent with the public sector equality duty, did not violate human rights and was appropriate having conducted the balancing exercise under section 122 of the 1984 Act, the Strategic Director of Housing and Environment decided that the TMO for the School Street measures should be made.

## **Background papers**

### **Full Council decision, 2 April 2019 – [item 14](#)**

To implement the Ealing Labour manifesto and pilot School Streets with a view to implementing School Streets or No-Idling Zones around every suitable primary school in the borough by 2022

### **Cabinet decision: [16 June 2020 - Item 8](#)**

Report title: Active travel and social distancing measures in response to Covid-19 and to aid economic and social recovery from the Covid-19 pandemic

### **Cabinet decision: [20<sup>th</sup> April 2021 – item 7](#)**

Report title: Transport Programme 2021-22

### **Cabinet decision: [13<sup>th</sup> May 2022 – Item 12](#)**

Report title: Transport Programme 2022-23

**Signature:**

A handwritten signature in black ink, appearing to read 'N Fiedler', written in a cursive style.

Nicky Fiedler,

Strategic Director of Housing and Environment

**Date of decision: 25<sup>th</sup> July 2024**

- \* The Director of Housing title is now Strategic Director of Housing and Environment
- \*\* Portfolio Holder for Climate Action has sole responsibility for active travel

## **APPENDIX 1 – List of School Streets**

### **Launched September 2020**

- SS01 Perivale Primary, Federal Road, Perivale, UB6 7AP. Times: 8.15 - 9.15am and 2.45 - 3.45pm
- SS01 St John Fisher Catholic, Sarsfield Road, Perivale, UB6 7AF. Times: 8.15 - 9.15am and 2.45 - 3.45pm

### **Launched November 2020**

- SS12 Acton Gardens Academy (previously Berrymede Infant and Berrymede Junior), Osborne Road, Acton, W3 8SN. Times: 8:30 - 9:30am and 2:30 - 3:30pm
- SS27 Derwentwater Primary, Shakespeare Road, Acton, W3 6SA. Times: 8.30 - 9.15am and 2.45 - 3.45pm
- SS08 Holy Family Catholic Primary, Vale Lane, West Acton, W3 0DY. Times: 8:15 - 9:15am and 3:00 - 4:00pm
- SS19 Mayfield Primary School, High Lane, Hanwell, W7 3RT. Times: 8.30 - 9.15am and 2.30 - 3.30pm
- SS28 North Ealing Primary, Pitshanger Lane, Ealing, W5 1RP. Times: 8.30 - 9.15am and 2.45 - 3.15pm
- SS02 Oaklands Primary School, Oaklands Road, Hanwell, W7 2DP. Times: 8.15 - 9.15am and 2.45 - 3.45pm
- SS03 St John's Primary School, Green Man Lane, West Ealing, W13 0SE. Times: 8.30 - 9.20am and 2.45 - 3.30pm
- SS11 St Mark's Primary School, Lower Boston Road, Hanwell, W7 2NR: 8.30 - 9.15am and 2.45 - 3.30pm
- SS06 Vicars Green Primary School, Lily Gardens, Perivale, HA0 1DP. Times: 8.40 - 9.10am and 3.00 - 3.45pm
- SS29 Willow Tree Primary School, Priors Farm Lane, Northolt, UB5 5DY. Times: 8.30 - 9.15am and 2.45 - 3.45pm

### **Launched November 2021**

- SS32 Christ the Saviour CofE Primary School, The Grove, Ealing, W5 5DX. Times: 8.15 - 9.15am and 2.45 - 3.45pm
- SS33 Horsenden Primary, Horsenden Lane North, Greenford, UB6 0PB. Times: 8.30 - 9.15am and 2.45 - 3.30pm
- SS31 North Primary School, Meadow Road, Southall, UB1 2JE. Times: 8.30 - 9.00am and 2.45 - 3.30pm
- SS30 St Joseph's Catholic Primary School, York Avenue, Hanwell, W7 3HU. Times: 8.30 - 9.00am and 2.45 - 3.30pm

### **Launched February/March 2022**



- SS37 Brentside Primary School, Kennedy Road, Hanwell, W7 1JL. Times: 8.15 - 9.15am and Mon - Thurs; 2.45-3.45pm, Friday; 2 – 3.00pm
- SS35 St Vincent's Catholic Primary School, Pierrepoint Road, Acton, W3 9JR. Times: 8.15 – 9.00am and 2.45 - 3.45pm
- SS36 Tudor Primary School, Tudor Road, Southall, UB1 1NX. Times: 8.30 – 9.00am and 3.00 – 4.00pm
- SS34 Viking Primary School, Radcliffe Way, Northolt, UB5 6HW. Times: 8.30 - 9.15am and 2.45 - 3.45pm

### **Launched September/October 2023**

- SS41 Ark Priory Primary Academy, Acton Lane, Acton, W3 8NR. Times: 8.15am to 9am and 3pm to 4.15pm
- SS38 Blair Peach Primary School, Beaconsfield Road, Southall, UB1 1DR. Times: 8.20 to 9.15am and 2.45 to 3.45pm
- SS40 Ravenor Primary School, Greenway Gardens, Greenford, UB6 9TT. Times: 8.20 to 9.20am and 2.45 to 3.45pm

### **Launched February/March 2024**

- SS42 Greenwood Primary School, Wood End Way, Northolt, UB5 4QG. Times: 8.30 to 9.15am and 3pm to 4pm
- SS43 John Perryn Primary School, Long Drive Acton, W3 7DP. Times: 8.15 to 9.00am and 2.45 to 3.45pm
- SS44 Stanhope Primary School, Mansell Road, Greenford, UB6 9EG. Times 8.30 to 9.15am and 3 to 4pm
- SS45 Villiers High School Boyd Avenue, Southall, UB1 3BT. Times: 8.10 to 8.50am and 2.30 to 3.30pm

## **APPENDIX 2 - Independent evaluation report (*PDF version attached*)**

1. Ealing School Streets: extension of Mayfield Primary School proposal - feedback evaluation.

**APPENDIX 3 - Equalities Analysis Assessment 2024 (PDF version attached)**