

Officer Decision pursuant to Scheme of Delegation, Part 8

Tony Singh, Chief Highway Engineer

Pursuant to sections 6, 122 and 124 of the Road Traffic Regulation Act 1984 (the "Act")

Title: School Street for Elthorne Park High School

Reference Number:

- Elthorne Park High School P040-25

Objection period: 9 July to 30 July 2025

Background

Ealing Council proposed to implement a number of School Streets (time-limited pedestrian and cycle zone) in various locations within the borough to help provide a low traffic area at school opening and closing times only, making it easier and safer for pedestrians and cyclists to use the road space.

A Traffic Management Order (TMO) formal consultation and notice of proposals was published in the Ealing Gazette and The Gazette (official public record), and erected on posts/lamp columns at the proposed location on 9 July for 21 days.

Summary of Comments / Objections

We received 36 responses to the notice for Elthorne Park High School, 35 were objections.

A summary of the issues raised is as follows along with the Council's responses to them.

Objection	Officer's response
Consultation Lacked Transparency and Fair Process, including Gunning principles	From 28 March to 11 May 2025 the Council did not consult on whether to make the EPHS Proposal, but undertook a stakeholder engagement exercise. The Council engaged with relevant stakeholders to determine whether the EPHS Proposal should be brought forward. This was not a consultation, and the Gunning principles did not apply to that stakeholder engagement exercise. Stakeholders were invited to submit their feedback on the scheme via a survey that was open from 28 March to 11 May. They were also invited to attend an engagement event at the school on 23 April and join an online presentation on 6 May. In addition there was a 21 day statutory consultation on the making of the Traffic Management Order, to which you have responded. The stakeholder letter was sent to New Level Academy but was not received. We emailed the Academy but the email went to their junk mailbox. They acknowledged receipt and gave their feedback which was considered in the evaluation. Allotment holders are always contacted if a scheme goes ahead. We advise them of the arrangements we can make for their particular situation.
Data Does Not Justify This Scheme	We are abiding by a principle we believe to be of utmost importance: the right of every child to safely and comfortably walk, cycle or scoot to school without facing danger, perceived or actual, from road traffic. It is therefore appropriate to implement schemes especially where many students are already walking to school and where the number of parents dropping off by car is relatively low; there are still opportunities to improve the environment for pupils travelling actively to school, and to encourage more of them to do so.
School pedestrians on Boston Road	School Streets help to encourage students to use the designated pedestrian and cycle zone, rather than busier and more polluted routes to school.

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No Alternatives Were Considered	We have explored alternative measures to reduce motor vehicle movement in the area around the schools. We introduced School Streets with barrier enforcement in 2020, that did not require cameras, but it was too onerous for the schools due to limited staffing capacity to manage barriers. While enforcement by traffic wardens can be organised for short term or ad-hoc requests, this is not sustainable because there are over 140 education providers in the borough, with students arriving and leaving at the same time of day, and the traffic wardens cannot cover them all.
The Council Has Refused to Publish the Consultant Report (Hup Initiatives)	No information has been withheld. During the engagement and consultation phase of the process all information is shared on request if/when it is available. Data was requested at the online presentation and this was shared with participants. The final evaluation report and officer decision report are uploaded to the council's website when each tranche of the School Street programme launches.
The School's Layout Makes This Scheme Unnecessary	Children's safety is an issue at most school gates, in particular with increased traffic around them at the start and end of the school day. Elthorne Park High School have tried to address the issue by asking parents not to drive their children to the school gate, without success. Westlea Road is the school's main entrance and is a suitable location for a School Street. A School Street is an effective way to address road safety issues in this area.
Installation of Enforcement Cameras During Consultation Breaches Public Law	It is not unusual to install transferable infrastructure prior to scheme approval to assist with scheduling of contractor work programmes. The cameras are not operational. They are focused on vehicles only, recording access during operational hours when a vehicle is driven through the trigger area.

Objection	Officer's response
The Scheme May Be Added to the Consolidation Order Without Due Process	The 21 day statutory consultation you are responding to is the due process required on the making of the Traffic Management Order. All orders that are included in a Consolidation Order have been through that process and were approved by the Chief Engineer before they were included. The legal process was followed for every School Street included in the Consolidation Order.
Wednesbury unreasonableness and ultra vires actions	There is little overall unity to the four matters raised under this heading. The Officer Decision Report to proceed with the notice of making for the Traffic Management Order considered the responses from the survey in detail. Hup Initiatives had concluded from their evaluation of the engagement activities that for the EPHS Proposal there was no compelling reason why the Council should not proceed. The decision to proceed with the Making of the TMO was a legitimate judgement to which the officer was entitled to come. The ODR expressly considered different options, but rejected them as impracticable.
Financial motivation, targets and public trust	In 2022 Ealing Council set the council's vision and strategic priorities to address community needs, promote growth, and tackle inequalities to 2026. This included the delivery of School Streets at 50 education providers. The purpose of enforcement is purely to achieve compliance, we want the least amount of traffic possible travelling past schools at the start and end of the school day – a truly successful school street would be one with no fines issued.
Flawed evaluation reports	The HUP reports do not evaluate the merits of the School Street Proposals; they analyse the results of the surveys. The reports outline and display the results of the data sets created during the engagement phase.
Hard to manage deliveries/visitors	Any impact to resident's deliveries or visitors will be minimal due to the limited operational times of the scheme - 8:25 to 9:00am and 2:45 to 3:30pm. Special

Objection	Officer's response
	arrangements are available for those who require support from carers. They can contact us to find out more.
Displaced congestion and parking	Displaced traffic and parking is an understandable area of concern for some people. These have not been a significant issue at other School Street locations in the borough and we believe, once the School Street has bedded in, it won't cause these problems in the local area during its operational hours. To make sure, we will request CEO enforcement for the surrounding areas when the scheme is launched and on an ad-hoc basis. We will also monitor traffic by carrying out traffic surveys before and after a School Street is implemented.
Access for carers/SEN transport	Special arrangements are available for those who require support from carers. They can contact us to find out more. We have already contacted New Level Academy and will make the necessary arrangements for their students.

Legal Implications

The council has powers to implement on street waiting restrictions under the Road Traffic Regulation Act 1984 (including sections 6, 9, 122, and 124 in particular).

The relevant procedures are set out in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996.

In exercising these powers, section 122(1) of the Act imposes a duty on the council to have regard (so far as practicable having regard to the matters specified in subsection (2) to securing 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'. Subsection (2) also includes 'the desirability of securing and maintaining reasonable access to premises and 'any other matters appearing to the local authority to be relevant.

Concluding Statements of Officer

Officers have duly considered all comments and suggestions.

I have considered the comments and objections to the proposal and on the basis of the council's powers and duties outlined above, I am satisfied that the decision to proceed with the implementation of the School Street is correct.

On this basis I authorise the implementation of the scheme and the making of the TMO for this Ealing School Street scheme.

Service: Highways

Name: Tony Singh

Designation: Chief Highway Engineer

Signature:

A handwritten signature in black ink, appearing to read 'Tony Singh', with a stylized flourish at the end.