

Committee: Cabinet Member Report

Date: 19th August 2022

Agenda item: N/A

Wards: Pollards Hill

Subject: School Streets – William Morris Primary School- Change of hours

Lead officer: Adrian Ash, Interim Director of Environment & Regeneration.

Lead member: Councillor Stephen Alambritis, Cabinet Member for Transport

Forward Plan reference number: N/A

Contact Officer: Mitra Dubet, email: mitra.dubet@merton.gov.uk

Recommendations:

That the Cabinet Member considers the issues detailed in this report and:

- A) Notes the result of the statutory consultation undertaken between 28th July and 19th August 2022 to change the school street hours of operation to reflect the school's core hours

Restricted Roads	Existing Restricted periods Mon-Fri Term times only	Proposed Restricted periods Mon-Fri Term times only
Recreation Way - between the roundabout and Kent Close Brecon Close; Caernarvon Close Cheshire Close; Glamorgan Close Huntington Close	8.00 – 9.15am 2.15 – 3.30pm	8.00 - 9.15am 2.30 - 3.45pm

- B. To consider the representation received as set out in section 3.2 of this report and agrees to proceed with making the existing Experimental Traffic Management permanent.
- C. Agrees to amending the TMO and the implementation of the change of school operational hours to 8.00 – 9.15am and 2.30 – 3.45pm Mon-Fri term times only (to reflect the schools' current core hours).
- D. Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report sets out the outcome of the statutory consultation undertaken between 28th July and 19th August 2022 to change the school street hours of operation to reflect the school's core hours.
- 1.2 It seeks approval to proceed with amending the existing Traffic Management Order and the implementation of the new operational hours of 8.00 – 9.15am and 2.30 – 3.45pm Mon-Fri term times only.

2.0 DETAILS

- 2.1 On 16th December 2021, a report titled 'School Streets – EMTO results- William Morris Primary School was submitted to Cabinet Member for Housing, Regeneration and the Climate Emergency who agreed to make the School Street Experimental Order permanent and to undertake a statutory consultation to change the hours of operation to reflect the then latest information provided by the school on their opening and closing of their gates. Within the report, it was proposed to change the hours to 8.00 – 9.00am and 3.30 – 4.15pm but soon after the consultation that started on 27th January 2022, based on new information, it was agreed to consider the hours of 8.00 – 9.15am and 2.30 – 4.15pm; a new statutory consultation started on 3rd March 2022 to facilitate this change. Following the completion of the consultation, however, a further change was identified which necessitated a further statutory consultation that was carried out during July and August 2022 to change the existing hours to 8.00 – 9.15am and 2.30 – 3.45pm.
- 2.2 The Permanent Order was made on 20th January 2022. This TMO is based on the existing restrictions which must now be amended to reflect the proposed new hours.

3. CONSULTATION

- 3.1 Following further Cabinet Member approval, a further statutory consultation was carried out between 28th July and 19th August 2022 to change the school street hours of operation to 8.00 – 9.15am and 2.30 – 3.45pm Mon-Fri term times only which would be in line with the schools' current core hours.
- 3.2 Newsletters were delivered to all those properties directly affected. The newsletter detailed the consultation process and the proposed change. A copy of the newsletter is attached in Appendix 1. All available information was also posted on the website. Street notices were erected on lamp columns and published in the local papers and the London Gazette.
- 3.3 The statutory consultation resulted in the following representation;-
Address - Cheshire Close, Mitcham CR4 1XF.
I have been in my house over 18 years but I don't have any problem because of school's hours. Therefore I don't agree with the restricted hours in our area.
- 3.4 The school and all the Ward Councillors were informed of the consultation and the proposed change.
- 3.5 All statutory bodies have been consulted and no objections have been raised.

4. OFFICER'S RECOMMENDATION

- 4.1 It is recommended that the existing TMO is amended and the new hours of school streets 8.00 – 9.15am and 2.30 – 3.45pm Mon-Fri term times only are implemented.

5. ALTERNATIVE OPTIONS

- 5.1 To retain the existing restrictions. This, however, would do nothing to ensure that the operation of the school street remains effective.

6. TIMETABLE

- 6.1 A newsletter detailing the result of the consultation and Cabinet Member decision will be distributed to all consultees soon after a Cabinet Member decision is made and published. The permanent Traffic Management Order will be amended and published soon after. Officers are aiming for September 2022 new term.
- 6.2 Once approved, the signs will be amended to reflect the change of hours.

7. FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 All the associated costs are covered by the TfL's allocation for school streets.

8. LEGAL AND STATUTORY IMPLICATIONS

- 8.1 The Traffic Management Orders would be made under Section 6 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the experimental order.
- 8.2 The Council has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a traffic management order or to modify the published TMO. A public inquiry should be held where it would provide further information, which would assist the Council in reaching a decision.
- 8.3 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

9. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

- 9.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The design of the scheme includes special consideration for the needs of people with blue badges, local residents, school children and businesses without prejudice toward charitable and religious facilities.
- 9.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette.
- 9.3 The retention of the restrictions / improvements affects all sections of the community especially the young and assists in ensuring improved road environment and air quality for all road users and achieves the transport planning policies of the government, the Mayor for London and the Borough.

10. CRIME AND DISORDER IMPLICATIONS

- 10.1 None

11. RISK MANAGEMENT IMPLICATIONS

- 11.1 The risk of not changing the restrictions would mean that the school street would not be as effective as it should be.

12. ENVIRONMENTAL IMPLICATIONS

- 12.1 When determining the type of schemes to be designated on the highway, section 45(3) requires the Council to consider both the interests of traffic and those of the owners and occupiers of adjoining properties. In particular, the Council must have regard to: (a) the need for maintaining improved movement of traffic, (b) the need for maintaining reasonable access to premises, and (c) the need to reduce road collisions.
- 12.2 The restrictions minimise volume of traffic past the school gate which makes it safer and more environmental friendly for those attending the school, residents and visitors.

13. APPENDICES

- 13.1 The following documents are to be published with this report and form part of the report.

Appendix 1 - Newsletter

SCHOOL STREET – WILLIAM MORRIS PRIMARY

UPDATE – change of hours

July 2022



The purpose of this newsletter is to inform you of an update to the previous newsletter we sent you in February 2022, which informed you that the school street has been made permanent and of the start of a statutory consultation to change the existing hours of operation to 8.00 - 9.15 am & 2.30 – 4.15 pm. However, upon further consideration and based on the latest information on the school's hours, to ensure that the school street remains effective and to minimise inconvenience to the residents, it has been agreed to alter the proposed hours to 8.00 – 9.15 am and 2.30 – 3.45 pm.

The previous statutory consultation that was carried out during March 2022 has now been abandoned and we do apologise for any inconvenience this may cause.

Proposed changes to the restricted period

Starting 28th July 2022, the Council will be undertaking a new statutory consultation to change the existing hours of operation to 8.00 – 9.15 am and 2.30 – 3.45 pm Mondays to Fridays school term time only.

WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the new operational hours for the school street will be published in a local newspaper (Wimbledon and Wandsworth Times) and the London Gazette. Notices will also be posted on lamp columns in the vicinity.

Representations against the proposals described in this Notice must be made in writing by emailing trafficandhighways@merton.gov.uk or write to Environment & Regeneration Department, Future Merton, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX no later than 19th August 2022.

Please quote reference **ES/SS/2022/WilliamMorris/B**. It is essential that your full name and postal address are provided within your representation.

Objections must relate only to the elements of the proposal that are subject to this statutory consultation (i.e. change in the hours). The Council is required to give weight to the nature and content of your representation and not necessarily the quantity. Your reasons are therefore important.

All representations along with officers' comments and recommendations will be presented in a report to the Cabinet Member for Transport. Please note that a response to any representation received will not be made until a final decision is made by the Cabinet Member.

All available information and updates are available on the Council's website www.merton.gov.uk/schoolstreets

Please note that the current hours of operation continue to be valid until the hours are changed subject to the outcome of this statutory consultation. Restrictions apply during school term times only and the contravention is for entering the affected roads during these restrictions without an exemption. However, motorists can leave at any time.

POLLARDS HILL WARD COUNCILLORS (contact details of Ward Councillors are provided for information purposes only)

Councillor Joan Henry joan.henry@merton.gov.uk
Councillor Aidan Mundy aidan.mundy@merton.gov.uk
Councillor Martin Whelton martin.whelton@merton.gov.uk

Cllr Stephen Alambritis - Cabinet Member for Transport Stephen.Alambritis@merton.gov.uk