

PORTFOLIO HOLDER HOUSING, INFRASTRUCTURE AND TRANSPORT

DATE	10 th February 2025
REPORT OF	Councillor Stewart Swinburn, Portfolio Holder Housing, Infrastructure & Transport
RESPONSIBLE OFFICER	Carolina Borgstrom – Director for Environment, Economy and Infrastructure
SUBJECT	Traffic Regulation Order 24-03: Waltham Gateway Academy School Safety Measures– Consideration of Objections
STATUS	Open
FORWARD PLAN REF NO.	PHHIT 02/25/03

CONTRIBUTION TO OUR AIMS

The introduction of No Stopping and No Waiting restrictions on roads in the vicinity of the new Waltham Gateway Academy site, will contribute to the health and wellbeing of all road users, by improving road safety for pedestrians, cyclists and drivers in the vicinity of the new school site.

EXECUTIVE SUMMARY

Following formal advertisement of Traffic Regulation Order (TRO) 24-03 'The North East Lincolnshire Borough Council (Waltham Gateway Academy, Grimsby) (School Safety Measures) (No. 24-03) Order 2024' on 3rd October 2024, one material objection was received to the Order. This report requests consideration of this objection and seek approval to progress with the advertised scheme as shown on the drawing in Appendix 1 (Ref: TD034-22).

RECOMMENDATIONS

It is recommended that:

- a) Following consideration of the objection received, approval be granted for the sealing of Traffic Regulation Order 24-03 as advertised without amendment, for the introduction of school safety measures as shown indicatively in the drawing TD-034-22 in Appendix 1.

REASONS FOR DECISION

The introduction of No Stopping and No Waiting restrictions are proposed to support the new Waltham Gateway Academy school build. Restrictions will seek to ensure the safety of all road users, by keeping the areas of the highway free of parked vehicles, which will in turn ensures clear visibility for drivers, pedestrians and cyclists at school pick up and drop off times.

1. BACKGROUND AND ISSUES

- 1.1 In order to reduce the potential road safety risk at school pick up and drop off times, the Traffic Team have proposed to introduce new School Keep Clear (No Stopping Monday – Friday, 8am – 9am and 3pm to 4pm) restrictions, No Waiting at Any Time (double yellow line) restrictions and No Waiting Monday – Friday, 8am – 9am and 3pm to 4pm (single yellow line) restrictions on roads in the immediate vicinity of the new Waltham Gateway Academy school site.
- 1.2 All proposed restrictions will be clearly marked on street. The types of markings to be introduced are in line with The Traffic Signs Regulations and General Directions 2016 and Traffic Signs Manual, so are easily identifiable and understood by drivers.
- 1.3 One objection, received in relation to this proposal, was deemed material to the Order by NELC Legal Services.
- 1.4 If the recommendations of this report are accepted and approval is given to progress with the sealing of this TRO, the authority is required to:
 - include amongst the deposited documents for public inspection a copy of the Order as actually made.
 - publish in a local newspaper a public notice stating that the Order has been made.
 - write to any objectors within 14 days of making the order, to notify them the order has been made and, where the objection has not been wholly acceded to, shall include in that notification the reasons for the decision.

The Objection:

- 1.5 The Objector states this proposed order is little more than an open invitation to parents of children at the new school to park over local residents' driveways at school leaving time. The Objector believes when children need picking up from school, it will be necessary to park in the locality. The Objector believes the proposed Order stops them from parking on the only areas available that are not directly outside local residences. The Objector argues the proposed Order needs some serious rethinking to avoid any problems.

The Objection response:

- 1.6 The purpose of this proposal is to support the new school build in Waltham, in line with the planning approval previously granted for the site. The proposals to introduce new restrictions will ensure that during school pick up and drop off times, road safety risks to children and parents are minimised.
- 1.7 The proposed No Waiting at Any Time restrictions between the junction of Lindrick Walk and Woodhall Drive are to ensure clear visibility for drivers exiting or egressing Lindrick Walk which will reduce the likelihood of collisions. The No Stopping and No Waiting (Single Yellow Line) restrictions are only applicable between 8am-9am and 3pm-4pm. Outside these hours, parking is permitted in the area.
- 1.8 The Traffic Team agree with the Objector's view that during school pick up and

drop off times, people are likely to park in areas not directly outside the school, specifically, in areas without restrictions. However, in line the Highways Act 1980 there is no legal right to park on a road, verge, or footway and it remains the view of the Traffic Team that the Order should not be amended as it is necessary to ensure the roads outside the school remain clear from any unnecessary parking to maintain road safety.

- 1.9 Once the school becomes operational the Traffic Team will monitor the area and review whether the existing restrictions are appropriate or whether they need to be amended or added to. However, in the meantime, they are deemed necessary to maintain road safety and it is recommended that the Portfolio Holder approves the restrictions as shown indicatively on the drawing TD-034-22 in Appendix 1.
- 1.10 The Objector will be made aware of the process to follow in the event that enforcement action is required to address inappropriate parking over access kerbs.

2. RISKS AND OPPORTUNITIES

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

- The safety of parents and pupils within the vicinity of the school may be compromised by unsafe or inappropriate vehicle parking.
- The Council would be in breach of the planning permission granted for the school.

2.2 Should this proposal be adopted, the opportunities are:

- To implement appropriate restriction that seek to ensure the safety of parents and pupils within the immediate area of the new school site.
- To prevent parking and improve visibility for pedestrians of approaching vehicles and vice versa.
- To introduce measures that support walking, wheeling and cycling to school.
- Introducing mandatory restrictions which are fully backed by a legal TRO will enable the NELC Civil Enforcement Team to enforce any vehicles parked in contravention, under the Council's Civil Parking Enforcement (CPE) powers.

3. OTHER OPTIONS CONSIDERED

- 3.1 Do nothing. This is not recommended given potential for collisions and injury to children at the school if appropriate restrictions are not implemented and enforced.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 It is expected there will be little potential for negative reputational implications for the Council resulting from the decision however, for these restrictions to be effective, they will need to be regularly visited by Civil Enforcement Officers so that any contraventions found can be actioned. If this is not done, there is potential for reputational damage for implementing ineffective restrictions.

There will be a slight reduction in the length of on street parking available, however, these restrictions only apply between 8am-9am and 3pm-4pm on school operation days and there is unrestricted carriageway parking available within the vicinity which can accommodate parking during these periods.

5. FINANCIAL CONSIDERATIONS

- 5.1 The recommendation does not require any capital expenditure. New highway markings and signs and the associated public notices required to deliver the TROs are covered through the Council's Regeneration Partnership arrangement with Equans.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

Children and young people will be amongst the key beneficiaries of this Order being implemented as it specifically looks to address potential road safety issues associated with a local school where children and young people are going to be walking, cycling and scooting.

7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The proposals are not expected to have any significant impact on climate change and / or the environment.

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 proposals within the Waltham Ward.

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](#)

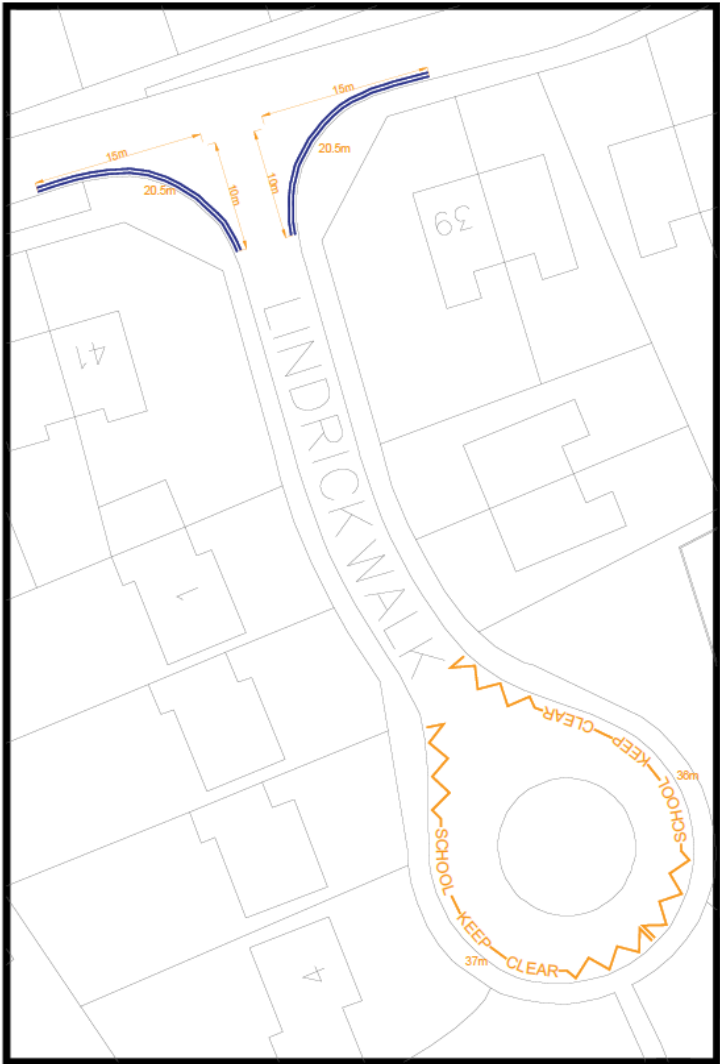
14. CONTACT OFFICER(S)

Paul Evans, Assistant Director - Infrastructure, NELC, 01472 323029
Paul Thorpe, Operations Director – Equans, 01472 324483

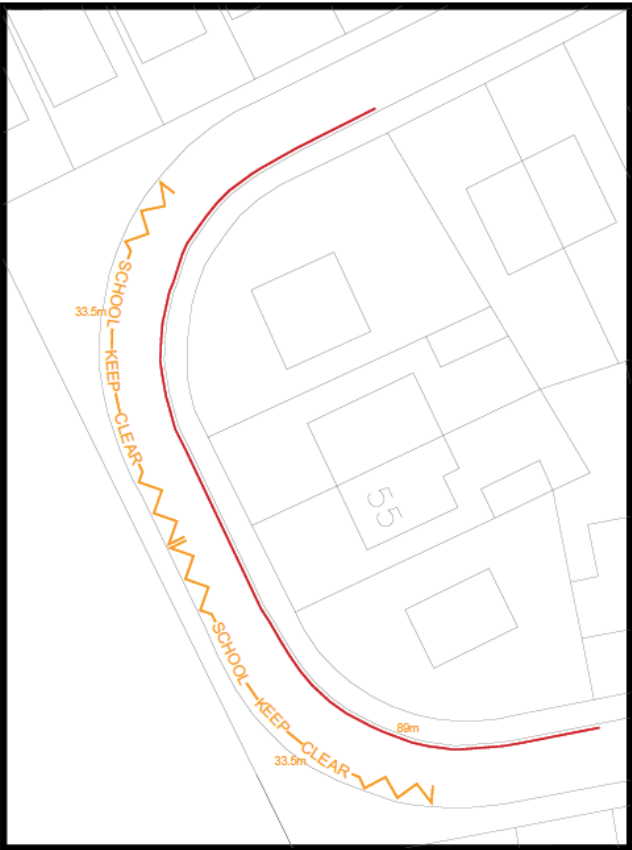
COUNCILLOR STEWART SWINBURN

PORTFOLIO HOLDER HOUSING, INFRASTRUCTURE AND TRANSPORT

Appendix One (Ref: TD034-22)



DETAIL A 1:200
SEE DRAWING No. A013



DETAIL B 1:200 SEE DRAWING No. A013



DETAIL C 1:200 SEE DRAWING No. A013

NOTES

ALL NECESSARY DIMENSIONS SHALL BE CHECKED ON SITE BEFORE ANY WORK IS PUT IN HAND. DO NOT SCALE.

Risk Assessment:

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SCHOOL

School Keep Clear zigzags: no stopping 8am-9am 3pm-4pm Mon-Fri

Double yellow line: no waiting at any time

Single yellow line: no waiting 8am-9am 3pm-4pm Mon-Fri

REVISIONS

Letter	Amendment	Drawn	Date

Working in partnership

TECHNICAL DESIGN TEAM

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CLIENT

NORTH EAST LINCOLNSHIRE COUNCIL

PROJECT

NEW PRIMARY SCHOOL
WALTHAM

TITLE

PROPOSED ROAD MARKINGS DETAILS

Drawn	Checked	Approved
JJM	-	-

Date	Revision Ref	Scale
05.06.24	A1 (S34 x S41)	1:200 @ A1

Proj Ref	Revision No	Revision Ref
TD034-22	A015	-