

## **PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

<b>DATE</b>	3 <sup>rd</sup> April 2023
<b>REPORT OF</b>	Councillor Stewart Swinburn, Portfolio Holder Environment & Transport.
<b>RESPONSIBLE OFFICER</b>	Carolina Borgstrom – Director for Environment, Economy and Infrastructure
<b>SUBJECT</b>	Traffic Regulation Order 23-04: Queen Mary Avenue Infants and Welholme Primary Academy Schools – School Keep Clear
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	PHET 04/23/02

### **CONTRIBUTION TO OUR AIMS**

The recommendations of this report will contribute to the Council's 'Health and Wellbeing' objective by creating and maintaining a safer, environment for all road users in the vicinity of the school sites identified during the peak morning drop off and afternoon pick up times.

### **EXECUTIVE SUMMARY**

In order to ensure the safety of children, parents and other road users, it is proposed to remake a Traffic Regulation Order to support the introduction of fixed cameras at this location to enforce the School Keep Clear restrictions.

### **RECOMMENDATIONS**

It is recommended that:

- a) Subject to a formal consultation and no material objections being received, approval is granted for the making of a 'No Stopping 8.00am - 9.00am and 3.00pm – 4.00pm Monday to Friday on entrance markings during school term time only' Traffic Regulation Order as shown indicatively on drawings TR-23-04-A and TR-23-04-B (Appendix 1).
- b) In the event there are unresolved material objections to the Order, these are referred back to the Portfolio Holder for Environment and Transport for determination and a decision as to whether or not the Order be confirmed and executed.

### **REASONS FOR DECISION**

In order to improve road safety and parking concerns, particularly in the immediate vicinity of the school gates, a pilot scheme to introduce fixed enforcement cameras at a number of identified school sites is in progress.

This Traffic Regulation Order will support the introduction of these cameras and ensure effective enforcement can be undertaken.

## **1. BACKGROUND AND ISSUES**

- 1.1 Queen Mary Avenue Infants and Welholme Primary Academy Schools have been identified as the next round of school sites within the Borough, selected to take part in a pilot scheme to install cameras to enforce the School Keep Clear restrictions at each site.
- 1.2 The pilot scheme was introduced in 2022, however following a review of the Consolidation Order, a potential anomaly was identified that could affect the effectiveness of enforcement of the restrictions.
- 1.3 Whilst this is only a potential anomaly at this time and is subject to ongoing further legal advice, in order to avoid any delays with the introduction of the cameras, it is proposed to make a stand-alone Traffic Regulation Order, which will revoke any previous Orders to ensure enforcement of the existing restrictions can be undertaken.

## **2. RISKS AND OPPORTUNITIES**

2.1 Should this proposal be adopted, the opportunities are:

- To maintain a safer environment for all road users in the immediate vicinity of the school gates at peak school arrival and leaving times.
- To enable robust enforcement of the School Keep Clear markings at each school location.
- Parents may be encouraged to park further away and walk the remaining short distance to the school gate.
- To improve visibility within proximity to pedestrian and vehicular school access points
- To rectify the potential historic anomalies with the existing restrictions at this location.

2.2 Should these proposals be adopted, the risks are:

- Parking may be displaced into surrounding residential streets during school arrival and leaving peak times. However, as these restrictions are already in place, this risk is anticipated to be minimal.

2.3 Should these proposals not be implemented, the risks are:

- The road safety concerns, and parking issues being experienced around schools will remain unchanged at school times.

## **3. OTHER OPTIONS CONSIDERED**

Do nothing – This is not recommended as the road safety and parking concerns around the school sites at peak times will not be addressed.

## **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

- 4.1 It is not anticipated that there will be any negative reputational implications

resulting from the decision. The road markings are currently in place and enabling robust camera enforcement to be undertaken will significantly improve the current situation and minimise congestion and frustration for those residents living within the immediate vicinity of the school gates.

- 4.2 If approval is given to this proposal, the Order will be formally advertised in accordance with the statutory Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Public notices will be published in the local press to advise of the Council's intention to make the Order. This provides a formal opportunity for anyone to object to the making of the order.

## **5. FINANCIAL CONSIDERATIONS**

The recommendation does not require any capital expenditure. Any standard lining, signing and public notices required are covered through the Council's delivery partnership arrangement with Equans.

## **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

The measures proposed are intended to improve road and pedestrian safety for children and young people on their journey to and from school. Having robust School Keep Clear restrictions in place will enable effective enforcement to be undertaken, to prevent dangerous and inconsiderate parking within the immediate vicinity of the school gates at peak arrival and leaving times.

## **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There is not perceived to be any significant climate change implications as a result of the scheme however, by undertaking camera enforcement of the restrictions on a daily basis, congestion in the immediate vicinity of the sites will be minimised, as drivers will be required to park further away and as a result air quality at the school gate may improve.

## **8. CONSULTATION WITH SCRUTINY**

There has been no consultation with Scrutiny in relation to this matter.

## **9. FINANCIAL IMPLICATIONS**

As indicated in section 5, there are no direct financial implications to the Council as a result of this report.

## **10. LEGAL IMPLICATIONS**

Under Section 1 Road Traffic Regulation Act 1984 traffic authorities are empowered to make Traffic Regulation Orders (TROs) for (inter alia) the reasons set out at the beginning of this report. Section 2 specifies what TROs may require and the recommended order is within those powers.

The procedure for making TROs is set out in Schedule 9 Part III of the 1984 Act and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and provides for advertisement and consideration of any objections before making a final decision on the proposed TRO.

Regulation 8 makes provision for objections and regulation 14 allows the Council to modify a TRO before it is made.

If it is decided to make the TRO, notwithstanding any objections made, it can only be challenged by Judicial Review in the Administrative Court.

#### **11. HUMAN RESOURCES IMPLICATIONS**

There are no direct HR implications.

#### **12. WARD IMPLICATIONS**

The proposals relate to school sites within Sidney Sussex and Heneage Wards.

#### **13. BACKGROUND PAPERS**

[Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

[Road Traffic Regulation Act 1984](#)

[The Traffic Signs Regulations and General Directions 2016 No 362](#)

#### **14. CONTACT OFFICER(S)**

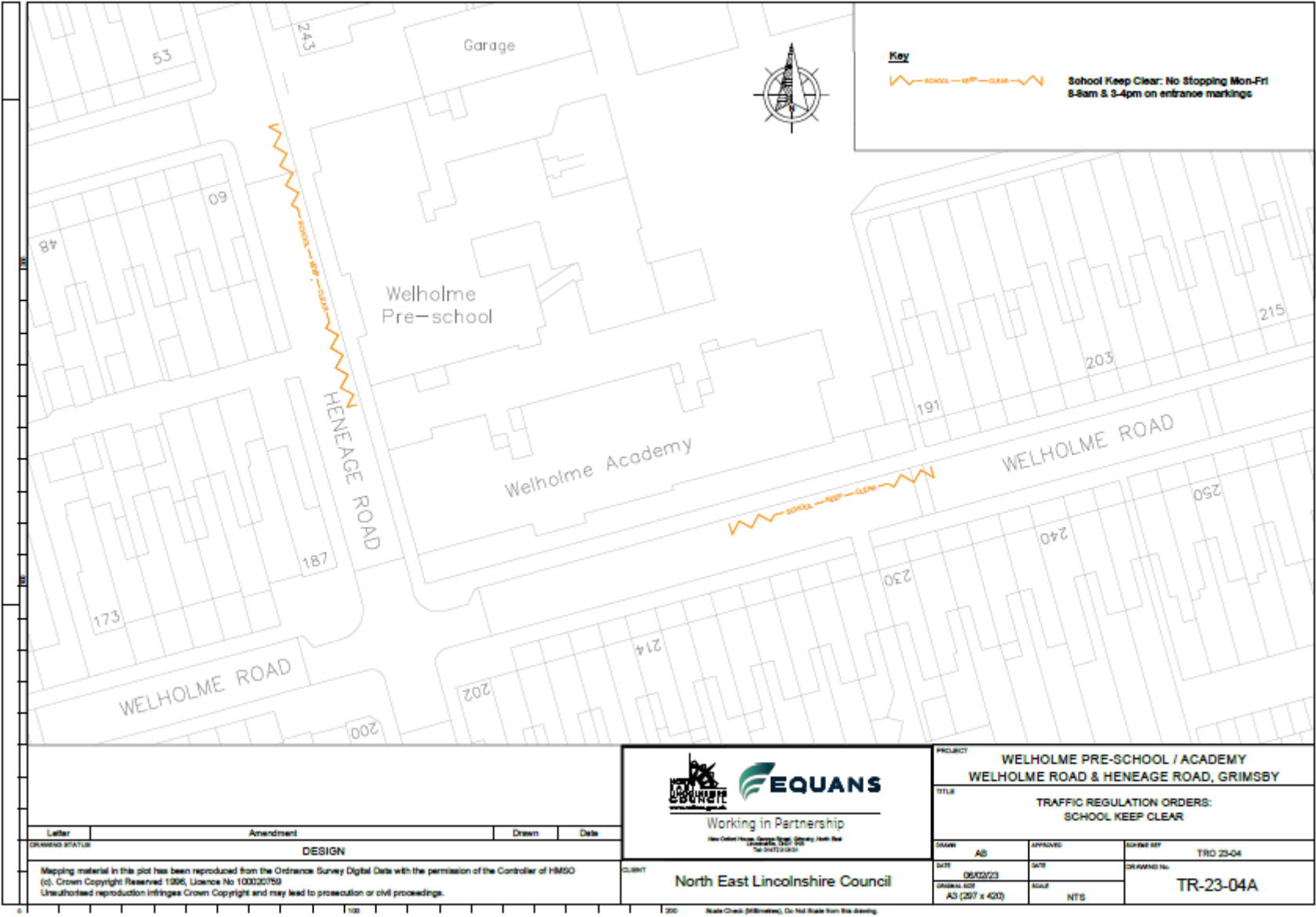
Mark Nearney, Assistant Director of Housing, Highways and Infrastructure, NELC, 01472 324122

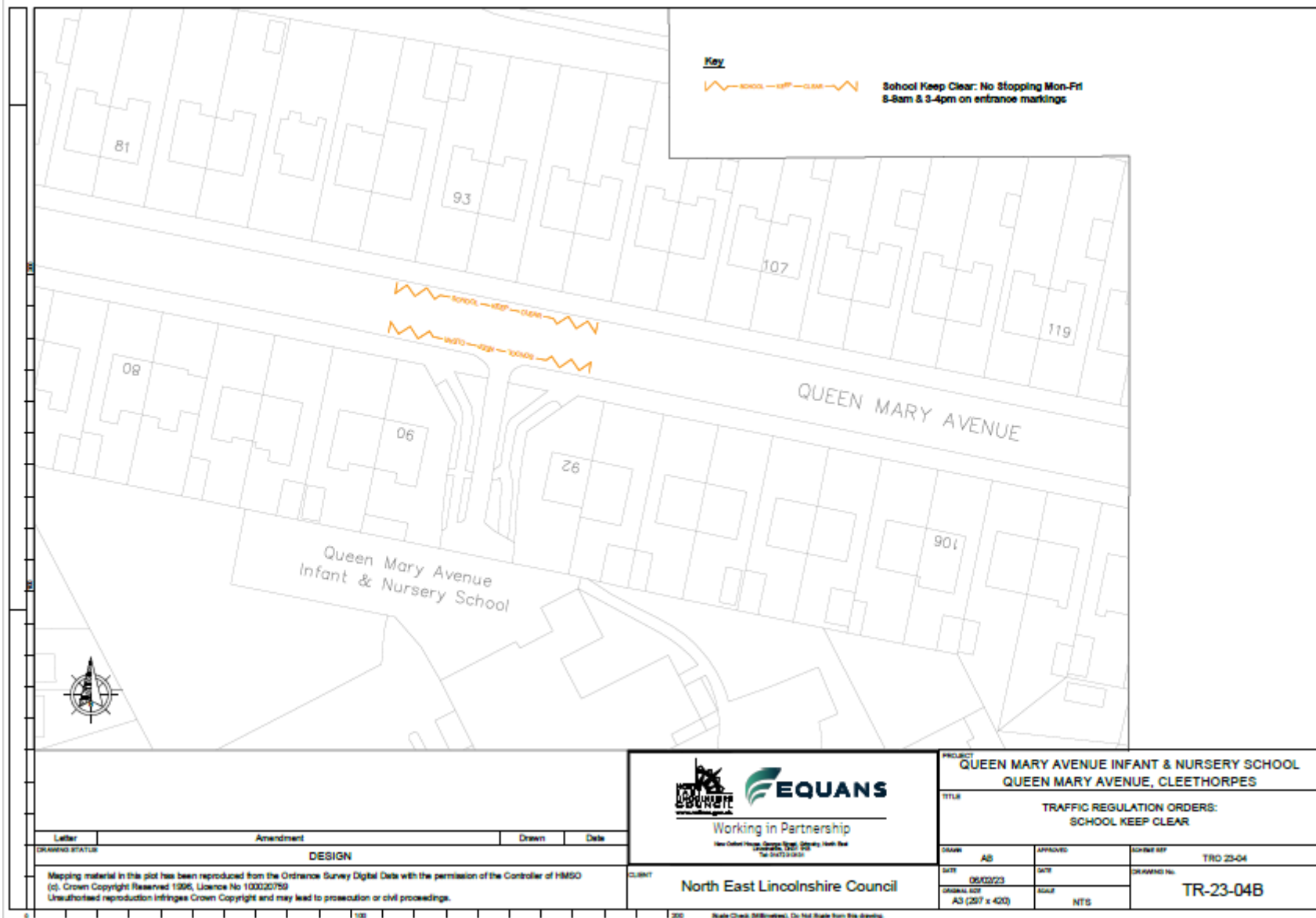
Martin Lear, Head of Highways & Transport, Equans, 01472 324482

**COUNCILLOR STEWART SWINBURN**

**PORTFOLIO HOLDER ENVIRONMENT AND TRANSPORT**

Appendix One





Letter	Amendment	Drawn	Date
--------	-----------	-------	------

DRAWING STATUS: DESIGN

Mapping material in this plot has been reproduced from the Ordnance Survey Digital Data with the permission of the Controller of HMSO  
(c). Crown Copyright Reserved 1996, Licence No 100020759  
Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.



**EQUANS**

Working in Partnership

New Oulton House, 100 Oulton Road, Oulton, North East  
Tel: 01522 214121

CLIENT: North East Lincolnshire Council

PROJECT: QUEEN MARY AVENUE INFANT & NURSERY SCHOOL  
QUEEN MARY AVENUE, CLEETHORPES

TITLE: TRAFFIC REGULATION ORDERS:  
SCHOOL KEEP CLEAR

DRAWN: AB	APPROVED:	ADVICE REF: TRO 23-04
DATE: 06/02/23	DATE:	DRAWING NO: TR-23-04B
DRAWING SIZE: A3 (297 x 420)	SCALE: NTS	