OFFICER'S DECISION

Subject Implementation of Perivale school street Experimental Traffic Order

Decision by Dipti Patel – Director of Place Delivery

Non-key decision

Portfolio Cllr Mik Sabiers, Portfolio Holder for Environment and Highways
Cllr Julian Bell, Portfolio Holder for Regeneration and Transport

Authority

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

https://ealing.cmis.uk.com/ealing/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/6514/Committee/3/Default.aspx

Council constitution: Part 8 - Officer delegated powers

5.1 Delegations to the Director of Place Delivery, PART 4 – HIGHWAYS MANAGEMENT

http://www.ealing.gov.uk/downloads/download/924/council_constitution_part_8-officer_delegated_powers

Purpose

To allow the delivery of School Streets schemes to reduce traffic around schools, making it easier for pedestrians and cyclists to use the road space, support safer routes to school and improve the local area for the whole community.

To record the decisions made to make the Experimental Traffic Orders:

The Ealing (Perivale School Streets) (No. 1) Experimental Traffic Order 2020

The Ealing (Prescribed Route) (No.5) Experimental Traffic Order 2020

Background

School Streets is a scheme where the streets outside a school are closed to traffic at school start and finish times. Closing the streets to school and through traffic helps to achieve a safer, more pleasant environment for everyone using the streets, whilst maintaining access for residents, businesses, pedestrians and cyclists. School Streets can also help to reduce air pollution, improve road safety and remove rat run traffic.

Following traffic surveys and an engagement and consultation process the scheme was developed to encompass the residential area around both schools, with a timed closure, enforced by ANPR cameras. The School Streets scheme includes a road closure to reduce the constant rat run traffic that had been identified. The data shows that a high proportion of traffic is not related to school traffic, as would normally be the case outside a school.

The expected outcome will be an improvement in the actual and perceived road safety and a reduction in car use, leading to an increase in active travel on the school journey. We expect to see a limited improvement in air quality close to the school. The increase in physical activity and the reduction in air pollution will have long term benefits to school children and local residents.

Legal Implications

The 1984 Act and the Local Authorities' Traffic Orders (Procedure)(England and Wales) Regulations 1996, as amended, do not require public consultation prior to the making of an ETO. They do require that certain persons or bodies are consulted. These include the chief officer of police. The Council has consulted statutory consultees.

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 experimental traffic orders to create School Streets is justified in the public interest given the anticipated positive outcomes outlined above.

Consultation

A project board was set up on 13th March 2019, that included representatives from School Travel, Transport Planning, Highways, Parking Services and Community Management

Full council passed a motion, on 2nd April 2019, that resolves: *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.*

The Portfolio Holders for Transport and Highways have both been made aware of the schools involved, as has the Executive Director for Place, Director for Place Delivery, and Director of Growth & Sustainability.

Perivale Ward Councillors were made aware of the proposal and have been provided with regular updates.

The trial will be implemented using an Experimental Traffic Order (ETO). Residents will then have six months to respond to the statutory consultation allowing for the impact on the ground to be fully monitored and assessed.

Equalities Analysis Assessment

The EAA undertaken for the Local Implementation Programme (LIP), which is the statutory Transport Strategy for the Council, applies and it does not raise any significant negative impacts for schemes similar to this.

Having said this, The Council takes its duties towards protected groups very seriously, and consideration of any potential impacts are embedded in the Council's processes. In this instance, the qualified engineers who undertook the design use National and Regional guidance and standards including the Manual for Streets (DfT), Traffic Signs Regulations and General Directives (DfT). Should any significant impact on any protected group become apparent, then a more detailed analysis would be initiated. However, no significant negative impacts were considered likely, mainly because all properties maintain access at all times. All emergency services and Blue Badge holders are exempt from School Streets restrictions.

Decision

To allow School Streets to be implemented under an Experimental Traffic Order, for up to 18 months. The School Streets will be enforced by Automatic Number Plate Recognition (ANPR) cameras.

The School Streets will be monitored through engagement with the schools and the local community.

No decision has been made on whether to make the experimental School Streets permanent, this would only happen following the conclusion of the ETO consultation period.

Reasons

On 21st August 2020 the Director of Place Delivery had in mind the duty in section 122(1) of the 1984 Act, the factors in section 122(2) and then balanced the various considerations. The Director of Place Delivery also had regard to the consultation responses of the Portfolio Holders, the consultation responses of statutory consultees, other representations and the Equality Analysis Assessment.

School Streets aim to improve quality of life, by reducing traffic and encouraging walking, cycling and the use of public transport, to benefit the whole school community and local residents.

The project will help to improve the school journey and help residents build active travel into daily routines. Providing a safer route to school and a better local environment will help to increase physical activity and improve health of children and residents.

The activity will help to achieve the 3 core objectives of the LBE Transport Strategy:

- Modeshift – *increasing active travel*
- Reducing the environmental footprint of transport – *improve air quality*
- Improving road safety – *reduce road safety incidents*

Signature

Date of publication of decision: 3rd November 2020

NB Scanned copy of signed decision to be sent to cabinetreports@ealing.gov.uk