

The number of cars taking children to and from school has grown exponentially over the years not just in Stockton Borough but nationally and as such needs to be recognised as a problem that cannot easily be remedied locally. Even with such recognition Stockton Borough Council's Crime and Disorder Select Committee undertook this issue identified as it was by Councillor Cherrett.

The key concerns that were raised were:

- Safety of children who are trying to cross roads between parked cars.
- Residents unable to access their own homes/driveways and being verbally abused by drivers.
- Safety of drivers (and young passengers) trying to manoeuvre where there are cars parked across junctions, on bends etc.
- How Enforcement Officers and local police could deal with the problem.
- What good practice is already happening and how can this be shared.

The Committee therefore followed a number of key lines of enquiry:

- To identify the dangers associated with potentially hazardous parking around schools.
- To examine the ways in which dangerous parking can be prevented through highways measures such as traffic orders and the creation of car free areas around schools. This should include consideration of enforcement issues and resource implications.
- To examine alternatives to car travel, and how parents or guardians can be encouraged not to use their cars to transport children to and from school.
- To identify the benefits associated with children using alternative methods of travel to and from school, e.g. health benefits.
- To explore ways in which awareness could be raised amongst parents and children of both the dangers of traffic around schools, and the benefits of alternative forms of travel.
- To look at examples of best practice from other authorities where traffic around schools has been successfully managed and/or reduced.

In preparation for the commencement of the review the officers supporting the Committee identified how and where Members could observe the issues under review. Three primary schools were selected as they had high incidences of the problems caused by inconsiderate driving and parking by adults tasked with delivering and collecting children to school.

Reproduced below are the location maps and information from newsletters from Glebe, Ingleby Mill, and Whitehouse Schools identified as case studies for the review. The behaviours were observed at the schools by small groups consisting of up to three councillors, Senior Neighbourhood Enforcement Officer, Traffic and Network Safety Manager, and Scrutiny Officer.

Glebe Primary School

Site Visit

Members observed Enforcement Officers patrol the entrance to the nursery where zig-zag lines are located. Although this should not allow any stopping a number of parents did even though they were told to move on. Parents also drove into staff car park in order to allow their child/ren to disembark from their car.

Parents also parked on the corner of Saltney Road and Pulford Road where white lines are painted. This forced cars wanting to approach the nursery entrance on Pulford Road on to

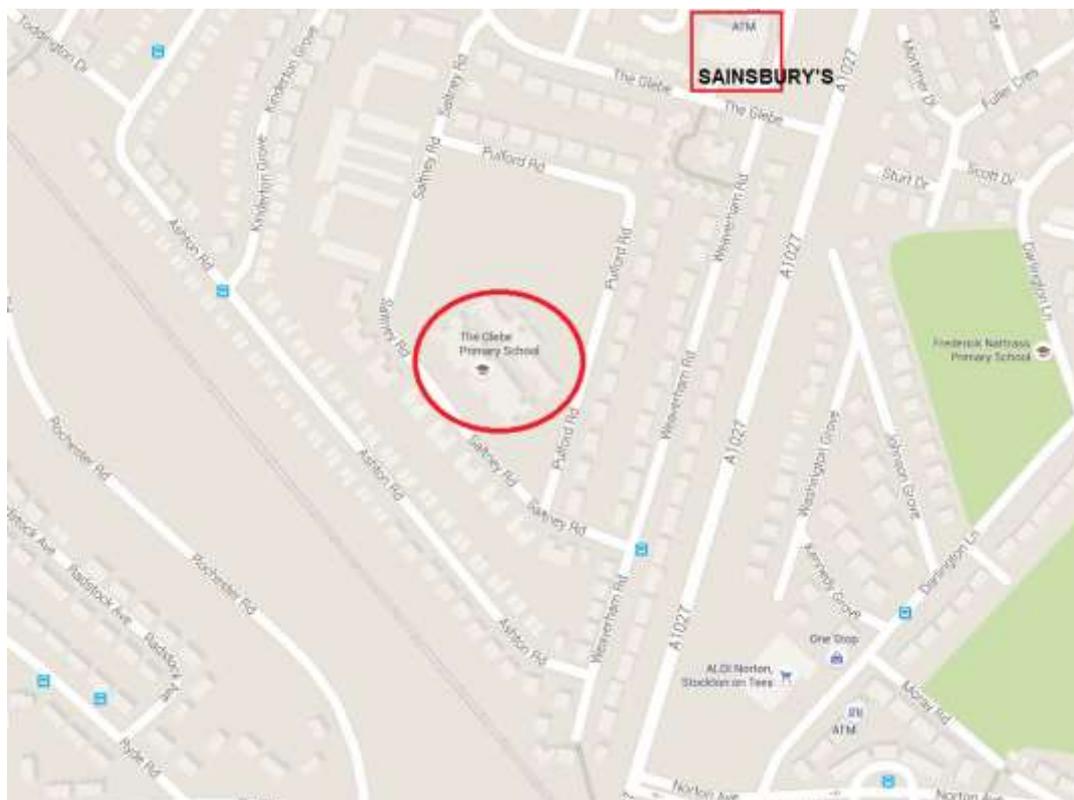
the opposite side of the road to face oncoming traffic. Cars were also parked on pavements in front of residents' houses and formed a chicane to manoeuvre around.

A reason for some of the delay in cars leaving is due to the need for parents to escort pupils under the age of eight into school premises and unless there is a teacher/responsible adult the child cannot be left unsupervised. Parents also enjoyed an amount of social time with other parents which also delayed leaving the site.



Members were informed that an unofficial one-way system operates but this failed on the afternoon when Members were present as can be seen in the photograph. With parked cars creating a chicane the refusal of the blue van that can be seen blocked the cars to the corner of Saltney Road. Until the driver of the car alongside the van returned a traffic jam had occurred.

The Head Teacher remarked that what had been witnessed was not unusual and has attempted to reason with the parents causing the traffic problems.



Glebe Primary School Newsletters

<p>9th January 2015</p>	<p>Parking We have received further complaint about parking around school. It is a very narrow road and it is important that we do not block our neighbours' driveways or the entrance to the school. Thank you.</p>
<p>6th February 2015</p>	<p>School Car Park The school car park is for staff use and for vehicles displaying a disabled badge. Disabled badge holders will need to park in the parking bays. If parking</p>

	<p>bays are not available, cars will need to park outside the car park. There is no parking in the middle of the car park and at the entrance -for Health and safety reasons.</p> <p>Children leaving school A concerned parent has stated that he nearly ran a Key Stage 1 child over as they came out of school and ran across the road unsupervised. Please could I request that all parents/ carers hold on to children as they leave the school premises. Thank you for your co-operation.</p>
13th Feb 2015	<p>Parking The school is surrounded by private housing. Please show consideration for the residents and do not drive over the drives or on gardens.</p>
27th March 2015	<p>Parking This week we have had several telephone calls from residents regarding inconsiderate parking – blocking driveways, access etc. Once again can we ask you to be considerate to our neighbours when parking your cars.</p>
1st May 2015	<p>Car Park The car park is too small to accommodate our parents and carers. The car park should not be entered before or after school. The only exceptions are parents dropping children at breakfast (before 8.00am) and parents displaying a disabled badge (if there is a space available). On occasion the main entrance gates will be shut. Please do not park at the entrance as this would cause an obstruction. Thank you for your cooperation</p>
18th September 2015	<p>Parking We did bring to your attention in our last newsletter parking issues around the school. We have today received the following email from Cleveland Police;</p> <p>On Monday, whilst conducting patrols around The Glebe, I came across some disruption on Weaverham Road. A number of parents had parked inconsiderately, thus blocking access for the local Bus and other motorists. This in turn led to a build-up of traffic and drivers being blocked in.</p> <p>I spoke to some of the parents, as they returned to their vehicles, and just offered words of advice. I understand it is a built up area, which is quite tight at the best of times, and I understand it is always going to be busy at that time of the day, but it is just about asking those who do drive, to have consideration for others.</p> <p>I will also be making Enforcement aware, so that they can monitor the situation.</p>
9th October 2015	<p>Walk to School Week On the week commencing Monday 19th September we will be taking part in the "Walk to School Week", which is being run by Stockton-on-Tees Borough Council to coincide with International Walk to School Month. The aim is to increase daily physical activity and help to reduce traffic congestion, pollution and speed around schools. We are encouraging all children to walk, bike or scoot to school every day during that week. Even if you park at Sainsbury's and walk to school this still counts as "Park and Stride". There will be a prize for the class with the most children who walk to school.</p>

Whitehouse Primary School

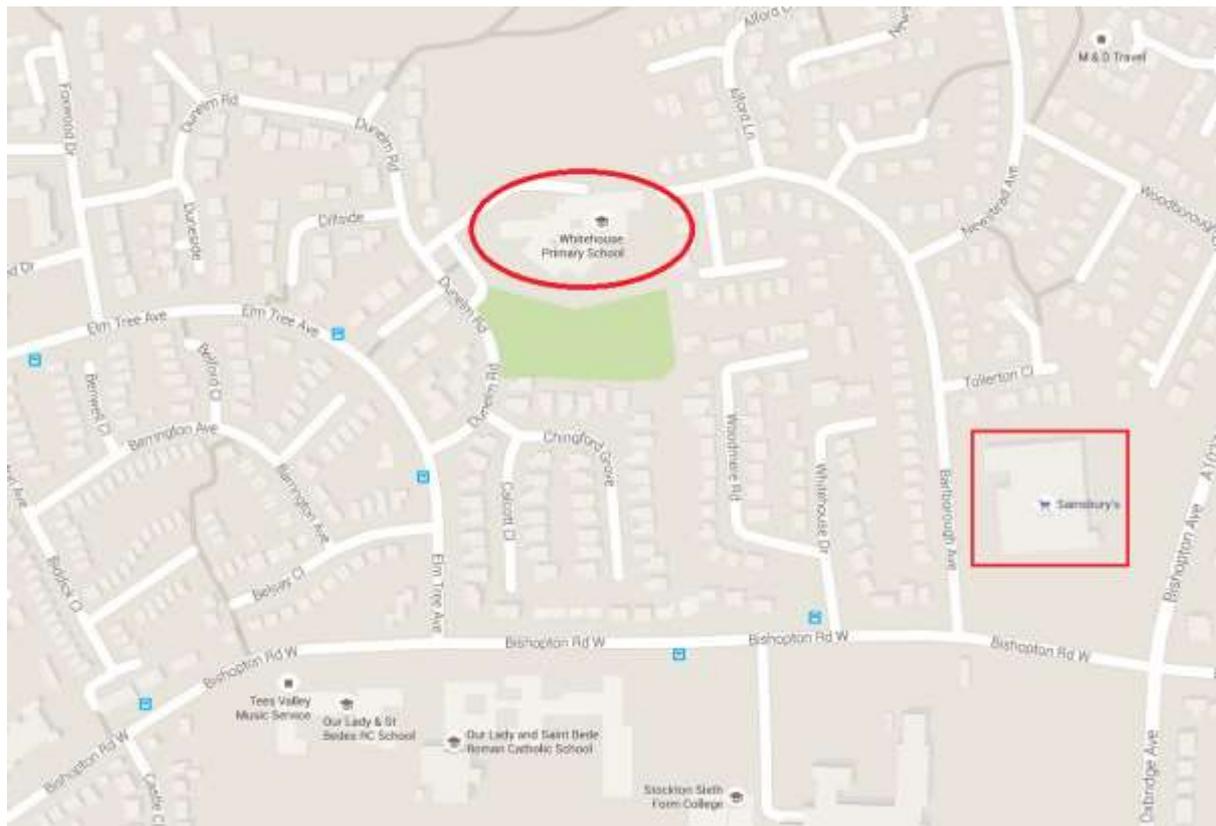
Site Visit

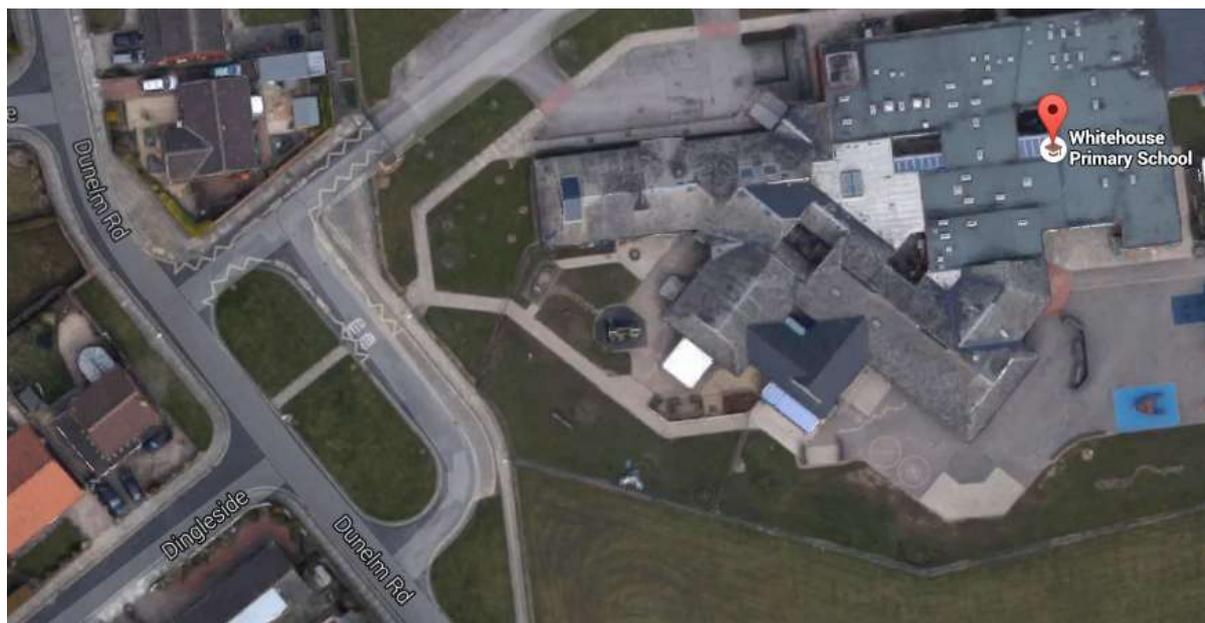
Members parked at the Sainsbury's car park and walked the short distance to the school entrance on Barlborough Avenue to observe how parents behaved when delivering their children when no Enforcement Officers were present.

Members observed a lot of children walking to school with only a limited number of cars parked either fully on the road or partially on the pavement in front of the bungalows. This narrowed the access for residents arriving or leaving by car from their premises. One car had to cross into oncoming traffic to avoid the car which limited but didn't fully block the driveway. Cars were also parked close to the corners with Alford Lane creating a single car access.

Towards the end of the site visit Members observed a parent/responsible adult arrive and park further away from the entrance than others although he had two children needing walking frames to assist their mobility. In addition workmen employed at the bungalow nearest the school entrance parked their van and trailer fully on the pavement.

Members returned to observe the problems at the Dunelm Road entrance this time when an Enforcement Officer was on duty.





As can be clearly seen in the photographs the road markings and signposts are easily visible. Whilst on the site visit these were constantly ignored and action was taken by the uniformed Enforcement Officer.

The number of tickets issued were reduced as a result of the officer being engaged in a discussion/argument with one of the car drivers. This is not an issue isolated to this location and discussion has begun on site visits regarding the use of a camera car that can deal with multiple sites and parking sites and parking offences especially during school drop-off and pick-up times.

The Head Teacher had some discussion with those on the site visit highlighting that this is a constant issue she raises with parents especially as the school caters for pupils with physical difficulties and is recognised as a school for the inclusion of its whole community.

Whitehouse Primary School Newsletters

<p>27th November 2014</p>	<p>One of our Parents was walking his little girl to school this morning and a car mounted the verge and nearly collided with them. This happened on the front entrance in what is known as the bus bay. This</p>
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	<p>bay is not there for the convenience of parents to swing their vehicles around from the main road and to drop children off. This bay is not there as a convenient parking spot. This bay is to enable large buses to pick up and collect your children when going out for school trips in a safe manner.</p> <p>The school has for years worked closely with the residents around the school, the police and enforcement officers to try to educate all site users about safety around the school. The majority of our parents understand and appreciate that as a community we should be considering the safety of all our children coming to school and park at either Sainsbury’s car park or behind the Elm Tree Shops and walk their children to school. Unfortunately we still have some parents who lack that consideration for others. If you are concerned about any dangerous driving around the area of the school then take the registration number and report the driver to the police.</p> <p>Please don’t be like the parent this morning who when challenged was reported to say ‘well everyone else does it’. Please choose to be like the majority of our parents and consider carefully where you park and how you get your children to school safely. Remember we are role models to our children and have a responsibility to demonstrate we are a considerate member of our society. Our children will follow our good examples when they are older.</p> <p>The school car park can only be used by parents for bringing children to Breakfast club between 8-8.20 am and collecting children from Tea time club between 3.45-5.30pm. There is no other access to the car park unless you have a valid Parking Permit issued by the school office. Access to school from Barlborough Avenue via the gate will only be from 8:30a.m and the gate will be closed by 9:10a.m.</p> <p>We do make special arrangements for parking during events such as the Craft Fair, Christmas plays etc. and provide some limited parking on the school Playground for the duration of the school play.</p> <p>Thank you for your continued support in these matters.</p>
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Ingleby Mill Primary School

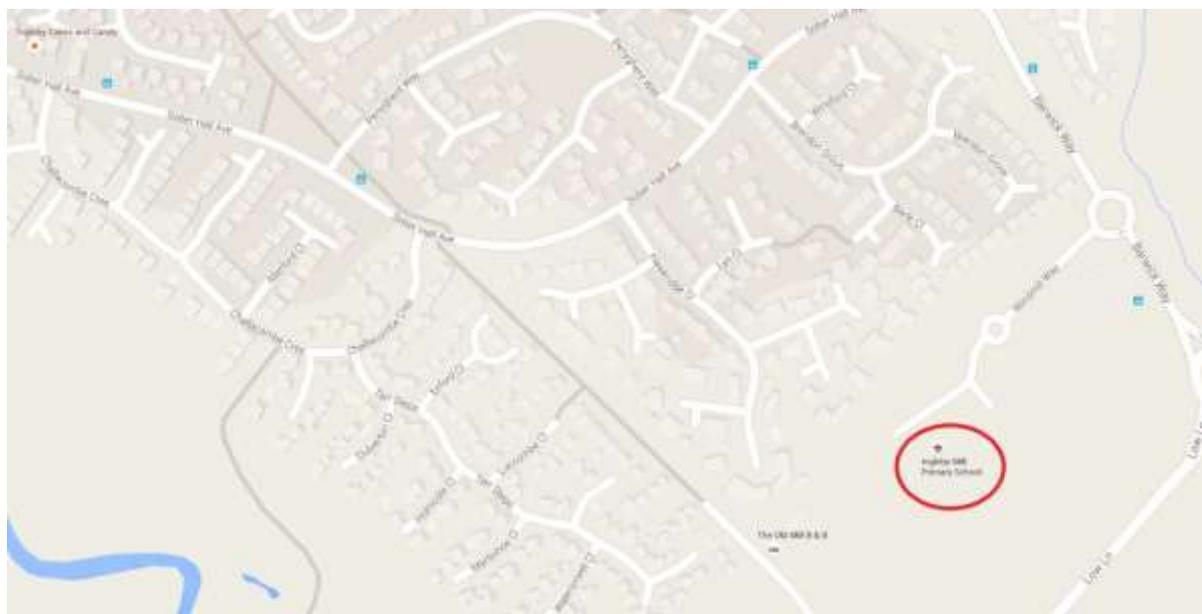
Site Visit

Members observed the school when an Enforcement Officer was present. The roundabout nearest the school is fully marked and signed so that no stopping is allowed. Even with Enforcement Officers present this is not fully adhered to although the incidences are noticeably reduced. One could see the intent of the drivers that came round the roundabout with the majority driving back out toward the drop-off zone that exists between the two roundabouts that can be seen in the photograph.

A public car park can also be seen which is intended for parents to use whilst dropping off or picking up children. Members were informed by the Head Teacher, a governor, and a number of parents that this does not meet the requirements for the number of cars coming to and from the school. A number of parents argued for a larger car park but as this would only

tend to be used for short periods on a morning and afternoon it may only offer a limited solution.

Members had parked on Sober Hall Avenue and walked down a pedestrian/cycle path which runs to The Old Mill Bed and Breakfast establishment that can be seen in the photograph and offers the opportunity of a safe walk to school except for the youngest pupils unless they were accompanied by an adult.



Ingleby Mill Primary School Newsletters

<p>January 2015</p>	<p>Car Parking – again! We continue to issue a number of car park passes available to parents/carers with significant disability at the beginning and end of the school day. We do not have to issue such passes and we are one of only a small number of schools in the area to do so. We issue passes as a gesture of goodwill and to try to alleviate some of the parking difficulties we know many of you experience daily. Please be mindful that these passes are limited in number and issued according to severity of need.</p>
<p>September 2015</p>	<p>Parking Oh my word! Parking since our return to school has been as bad as ever with cars double and even triple parked on the roundabout. This is simply not acceptable and as well as being illegal, it poses enormous risk to our children. The police have been made aware of this because of the risk to children. This is an accident waiting to happen, and whilst we appreciate the difficulties with parking, nothing is more important than the safety of our children. Please park safely and considerately.</p>

School Census

Stockton Council’s Business Support and Information Manager, Children, Education and Social Care provided the Committee with details of the school rolls as quantified in the School Census. Its aim was to show the number of pupils that currently attend all forms of schools in the borough and the distance they travel to and from school.

The Committee's purpose was to argue that with 85 per cent of primary school pupils and 51 per cent of secondary school pupils living within 1 mile of the school they attend it would be reasonable to expect they were capable of walking or cycling to school. Statutory guidance for local authorities for home to school travel and transport published by the Department for Education in July 2014 states that provision of free transport for all pupils is eligible if the nearest suitable school is beyond 2 miles for children below 8 years of age or beyond 3 miles if aged between 8 and 16. As a result 1 mile is considered a reasonable distant to expect pupils of all ages to be able to walk or cycle.

Walk to School Week

During the school year the Walk to School' campaign coordinates National Walk to School Week in May and International Walk to School Month in October in the UK. Each year nationally approximately 2 million primary school pupils take part with local events organised by school travel advisors and road safety departments. The campaign, run by the charity Living Streets which receives funding from the Department for Transport and Department of Health has developed 'Walk once a Week' which encourages children to walk to school by rewarding them with collectible badges.

The Living Streets charity on its web site states that one in five cars on the road in the morning rush hour is on the school run and that choosing to walk all or part of the journey means less congestion, healthier children and less stress at the school gates. Participation in the WoW campaign has been shown to increase walking rates by up to 23 per cent within the first five weeks which equates to 20,000 journeys.

Darlington Borough Council feature as a case study in the statutory guidance document and additional information was provided by the named officer.

Darlington Borough Council has worked with schools in Darlington on school travel issues since 2004 and by 2010 all schools had a travel plan which was a government target. They run campaigns throughout the year to encourage parents and pupils to travel sustainably and details of this can be found on the website <http://www.dothelocalmotion.co.uk/schools/getting-to-school>. Schools are also encouraged to use the Modeshift STARS website which is a national accreditation for sustainable travel to school.

Over the last three years the Council has a run a year-long campaign with primary schools (MEGA Motion) in which every pupil had to record their mode of travel to school from October to June. Pupils were awarded points depending on the mode that they used and then badges, stickers and other prizes were given out at the end of the school year. The most recent campaign has changed slightly to focus on national sustainable transport campaigns which it is hoped will overcome future funding uncertainties.

Darlington Borough Council has two other officers who mainly work with schools, one of whom is focused on encouraging cycling and the other on walking. They work in schools and deliver activities as well as supporting schools to deliver their own activities to encourage sustainable transport.

School and Governor Support Service - Spring Term Briefing - 18 January 2016

This information was shared at a meeting of Governors of Stockton Schools attended by the Committee Chair, Vice-Chair, Traffic and Network Safety Manager, and Scrutiny Officer. The Committee is however attempting to overcome the reasons that are known to affect the decision of parents:

- I don't have enough time to walk with/cycle with my child to school

- Driving my child gives us quality time together
- We would have to walk/cycle along a busy road full of fumes
- My child could be abducted on the way to school
- There is no other child in my area for my child to walk with
- I feel safer taking my child to school in the car
- The traffic is too dangerous for my child to walk
- The roads are not safe enough for my children to walk or cycle to school
- It is too far to walk to school

A further problem encountered was the necessity of primary school pupils to require their parent or another adult to be present until schools open and allow pupils to enter. This means that parents either park and wait or quickly drop the children off in a short time slot just before the school day starts. Both create a problem not only for parents but the residents close to schools.

Governors attending the briefing were provided with information of the Crime and Disorder Select Committee’s Review of School Parking. They received a copy of the scope and a brief presentation highlighting evidence gathered so far. The governors were then asked:

- What solutions should the Committee be recommending?
- How might you help us to solve the problem of inconsiderate parking around schools?
- What messages will you take back to your schools?

St Mark’s Elm Tree Primary – The parking is particularly difficult. Access to the school is via a driveway. This has produced huge problems over the years and governors have been very concerned. One of the very effective ways to tackle the problem was to get the children involved (producing posters etc). Discussion also took place with children who then talked to their parents which brought about a change in parental behaviour. Initiatives have to be revisited occasionally but it has still been very helpful.

A discussion that has taken place with parents has been with regard to blocking school access to emergency vehicles if they were required on school grounds.

The Links Primary, Eaglescliffe – Speed bumps and yellow lines have been introduced worked very well for a time but now some parents like to park directly under the sign as if to show that they cannot be stopped. Enforcement Officers occasionally attend but it is recognised that there are only a limited number of officers and lots of other schools that have parking difficulties. More visits would be appreciated or a way that car registration numbers were taken and passed to the Enforcement Team.

The most effective way that has recently been found is by placing PE cones on the yellow lines which has stopped cars parking. It was thought that parents would either park between the cones or move them. Whilst it was accepted that it was not an ideal solution it appears to be working at present.

Governors were provided with information about what can be enforced within highway regulations. They were also informed that children’s engagement with the Council’s Road Safety Team is quite effective.

Prior’s Mill Primary, Billingham – The school is on a road barely wide enough for two cars to pass. Residents park outside their houses although some have garages. Speed bumps have been introduced, and there was an accident last year with a child. We found that Northfield School is at the end of the road and children were coming from there also so at specific times of day there was tremendous congestion. Priors Mill has altered its start and finishing times to alleviate the problems that were occurring but it hasn’t completely

eradicated the problem. It will require greater amounts of enforcement and fines before the problem is fully sorted.

The governor was asked whether other schools had altered their start and finish times and a number of governors indicated that they had.

Whitehouse Primary – A banner was placed on the school boundary fence asking parents/guardians to consider parking elsewhere/further away but this had to be removed under instruction by the Council.

The problem with the banner was that it required planning permission.

Ingleby Mill Primary – The governor questioned the building of the free school in close proximity to the primary school when trying to alleviate the problem of school parking. The governor also highlighted the issue of more women going out to work and dropping the children at school on their way.

Village Primary, Thornaby – The school has undertaken a number of initiatives and will revisit walking or cycling to school for a week a number of times a year where the children record how they get to school and then prizes are awarded at the end of the week. The children really enjoy coming to school by bike and so they will continue to do so afterward. Bike sheds have been built to accommodate the bikes of the children.

The Traffic and Network Safety Manager mentioned that an initiative that could be good to see in schools is a road safety champion, a kind of coordinator role and a child who can talk to his/her peers to promote walking or cycling to school. This could be a year 6 pupil who could mentor a year 5 pupil to then take over the following year and this would then continue year on year and feed into school councils.

A governor asked about the involvement of bus companies and providing adequate buses to allow children to get to and from schools.

In addition the Committee received the following written submission from **Norton Primary Academy** and the Chair of Governors attended the Committee meeting on 28 April 2016.

I am a governor at the above school and am writing to see if we can secure your help regarding the current hazardous parking situation at the academy.

We are a fair sized primary school with 400+ children on the role and inadequate parking provision.

We have a small car park of our own that holds around 20 cars and a larger car park that I understand belongs to Stockton Borough Council (SBC). I know that compared to most schools we are very fortunate in the amount of space adjacent to school, but that space actually creates some dangers, as it can mean that some parents for reasons known only to themselves, can drive quite fast at times ignoring the 20 mph speed limit!

We have tried to enforce a one way system with parents who seem unable to grasp the concept; and with no road markings and only small signage we have had trouble trying to enforce it. The result of this is that cars are coming in and out at the wrong junctions causing chaos and confusion and very near misses. Is there any chance of a meeting at school to discuss options on how to make the one way system clearer for all users who come to the school but especially parents at busy times?

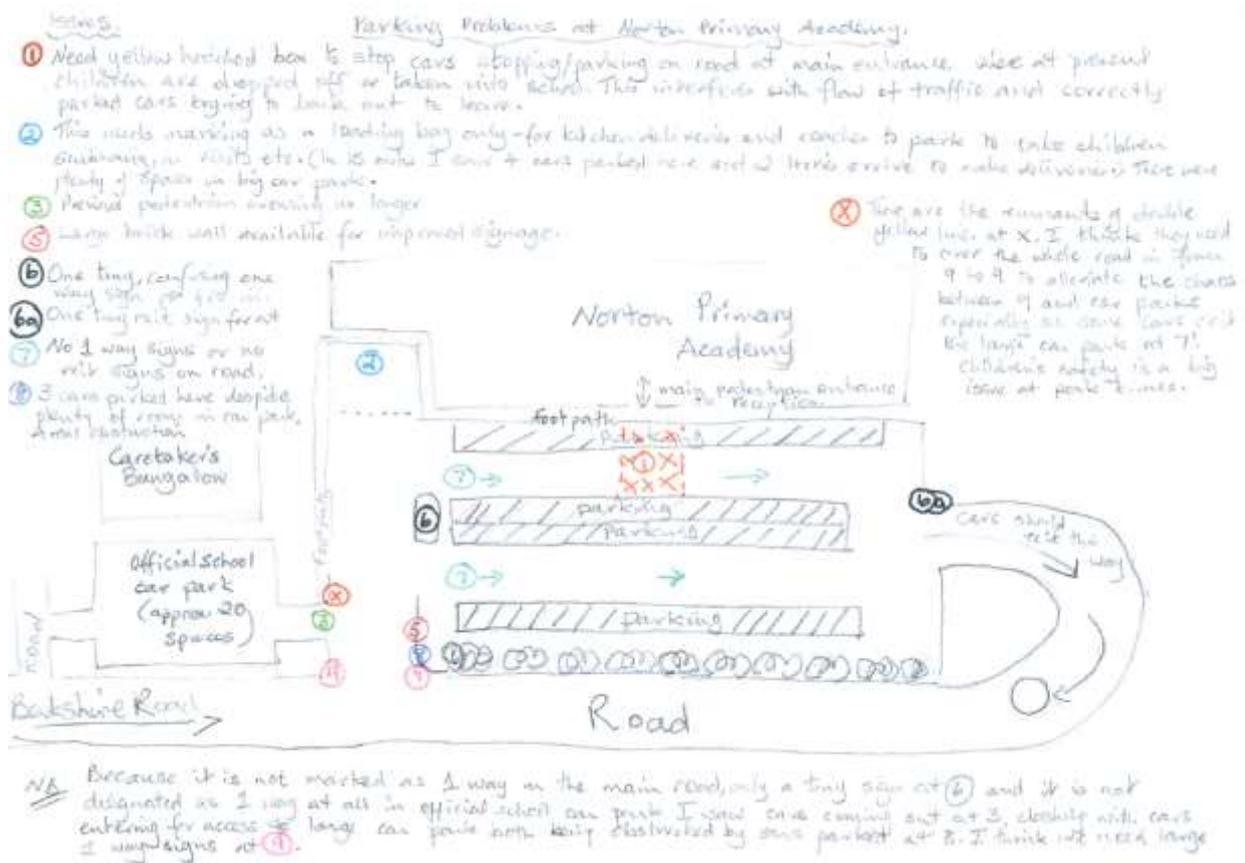
Parents are also blocking access to the only road in and out by parking cars in an inconsiderate manner on zig zag lines where the children should be crossing to enter the school. My worry is that it's only a matter of time before a child or parent steps out and is hit. We very rarely see parking enforcement wardens policing the area. However, on the odd occasion they are on-site parking is much improved, they have an instant presence.

I understand that resources are very limited, however with the larger car park being owned by SBC I wondered if you would be prepared to accept some responsibility for it? On here, cars are left blocking the full car park on a daily basis, again not great for children crossing into school as the car park is a sea of vehicles playing wacky races.

Would we as a school be able to access any help? Either financially or from the wardens, road painters etc. that are in your employment? When we converted to an academy we agreed to a joint funding arrangement for any repairs etc. for car park so we would be more than happy to look at splitting any costs if they are reasonable.

Any help would be very gratefully received.

The Chair of Governors provided the following diagram after observing for herself how parents behaved when taking their children to school by car.



Education

Education is an important part of the review and measures have been suggested. Using Road Safety education tools so that children are informed of the increased risks associated with parking around school entrances could be introduced via the 'School champion' or Junior Road Safety Officer packs. This would involve a child being 'appointed' as a school

lead and taking ownership of disseminating information around the school, thereby raising awareness.

Members have suggested reward or recognition for schools that participate and are seen to be influencing parking behaviours around schools. This could involve the Mayor.

It was also suggested that a video presentation be provided for schools to show to parents as part of welcome meetings at the start of the new school term. The video will include excerpts from body camera footage of inappropriate behaviours experienced by Enforcement Officers.

It is suggested that additional sustainable travel measures such as walking buses be introduced in schools to encourage travelling to school by means other than the private car.

It has also been suggested that a campaign involving travelling to school be carried out to help parents make informed choices.

Cleveland Police contacted the Council regarding safety issues relating to driving around schools. This is something that they are keen to take forward and work in partnership with the force area Local Authorities.

Cleveland Police have begun a campaign that considers impacts around schools as follows:

- Transport issues with children –seatbelts, too many in the car, in the rear of vans etc.
- Speeding around schools
- Illegal parking
- Mobile phone use and distractions
- Crossing patrols

It is intended that Stockton Council works with the Police on initiatives to assist in the delivery of positive messages around these issues in Stockton.

PETITION

A petition, dated 16 March 2016, was received by Stockton Borough Council which due to the ongoing scrutiny review of school parking it was considered appropriate for the Crime and Disorder Select Committee to hear and consider the concerns of the petitioners.

Residents of Kintyre Drive, Bute Close, Arron Close, and Cromore Close, Thornaby are experiencing a much increased problem with local congestion during the school drop-off and pick-up times and this was growing out of control.

The following list of concerns were supplied:

- Speeding in the residential areas where the 20mph speed limit is totally ignored.
- Cars are being parked on the pavement and on the grass verges.
- Parked cars on one side of the road are obstructing entrances to drives on the other side of the road.
- Some days parked cars are reducing access for the emergency services.
- Some cars are parked for nearly three hours by people working in Bader Primary School.
- Family and friends have difficulty to park when visiting us.
- Also there is a dangerous corner on Kintyre Drive which has caused a few near miss accidents.

- A number of drivers think they have the right to park anywhere including on zigzag lines.
- The designated parking lay-by on Thornaby Road is very often half empty.
- People using abusive language if they are asked not to park, also some cars are playing very loud music before 9 o'clock in the morning.

The residents did not specify what action they want Stockton Borough Council to take to address the concerns above. The lead petitioner was contacted and informed that a short representation could be made to the Committee as part of the discussion and evidence gathering procedure employed in a scrutiny review. This took place at a Committee Meeting on 28 April 2016.

A subsequent request was received (dated 28 March 2016) requesting the following actions:

- Signage for no parking – resident parking only
- Make parents park at Harold Wilson Centre – on Bader Avenue which is located opposite Kintyre Drive
- Cameras on lampposts
- Bollards on grass verges
- Limited parking – 15 minutes only and “No Return After This Time”

ENFORCEMENT

Enforcement of parking is undertaken by the Council's Civil Enforcement Officers and Neighbourhood Enforcement Officers.

The Council's Enforcement Service operate two Enforcement Officer Agencies:

Civil Enforcement Officer

Enforce parking regulations both on street and off street car parks. They operate mainly around town centres and at schools.

Neighbourhood Enforcement Officer

Enforcement of on street parking regulations, abandoned vehicles. They operate in all locations across the Borough and are mobile as well as on foot, it should be noted they are not a response service but do operate reactively as well as proactively.

What can be enforced in terms of school parking:

School zigzags

Parking on school zigzags is an immediate offence with both CEOs and NEOs able to issue immediate Penalty Charge Notices for vehicles. School zigzags are only permitted to be introduced at the entrances to schools (vehicle and pedestrian).

Single and double yellow lines

Parking on single and double yellow lines requires a period of observation or 'grace' period of 10 minutes. This means that the CEO or NEO is required to observe the vehicle for this time and can only issue a PCN if the vehicle is parked here for longer than the observation period. Disabled blue badge holders are permitted to park on single and double yellow lines unless loading restrictions are in place.

Obstruction/indiscriminate/inconsiderate parking

In the opinion of a CEO or NEO if a vehicle is parked in such a manner to cause obstruction or be inconsiderate then the Officer is permitted to issue an Immediate Removal Notice. This means the vehicle must be immediately removed or the Council can remove the vehicle from the highway. The reality at schools is that the notices are issued but the removal operator is not approached as the vehicle is likely to be removed in a short time period. The purpose of issuing the notice is to educate motorists.

Traffic Regulation Orders (TROs)

What TROs can be used for?

Section 2 of the 1984 Act sets out what TROs may be used for and it includes almost anything prohibiting, restricting or regulating the use of a road by traffic or pedestrians, including parking:

- 1) A traffic regulation order may make] any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the order,—
 - (a) either generally or subject to such exceptions as may be specified in the order or determined in a manner provided for by it, and
 - (b) subject to such exceptions as may be so specified or determined, either at all times or at times, on days or during periods so specified.
- (2) The provision that may be made by a traffic regulation order includes any provision—
 - (a) requiring vehicular traffic, or vehicular traffic of any class specified in the order, to proceed in a specified direction or prohibiting its so proceeding;
 - (b) specifying the part of the carriageway to be used by such traffic proceeding in a specified direction;
 - (c) prohibiting or restricting the waiting of vehicles or the loading and unloading of vehicles;
 - (d) prohibiting the use of roads by through traffic; or
 - (e) prohibiting or restricting overtaking.
- (3) The provision that may be made by a traffic regulation order also includes provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by, or by any specified class of, pedestrians—
 - (a) either generally or subject to exceptions specified in the order, and
 - (b) either at all times or at times, on days or during periods so specified.
- (4) A local traffic authority may include in a traffic regulation order any such provision—
 - (a) specifying through routes for heavy commercial vehicles, or
 - (b) prohibiting or restricting the use of heavy commercial vehicles (except in such cases, if any, as may be specified in the order) in such zones or on such roads as may be so specified, as they consider expedient for preserving or improving the amenities of their area or of some part or parts of their area.

Parking restrictions

It should be noted that TROs can only be used for specific roads and not to give a general parking prohibition.

General (i.e. authority- or area-wide) prohibitions are provided under separate legislation. Decriminalised parking enforcement (DPE) was introduced in England (outside London) in 1995. Under this system parking offences became civil rather than criminal offences and local authorities took responsibility for parking in their areas. On 31 March 2008 this was renamed civil parking enforcement (CPE) and some changes were made to the enforcement and appeals process.

Local authorities can tackle congestion and protect vulnerable schoolchildren by applying traffic control measures such as 'School Keep Clear' zig-zag markings outside school areas.

Those areas can be either mandatory or advisory and it is for the local authority to determine what is appropriate in particular circumstances. If it considers that an advisory approach will be effective the local authority applies the appropriate zig-zag crossing on the road outside the entrance of a school to indicate to drivers that stopping or parking is not permitted in the marked area. This is unenforceable because it is not prohibited in an order made by the council and traffic signs are not required to indicate the advisory marking. A fine can be given

Information regarding Public Space Protection Orders (PSPO) (Anti-social Behaviour, Crime and Policing Act 2014) has also been investigated. A PSPO to prevent parking around a school (during specified times or at all times) can be introduced if the grounds are met as they are intended to prevent stop anti-social behaviour but the legislation would not prevent it being used in these circumstances.

To implement such an Order reasonable grounds need to be satisfied: 1) activities carried on in a public place have had a detrimental effect on the quality of life of those in the locality and 2) that the effect of the activities is, or is likely to be, of a persistent or continuing nature, or is likely to be such as to make the activities unreasonable and justifies the restrictions imposed.

One disadvantage of PSPO's is that they only last for up to three years and must be extended if necessary, for three years at a time. There is a consultation process to follow, notifying all persons with an interest in the area (so all owners/occupiers, the school and potentially parents of children of the school) and publicising the proposal. This applies to the original making of the order and each extension.

The enforcement of a breach of the PSPO is by way of prosecution or by issue of a fixed penalty notice by which the prosecution will not be issued if the offender pays the fixed penalty sum (which cannot exceed £100). Those who have appropriate authorisation are able to issue a fixed penalty notice. Further clarification on whether the current Traffic Regulation Order would need to be revoked and how they are signed is currently being sought. As with the current Traffic Orders the effectiveness of such an Order will be dependent on compliance and enforcement.

CCTV

National Perspective

The Department for Communities and Local Government's consulted on a proposal to ban the use of CCTV by local authorities for on-street parking enforcement. Due to an overwhelming number of responses the use of CCTV for traffic enforcement outside schools was exempted from the ban. Recognition was given to areas outside schools being more susceptible to traffic accidents if a robust system of enforcement was not in place.

The issue of traffic controls was discussed in the House of Commons on 24 November 2014 and responded to by the Parliamentary Under-Secretary of State for Transport. CCTV could be in the form of either a fixed camera or a camera van to ensure that people who are parking illegally receive the appropriate sanctions. It was realised that CCTV is particularly necessary outside schools as it takes drivers only a short time to drop somebody off. Therefore, even if a parking warden or an officer of the council is there, it is not possible to ticket more than one car. With the use of cameras, enforcement can be done in a way to get the message across to parents who park inconsiderately or dangerously.

The Under-Secretary stated that "...If it was a particularly big or busy school it would be possible to install a camera outside the school to do that work, but other local authorities could use a van with a camera fitted to enable that to happen and to provide a deterrent

when word gets around that people are being ticketed...There are certainly processes that local authorities would need to go through, although not in the case of vans. If there were several schools in an area where this was a problem, the use of a van fitted with camera equipment might be the best means of enforcement, and of course parents would never know when it might be parked outside their school...I hope [local authorities] will avail themselves of those powers where this is a particular issue. The last thing I want is children being deterred from walking to school or feeling unsafe because of the melee of cars outside their school. **We need to get people walking to school again, whether all the way from home or from a sensible parking place.**" (emphasis added)

Hartlepool and Middlesbrough Councils

If reason and rationale cannot persuade parents to adopt different travel methods the Committee was keen to explore a less ambassadorial approach taken by Enforcement Officers for one that employs a greater number of financial penalties to be issued. As a result Members actively explored how to purchase a Camera Car as operates in Hartlepool and Middlesbrough Council boundaries.

CCTV enforcement can be undertaken on school zigzags, bus stop clearways and bus lanes to ensure that these transport routes are kept moving for safety reasons. During 2014, the Government carried out a consultation on the use of CCTV for enforcement purposes, the outcome of which was to limit the areas of enforcement by CCTV, meaning that cycleways, waiting and loading restrictions could no longer be enforced without a PCN being fixed to the windscreen of the vehicle. This became law through the Deregulation Bill.

Members requested details about using a camera car for enforcement purposes and Enforcement Managers from Hartlepool and Middlesbrough Councils gave evidence to the Committee.

In 2011 Hartlepool Borough Council (HBC) applied for a CCTV vehicle on the basis that it was impractical to enforce by traditional methods. In the past there would have been two officers either side of the school keep clear area wearing high visibility jackets. Either nobody would stop because of the officers or if they did stop it was virtually impossible for them to serve a Penalty Charge Notice (PCN) and serve it on the vehicle. In effect it was thought to be unworkable.

With 40 schools in Hartlepool it was the equivalent to one week's enforcement for each school per year. There was also a perception with parents that once a school had been visited then it would not be revisited so compliance was minimal. The decision was taken to purchase a camera car. It was approximately £40,000 for the car and the hardware plus add-ons as part of the notice processing element that is required to produce PCNs and the administration in the back office as well as additional modules needed as part of the evidence review. This also needs to be published on the council's website.

An amount of pressure had been applied to the Council from Head Teachers to do something about the issue of parking. Hartlepool Council had tried to change behaviour with the 'Walk to School' scheme, education, and promotion, before HBC resorted to enforcement. When the camera car was introduced it was new and quite novel so it received publicity and there were regular meetings with the press to answer queries as they received questions on a daily basis.

HBC purchased the camera car using Local Transport Plan monies justified on the grounds of school road safety so there wasn't any operational costs associated with the purchase of the car and hardware. The only impact was on the additional administrative modules that are added as part of the notice process that was a cost to the service.

The car was leased as part of the Council's fleet and certificated by the appropriate bodies to be able to operate and the cameras had to be authorised before issuing Regulation 10 (postal) evidence coming from video footage.

It can then be operated in various modes. HBC chose 'unattended' which allows the driver to drive past and every time the camera picks up a contravention it will be recorded and the evidence is produced on a data stick which is reviewed by a Civil Enforcement Officer (CEO) who views and decides whether a contravention occurred. The unattended mode is slightly more cumbersome to set up as every restriction that the car is expected to record has to be plotted. This is done on a GIS database and then the camera car needs to be tested to determine whether it is picking up the contravention at the correct level so that enough evidence is collected. Once the set-up has been completed then it does not need to be repeated. It provides a digital map of all Traffic Regulation Orders (TROs) that are expected to be recorded.

When HBC started five contraventions could be enforced. Changes in legislation have restricted the number and types of contraventions although the camera car suppliers have informed HBC that there is pressure from within the industry to allow some of the contraventions to be reapplied as CCTV enforcement but there is no timescale known.

HBC took the decision to continue and now only patrol schools and bus stops. There are no bus lanes in Hartlepool so bus operators support the approach taken. For the schools it has created the best compliance even though there are fewer tickets issued. The camera car visits a school on average once every 9 days. Some are visited more frequently, some less, it is the uncertainty that increases the compliance.

Middlesbrough Borough Council's (MBC) reasoning and justification was very similar to HBC. The purchase of the vehicle and the initial set-up was funded through Local Transport Plan (LTP), just over £71,000 and now has the annual cost of nearly £8,600 for the software.

The priority is the school zigzag areas outside school entrances. Before starting to use the camera car a review of all restrictions and TROs had to be undertaken because school zigzag markings are very prescriptive for length, where they can be positioned etc. The number of signs also needed to be increased. This has been split across a number of years due to cost (initially £10,000 with up to £5,000 maintenance subsequently) so MBC concentrated on certain bus stops on busy routes to make sure that the signs and lines met legislative requirements and then rolled this out wider.

MBC has also had a reduction in PCNs because of increased compliance but this has affected residents due to displacement of cars. Motorists are now being displaced further away and this has resulted in a lot more requests for waiting restrictions to be placed in residential areas which haven't been introduced due to the lack of resources.

The cost of a Penalty Charge Notice to a driver is £70 with an early payment discount of 50% if uncontested and paid within 21 days of the notice being issued. If challenged the onus is on the local authority to prove the offence to adjudicators to whom the local authority is bound by the decision.

The camera car (CCTV) process appears to now be established with adjudicators not questioning the legality of the cameras but they can make some decisions on mitigation that may not be consistent. It is the same with any appeal that is put to them believing the person making the appeal even with evidence that suggests otherwise. Each case is reviewed independently without reference to any earlier decision. The success rate is not dissimilar to any other PCN.

Members were interested to establish who could drive the camera car and if it was best that an Enforcement Officer drove. They were informed that anyone can drive the vehicle but a trained CEO later has to decide whether a contravention has occurred. The advantage for a CEO driving the car is if s/he comes across another non camera car offence s/he can stop and deal with it.

The review of information has been absorbed as part of the daily duties of Senior Supervisors at HBC and MBC. A data stick is brought in, the video takes about an hour to download depending on the amount of information stored and then this is reviewed the next day. It takes approximately 1 hour to 1 hour 20 minutes to review the photos and footage.

Members raised a number of concerns regarding the use of camera cars. A major issue is the application of enforcement in particular areas that displace the cars to surrounding streets and therefore creates another problem. The camera car is not changing behaviour as much as it changes a cars location. If the cars also park on grass verges then this also cannot be rectified.

Another concern would be trying to measure the success of a camera car by terms of how much revenue it might generate and whether it would pay for itself. Members did not want to apply that measure instead suggesting it should be cost neutral, a camera car that doesn't generate any revenue because it has done its job stopping people parking illegally/irresponsibly.

Hartlepool and Middlesbrough Councils benefited from Local Transport Plan monies that are no longer available so Members are cognisant of pursuing a camera car only if sources of funds can be found that don't impact on Stockton Council's budget.

Any recommendation for a camera car would need to recognise and focus on the safety elements.

Experimental Traffic Orders

Some local authorities are now exploring the use of experimental traffic orders to deal with the issue of parking outside schools.

An Experimental Traffic Order is made under Sections 9 and 10 of the Road Traffic Regulation Act 1984. It is like a permanent traffic regulation order in that it is a legal document which imposes traffic and parking restrictions such as road closures, controlled parking and other parking regulations indicated by double or single yellow line etc. The Experimental Traffic Order can also be used to change the way existing restrictions function

An experimental order can only stay in force for a maximum of 18 months while the effects are monitored and assessed. Changes can be made during the first six months of the experimental period to any of the restrictions (except charges) if necessary, before the Council decides whether or not to continue with the changes brought in by the experimental order on a permanent basis.

It is not possible to lodge a formal objection to an experimental traffic regulation order until it is in force. Once it is in force, objections may be made to the order being made permanent and these must be made within six months of the day that the experimental order comes into force.

If feedback or an objection is received during the period that suggests an immediate change to the experiment that change can be made and the experiment can then proceed.

If the experimental order is changed, then objections may be made within six months of the day that the experimental order is changed.

Edinburgh City Council

An Experimental Traffic Order is being imposed around six Edinburgh primary schools at drop-off and pick-up times. The council-run pilot scheme will see cars banned from streets outside the schools for an hour at the beginning and end of each day for 18 months.

Edinburgh City Council has said the aim of the scheme is to create a safer, more pleasant environment and to encourage children to walk and cycle to school. It also said the scheme would have an impact on congestion and pollution levels.

The School Streets project follows a similar trial that took place in East Lothian last year. The Edinburgh schools were chosen after reporting road safety issues with cars parking too close to the school gates. The scheme will run for 18 months before a decision is taken over whether to roll it out elsewhere in the city.

Barnet Council

Penalty notices will be issued from 21 April 2016 for illegal driving manoeuvres picked up by CCTV cameras outside a number of schools and at key junctions across the borough.

The first schools to take part in the scheme to keep roads safe in the borough are Ayesha Community School and Whitings Hill Primary School. Penalty notices will also be sent for offences picked up by CCTV cameras on Cricklewood Broadway.

Over the coming weeks penalty notices will be issued for parking or motoring offences near another 24 schools and road junctions. The CCTV cameras will be moved around up to 62 schools and traffic junctions over the coming months.

The cameras are designed to help:

- make roads safer – especially for children
- keep traffic moving and
- reduce air pollution.