

Brighton & Hove City Council

Transport & Sustainability Committee

Agenda Item 18

Subject: School Streets – Downs Junior School Primary ETRO-27-2022

Date of meeting: 06 July 2023

Report of: Executive Director, Economy, Environment & Culture

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Ward(s) affected: Round Hill

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 at Downs Junior School (ETRO-27-2022) 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. 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 consultation period and provides recommendations for next steps.

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 ETRO-27-2022 (Downs Junior School) 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 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).
- 3.4 Of the 2021/2022 sites, following a successful emergency programme roll out, Downs Infants School and St. Marys Catholic Primary School schemes are operational. Hove Junior School scheme & Queens Park Primary scheme & Westdene Primary School was implemented under ETROs have been implemented under Experimental Orders and the respective consultations will be presented back to this committee.

Downs Junior School (Grantham Road, Edburton Avenue)

- 3.5 The Downs Junior School Streets scheme design was finalised following consultation in Autumn 2021, and implemented using an ETRO (ETRO-27-2022) on 26 September 2022. The scheme includes the closure of Grantham Road and Edburton Avenue during School Streets enforcement hours (entry prohibited to non-exempt motor vehicles between 8:15am-9:15am and 2:45pm-3:45pm, Monday-Friday), installation of a modal filter at the junction of Grantham Road and Edburton Avenue, and the introduction of a one-way network on the school gate sections of Grantham Road and Edburton Avenue.. Pedestrian infrastructure improvements were also made on Grantham Road and Edburton Avenue. The design can be seen at Appendix 4.
- 3.6 The initial six month public ETRO comment period closed on 26 March 2023, and the scheme currently remains in full-time operation pending an ETS Committee decision. ETRO-27-2022 received 2 responses in total, these can be seen in Appendix 1.
- 3.7 One respondent expressed a concern that the closure would increase the risk of motor vehicle collisions and lead motor vehicle drivers to ignore the one-way restriction and travel 'illegally' in the wrong direction; they suggested narrowing the Rugby Road junction as a remedy to this.
- 3.8 In response to this objection, officers have attended site regularly to observe the in-situ site and sought feedback from the school. No 'illegal' behavior has been observed and no further issues raised in relation to this objection.. Furthermore, officers have reviewed collision data for this area and no collisions have been recorded at the site since the closure has been

operational. As it is not considered that these concerns have materialised officers will not be seeking to explore narrowing the Rugby Road junction at this time.

- 3.9 The second respondent noted their perception that the scheme did not work to restrict motor vehicles, that motor vehicles numbers have not diminished and motor vehicles are parking 'illegally' on 'School Keep Clear' signage on the road and speeding during closure times. In addition, they proposed a 5mph speed restriction and a design change.
- 3.10 In response to these comments officers undertook site visits and liaised with the school and no speeding or parking or 'illegal' parking was observed or notified by others but officers will continue to monitor the situation.. If future concerns are raised, officers will instruct Civil Enforcement Officers (CEOs) to attend the site during closure times to monitor this and respond accordingly.
- 3.11 Regarding concerns around motor vehicle numbers, this has not been observed and will be subject to upcoming and post-implementation monitoring. If a net rise is identified, officers would likely seek to address this via modification to the design, which would be subject to a future TRO and Transport and Sustainability Committee decision. Finally, officers have reviewed the design proposal submitted by the respondent and have concluded it mirrors the design that has been implemented via the ETRO and no further action is required in relation to this.
- 3.12 In March 2022 pre-implementation monitoring took place at the site and post-implementation monitoring will take place later this year, once the scheme has been operational for one full year. In lieu of post-implementation monitoring data, as aforementioned at section 3.8, 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 and other local authorities to enforce School Streets closures. In future, Brighton & Hove may apply for these powers for use at School Streets sites.
- 4.2 If the decision was made not to make the scheme permanent and removed there would be minor works required to return the public highway to pre scheme layout with financial implications.. Moreover this would contravene the wishes of local residents, parents and carers, school children and business who expressed their support throughout numerous consultation and engagement exercises.

5. Community engagement and consultation

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 79.% of respondents support the principle of School Streets as a way to support safer travel to school. Furthermore, collectively 74% 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.

5.1 Downs Junior School (Grantham Road, Edburton Avenue)

5.2 Public consultation took place in Autumn 2021 and the formal consultation survey for the Downs Junior School Street scheme received 128 responses. 73% of respondents supported the principle of School Streets as a way to support safer travel to school. 62% of respondents supported the proposal at Downs Junior School.

5.3 ETRO-27-2022 was advertised and open for comment for a minimum of six month as detailed in Section 3 of the report.

5.4 A post-scheme questionnaire is currently being produced to determine if and how the scheme has affected travel behaviour and better understand current public opinion. The results of this survey will be analysed by officers and trends identified to understand if there have been changes to traffic behaviour and public opinion regarding the School Streets at this location and others since formal consultation that took place in Autumn 2021. location. Results will be published alongside traffic monitoring data when available.

6. Conclusion

6.1 The ETRO was advertised following due process and representations considered. Officers recommend that the provisions of ETRO-27-2022 is 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.

Name of finance officer consulted: John Lack Date consulted: 20/06/23

8. Legal implications

8.2 The Council, as traffic authority, is empowered to make 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:

Date consulted (dd/mm/yy):

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 in April 2023, this is 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.

11. Other Implications

Public health implications:

- 11.1 Enabling greater uptake of active travel across the City will provide both short and long term benefits to the mental and physical health of residents. This approach supports the implementation of the Brighton & Hove Health and Wellbeing Strategy.

Supporting Documentation

1. Appendices

1. ETRO comments
2. School Streets consultation
3. School Streets Equality Impact Assessment
4. Downs Junior School Street Design

2. Background documents

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

