

Report to Overview and Scrutiny Committee



23rd January 2018

By the Traffic Around Primary Schools Task and Finish Group

Not Exempt

Final Report of the Traffic Around Primary Schools Task and Finish Group

Summary

The suggestion for this review arose as a result of a meeting at the Upper Beeding Parish Council during which representatives from the primary school asked for the Parish Council's assistance in curbing antisocial behaviour, poor parking practices and general bad driving by people arriving at the local school in the mornings, thereby placing children at risk (appendix 1).

Councillors agreed that other primary schools in the District were likely to have similar issues and following the Parish Council meeting a suggestion was made to the Overview and Scrutiny Committee to form a task and finish group to have a look at the various issues around traffic at the local primary schools.

The Traffic Around Primary Schools Task and Finish Group was formed with the following Members: Councillors David Coldwell (Chairman), Andrew Baldwin, Billy Greening and Mike Morgan.

Terms of Reference

The following Terms of Reference were agreed by Members at the Group's first meeting.

1. To examine traffic, access and other issues reportedly causing problems at primary schools in the District
2. To explore with other authorities what the Council can do to mitigate such Problems
3. On conclusion of the review a report will be made to the Overview and Scrutiny Committee with recommendations based on the Group's findings.

Background Information

The Chairman of the Group visited the primary school in Upper Beeding before the Summer term ended so that he could observe the problems faced. He was accompanied on this visit by the local county councilor, the Parish Council, neighbourhood wardens plus representatives from the school, including the chair of governors.

Some of issues observed were as follows:-

- Parking on double yellow lines
- Parking on the solid red line which indicates no stopping
- Parking on pavements and in front of a private house driveways
- Excessive speed in relation to the numbers of children using the footways
- Double yellow lines poorly maintained or wholly obscured by leaf fall

It was also noted that:

- The majority of children arriving at the school must cross at least one road and more likely two
- There have been many incidents of antisocial behaviour and road rage by drivers who are in a hurry to get their children to school and themselves to work
- The school itself has done much to encourage parents to behave responsibly and the Parish Council itself has spent a considerable sum on providing a safe pathway route from the local car park about 500m away. This safe walking route is used by the children coming in from the car park or from the side and of the village and only accounts for a modest number of all students
- Many of the other students do walk to school, often in small groups accompanied by an adult and are escorted across the various roads they encounter. However at the school itself there is no crossing warden as the County Council has not provided one and the school cannot afford to due to budget constraints
- Having made this visit and met with representatives from the school it is clear that there were actions that could be taken by both taken by Horsham and West Sussex County councils to mitigate the risks that are attached generated about the school

Report

At the first meeting of the Task and Finish Group Members agreed to send a questionnaire (appendix 2) out to all primary schools in the District to help identify whether they faced similar issues and whether they had any successful measures in place to help reduce the problems.

From the nine replies received, it became quite clear that the various problems observed at Upper Beeding were being repeated elsewhere. All schools reported issues with antisocial parking and excessive speed in the vicinity of schools given the numbers of children in the area.

In answer to the question about what it would be most effective to reduce the number of problems, most schools felt that enforcement would be probably the most effective solution. The lack of school patrols seemed to be a concern but it was also pointed out by the schools that there was a significant problem in securing volunteers to do the necessary duties.

Having reviewed the returned questionnaires the Task and Finish Group interviewed officers from the Parking Services team, Mandy Cracknell, Parking Operations Manager and Ben Golds, Head of Parking Services. In addition the Group heard from John McArthur, Head of Waste, Street Scene and Fleet, who is ultimately responsible for street cleaning.

From these interviews it became apparent that the enforcement by Parking Services was likely to be a problem unless appropriate legislation was adopted by West Sussex County Council. This would involve the County Council adopting Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, which would allow enforcement officers to issue penalty notices without having to wait for a until a certain period of time to lapse (normally five minutes). It should be noted here that neighbourhood wardens do not currently have the power to enforce traffic or parking regulations.

The Head of Parking Services explained Regulation 10 of the Civil Enforcement of Parking Contraventions (England) General Regulations:

Currently a Penalty Charge Notice (PCN) can only be considered served if it is affixed to a vehicles windscreen or handed to the driver. Due to this there are times when a Civil Enforcement Officer (CEO) is in the middle of completing the PCN process and the driver returns and drives away. The PCN then has to be spoilt and the driver avoids the fine for their illegal parking.

Regulation 10 allows for provision for the service of a PCN by post where a CEO has been prevented by some person from serving one directly to a vehicle; or had begun to prepare a PCN but the vehicle was driven away before it has been officially served. This can include if someone intervenes with the serving of a PCN including threatening behaviour and violence; or that the CEO didn't have enough time to finish the PCN before the vehicle drove away.

It's important to note that a PCN process isn't considered as 'started' if the vehicle is within the observation period. For example, a CEO has to give 5 minutes observation on a vehicle parked on double yellow lines to confirm that the driver is not loading or unloading; if the vehicle is driven away before these 5 minutes are up then it is not considered that the PCN has been started and a postal PCN can not be issued.

Regulation 10 is something that the highway authority (WSSCC in our case) has to adopt and then passes the powers down to the enforcing authority (HDC in this case). WSSCC are considering the inclusion of regulation 10 to add to our powers. This will mean that HDC will be able to issue PCN's via the post where (as stated above) a CEO has started the PCN process but has not been able to serve it for some reason. This applies to all contraventions across the district.

This will be particularly beneficial in areas where there are high volumes of contraventions taking place at once such as schools and busy high streets, in volatile areas and if there is an issue with the CEO's issuing equipment stopping the PCN's from being printed.

The Head of Waste, Street Scene and Fleet advised the Group that road sweeping was carried out on a 63 day cycle but this did not include all roads and that at certain times of the day parked cars obstructed sweepers. The Group suggested that it might be possible for the operators of the waste collection trucks to report back on the conditions of the double yellow lines in the areas around schools where compacted leaf fall had been noted.

The Group concluded its review by making a number of recommendations based on its findings.

Recommendations

The Committee is recommended:

- i. To request that West Sussex County Council implement Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations (appendix 3)
- ii. Recommend to Cabinet that enforcement officer presence is increased during peak times around schools, with a suggested target of visiting each school once per each half term. It is also suggested that the strength of the enforcement team be examined with a view towards increasing numbers
- iii. Recommend to Cabinet that Waste, Street Scene and Fleet team keep road markings around schools clear and visible, especially schools in rural areas
- iv. That the Communications team to draft a press release/newsletter/magazine article to increase awareness/educate those that drop off and pick up students and place same article on social media sites

Background Papers

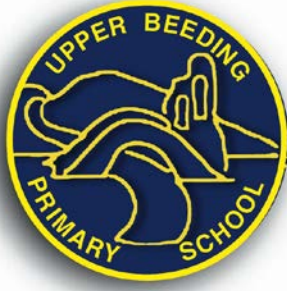
Appendices:

1. Letter from Upper Beeding Parish Council
2. Questionnaire sent to all the primary schools in the District
3. Copy of Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations

Councillor David Coldwell

Chairman of the Traffic Around Primary Schools Task and Finish Group
23rd January 2018

Contact: Daniela Smith, Lead Scrutiny and Committee Support Officer 01403 215138.



Governing Body

Upper Beeding Primary School

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Email: ubpsgovernors@yahoo.com

Website: <https://upper-beeding.eschools.co.uk/site>

Chair: Mr N Pringle Clerk: Ms L Brown

Thursday 6th July 2017

Dear David,

Once again, thank you for your time today and in initiating a wider team engagement in helping us address the continuing road safety issues at Upper Beeding Primary School.

As discussed, this letter is to provide you with the information which was shared with the team today – we hope very much it will help you drive forward the initiatives and gain the support the children at Upper Beeding very much need.

We have had an on-going parking issue which has created road safety issues for a number of years now. As our school role has increased so has the problem. This last year we have made it a significant priority of the governing body to find ways to attempt to resolve this issue once and for all.

This began with a survey to all parents from which we received a tremendous response with over 130 replies. This survey gave us some key information and demonstrated the frustration and concern this issue causes for parents on their way to school. I have attached the quotes I referenced to you on the following page – there are many more quotes we can also provide.

It is frightening that 2 in 3 parents claimed to have personally witnessed an incident where someone could have been hurt. I myself have witnessed 3 in the time since the survey was taken.

Enforcement is widely supported by the parents with 84%, agreeing or strongly agreeing, that parking restrictions should be enforced including the use of penalty notices.

We know we have frustrated, concerned but a supportive majority of parents.

Based on the feedback we have developed a 3 pronged strategy which has been pursued strongly this year. That strategy includes

1. Ensuring the best possible **infrastructure** is in place
2. **Educating and communicating** with parents, children and the wider bodies who can support our cause
3. **Enforcing** - this is where we are in need of your help the most.



We have achieved the following by pursuing this strategy this year – and are grateful to all those who have helped on this journey so far.

1. Infrastructure

- a. New path in place from local car park to school – providing improved accessibility to parking.
- b. New school car park layout will happen over the summer increasing the number of spaces from 25 – 40.
- c. We operate a permit parking scheme for parents in exceptional circumstances to park on site for drop off and pick up.
- d. The zig zag lines which were very worn have been repainted
- e. We are awaiting other markings to be repainted and cleared before the end of term.

2. Education and communication has included:-

- a. New news on road safety is communicated to parents every term in a variety of ways, it reminders on parking restrictions, informing of line painting, presence of community wardens, advising of alternative parking options.
All of which ensures a constant parking reminder is happening.
- b. A short film has been produced and shared with parents and our website showing the dangers of bad parking through the eyes of a child walking to school.
- c. We are raising parking at new parent inductions and producing parking packs to encourage and drive new behaviours
- d. We have visited, council meetings, district and parish meetings to engage with those who can help outside of the schools influence.
- e. Pene Mather engages with UBPS, we operate a park and stride scheme and have involved the school council (*a children's council*) in addressing the problem.
- f. Competitions have been run for the children to draw road safety posters ensuring the message gets home also via children.
- g. Assemblies have been held with children on road safety - how to keep ourselves safe and how drivers can help children to be safer
- h. The school actively takes part and promotes national Walk to School Weeks in October and May collecting data and updating school travel plan

3. Enforcement

- a. Our head teacher is on the gate daily speaking to parents and encouraging changes in parking behaviour (*this is only a small part of the reason for her presence on the gate*).
- b. We encourage parents to use Operation Crackdown
- c. Parents themselves speak to other parents about parking inappropriately.
- d. As governors we speak to those parking inappropriately.
- e. We have community wardens who visit – although they can not enforce their presence is welcome.

We hope you will agree we are working hard to proactively prevent an accident. As however you will have seen and heard this morning – we need more help.



The help we discussed in our meeting particularly for random enforcement of penalty notices on a once every half term basis, may be the key factor we really need to prevent the accident no one wants to happen.

We look forward to an early response and please do get in touch if we can provide any more information to assist.

Many thanks again for your support.

Best wishes,

Julie Krysik
Governor
On behalf of UBPS Governing Body

Becky Linford
Headteacher

Quotations from parents on their views on the parking situation

Source UBPS Governors parking survey

- ***Awful! Parents who park illegally & put children at risk because they can't be bothered to walk a couple of minutes defies understanding. Action needs to be taken against repeat offenders***
- ***Hazardous, reckless parking and aggressive driving.***
- ***There is no safe place for children to cross at all***
- ***People do not take notice of very worn out paint markings around the school.***
- ***Parking restrictions blatantly disregarded***
- ***I would like to see safer places for children to cross the road***
- ***Very dangerous – seen many near misses***
- ***Daughter almost hit by a parent reversing. Someone will get hurt – it's chaos.***



Questionnaire from the Traffic Around Primary Schools Task and Finish Group
September 2017

SCHOOL:

ADDRESS:

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1. Do you have a school travel plan? And could we have a copy?

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2. Do you have any particular issues around parking outside your school in the morning? And in the evening?

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3. Are there problems with parking illegally outside the vicinity of your school?

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4. What do you think would work well to resolve the issues?

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5. Can you tell us about the current situation regarding parking i.e. yellow lines, hatched boxes, are they visible, outside your school?

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6. Do you have a walking bus?

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7. What do you do at your school to try to prevent antisocial behaviour? i.e. teachers/teaching assistants/parents with high visibility jackets outside the school at the beginning and end of the school day

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8. What does your school do to involve children to encourage their parents to help with the problems? i.e. encouraging walking to school

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9. Is speeding a problem near your school?

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10. Do you have a policy in place to encourage cycling? Also for students to wear helmets when cycling and remove headphones?

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11. Do you have a record of accidents, incidents and near misses, caused by drivers outside your school?

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12. Is the parking at your school bad? (indicate as appropriate)

Strongly Agree Agree None Disagree Strongly Disagree

13. Do you have a lollipop person?

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14. What would encourage your children to walk to school or travel by bike?

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15. Are road markings adequate/visible outside your school?

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16. What time does the school day start and finish and what time do the school gates open and close (if different)?

Gates Open AM
School Start Time AM
School Finish Time PM
Gates Close PM

17. In your opinion, what would be the one single solution to relieve the parking problems at your school?

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18. Have the schools consulted with parents on these problems?

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If you have any further comments which might be useful for the Group, please enter them in the box below:

Completed by:

Date:

Thank you for taking the time to complete this questionnaire and assist with our review.

STATUTORY INSTRUMENTS

2007 No. 3483

**The Civil Enforcement of Parking Contraventions
(England) General Regulations 2007**

PART 2

PENALTY CHARGES

Penalty charge notices — service by post

- 10.**—(1) An enforcement authority may serve a penalty charge notice by post where—
- (a) on the basis of a record produced by an approved device, the authority has reason to believe that a penalty charge is payable with respect to a vehicle which is stationary in a civil enforcement area;
 - (b) a civil enforcement officer attempted to serve a penalty charge notice in accordance with regulation 9 but was prevented from doing so by some person; or
 - (c) a civil enforcement officer had begun to prepare a penalty charge notice for service in accordance with regulation 9, but the vehicle concerned was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it in accordance with regulation 9,

and references in these Regulations to a “regulation 10 penalty charge notice” are to a penalty charge notice served by virtue of this paragraph.

(2) For the purposes of paragraph (1)(c), a civil enforcement officer who observes conduct which appears to constitute a parking contravention shall not thereby be taken to have begun to prepare a penalty charge notice.

(3) A regulation 10 penalty charge notice shall be served on the person appearing to the enforcement authority to be the owner of the vehicle involved in the contravention in consequence of which the penalty charge is payable.

(4) Subject to paragraph (6), a regulation 10 penalty charge notice may not be served later than the expiration of the period of 28 days beginning with the date on which, according to a record produced by an approved device, or information given by a civil enforcement officer, the contravention to which the penalty charge notice relates occurred (in these Regulations called “the 28-day period”).

(5) Paragraph (6) applies where—

- (a) within 14 days of the appropriate date the enforcement authority has requested the Secretary of State to supply the relevant particulars in respect of the vehicle involved in the contravention and those particulars have not been supplied before the expiration of the 28-day period;
- (b) an earlier regulation 10 penalty charge notice relating to the same contravention has been cancelled under regulation 23(5)(c); or
- (c) an earlier regulation 10 penalty charge notice relating to the same contravention has been cancelled under regulation 5 of the Representations and Appeals Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (6) Where this paragraph applies, notwithstanding the expiration of the 28-day period, an enforcement authority shall continue to be entitled to serve a regulation 10 penalty charge notice—
- (a) in a case falling within paragraph (5)(a), for a period of six months beginning with the appropriate date; or
 - (b) in a case falling within paragraph (5)(b) or (c), for a period of 4 weeks beginning with the appropriate date.
- (7) In this regulation—
- (a) “the appropriate date” means—
 - (i) in a case falling within paragraph (5)(a), the date referred to in paragraph (4);
 - (ii) in a case falling within paragraph (5)(b), the date on which the district judge serves notice in accordance with regulation 23(5)(d); or
 - (iii) in a case falling within paragraph (5)(c) the date on which the previous regulation 10 penalty charge notice was cancelled; and
 - (b) “relevant particulars” means particulars relating to the identity of the keeper of the vehicle contained in the register of mechanically propelled vehicles maintained by the Secretary of State under the Vehicle Excise and Registration Act 1994.