

Report for: Cabinet – 17 October 2023

Title: School Streets – Adaptive Wood Green (St Paul's RC and Alexandra Primary)

Report authorised by: Barry Francis, Director of Environment and Resident Experience

Lead Officer: Tim Walker, School Streets Programme Manager
Joe Baker, Head of Carbon Management

Ward(s) affected: Noel Park, Woodside

Report for Key/

Non-Key Decision: Key decision

1. Describe the issue under consideration

1.1. To determine whether St Paul's RC Primary School Street (SS32) and Alexandra Primary and Heartlands High School Street (SS31) should be implemented.

2. Cabinet Member Introduction

2.1. In Haringey we are committed to ensuring that the health and wellbeing of the borough's children is at the heart of policy design. To improve road safety, air quality, and health outcomes around schools, Haringey Council has proposed implementing School Streets adjacent to a number of local primary schools in the Wood Green area as part of the Adaptive Wood Green Programme. The proposals align with Haringey's School Street Plan, Walking and Cycling Action Plan, and Corporate Delivery Plan 2022-2024. They are outstanding schemes which incorporate public realm and footway improvement as well as biodiversity enhancements and climate mitigations.

2.2. Health disparities in Haringey, particularly among primary school age children, are a significant concern. One of the most pressing issues is the high rate of obesity among older primary school children. According to NHS Digital figures, 23.4% of Year 6 pupils in Haringey schools were obese in 2021-22, including 7% who were severely obese. Additionally, 13.3% of children were overweight, meaning that 36.7% of Haringey's youngsters are unhealthily overweight when they finish primary school. A Public Health England borough profile found children in Haringey have worse than average levels of obesity, with 10.8% of children aged 4-5 years and 23.1% of children aged 10-11 years being classified as obese.

2.3. Our roads pose a very serious danger to children in London. Implementing School Streets is vital for reducing road danger and preventing tragic incidents involving young pupils walking, scooting and cycling to school. By closing

streets to through traffic during school run hours, School Streets create much safer conditions for active travel.

- 2.4. Key objectives of School Streets are reducing traffic congestion and emissions near schools, improving road safety, encouraging active travel, and enhancing air quality. Monitoring studies consistently demonstrate that School Streets advance these goals. They align with the Mayor's Transport Strategy mode shift targets, whereby 88% of trips will be walking, cycling or public transport by 2041, and support climate change mitigation through reduced emissions and promotion of active travel. Evidence indicates they play a role in dispersing traffic over a wider area and encourage mode-shift from driving to walking/cycling, reducing traffic volumes overall.
- 2.5. School Streets provide health benefits by increasing physical activity for children and reducing air pollution exposure from idling vehicles.
- 2.6. Conversations with teachers and parents at the school gates of new borough school streets have been enlightening. Countless examples of transformed school runs from stressed and angry to sociable, relaxed and friendly. Better not only a better start for parents, teachers and children to the school day but better for local residents too.
- 2.7. The reality is that, as a borough, we are focused on the health and wellbeing of our most vulnerable residents. We can create a healthier and safer borough for all through interventions like School Streets.

3. Recommendations

Cabinet is asked to:

- 3.1. Consider all feedback, including objections to the proposed traffic management orders, given during the 2023 consultation, as set out in Appendix A of this report.
- 3.2. Agree that the Council shall exercise its discretion to not cause a public inquiry to be called (see paragraph 6.36 **Error! Reference source not found.**).
- 3.3. Approve the introduction of a new School Street (SS32) project adjacent to St Paul's RC primary school in Bradley Road as shown in Appendix B of this report.
- 3.4. Note that the proposed School Street (SS31) project adjacent to Alexandra Primary and Heartlands High School in Western Road, as shown in Appendix C, is paused whilst further attempts are made to resolve an unwithdrawn objection.
- 3.5. Authorise the Head of Highways and Parking to make all necessary traffic management orders (TMOs) and install any necessary highway infrastructure and works necessary to give effect to the School Street design set out in Appendix B of this report.

4. Reasons for decision

- 4.1. The overall reason for proceeding with the proposed School Street is in summary as follows: School Streets are a key priority for the Council, as set out within the School Street Plan¹, the Walking and Cycling Action Plan² and the Corporate Delivery Plan 2022-2024³. See further sections 7, 8 and 9 below.
- 4.2. The reason for recommendation 3.1 and 3.4 is to ensure compliance with the Regulations⁴ whereby the order making authority must consider all unwithdrawn objections before making an order.
- 4.3. The reasons for recommendation 3.2 are set out at paragraphs 6.36 and, in summary, the reasons for recommendation 3.3 are as follows:
- To improve the health of children by increasing active travel, reducing road danger and improving air quality near the school gate;
 - The school is supportive of the proposal; and
 - The proposals contribute towards the strategic objectives of the Council.
- 4.4. The reason for recommendation 3.5 is to enable implementation of the School Street.

5. Alternative options considered

Do nothing

- 5.1. This option was rejected as not delivering School Streets would not meet the objectives set out in the Corporate Delivery Plan, the Transport Strategy, the Climate Change Action Plan, the Walking and Cycling Action Plan and the School Street Plan.

Implement SS31 Alexandra Primary and Heartlands High School Street

- 5.2. This option was rejected as the Metropolitan Police Service (MPS) have objected to the project on the grounds that it will impact their operational base located in Western Road. The Council will continue to work with the MPS in an attempt to resolve that objection.

¹ <https://www.minutes.haringey.gov.uk/ieIssueDetails.aspx?IIId=83410&PlanId=0&Opt=3#AI75755>

² <https://www.haringey.gov.uk/parking-roads-and-travel/roads-and-streets/haringey-streets-people/haringey-s-adopted-walking-and-cycling-action-plan>

³ www.haringey.gov.uk/sites/haringeygovuk/files/final_corporate_delivery_plan.pdf

⁴ [The Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

6. Background information

- 6.1. School Streets transform roads to create a better environment for children to walk, cycle and wheel to school.
- 6.2. When a School Street is in operation, the road temporarily becomes a pedestrian and cycle zone at school drop-off and pick-up times.
- 6.3. By temporarily closing the road to motor vehicles at the start and end of the school day, School Streets help by:
 - Reducing traffic outside the school, which reduces emissions and makes the air around the school cleaner at peak times for children.
 - Making it safer to walk, cycle, scoot, and wheel to school. Children will benefit from increased physical activity on their journey to and from school.
 - Reducing traffic congestion and parking problems outside the school and reducing road danger
- 6.4. Residents and businesses can apply for exemptions giving them the ability to drive into the School Street if needed. Emergency service vehicles have access at all times.

School Street Plan

- 6.5. In June 2023, the Council approved a new School Street Plan⁵ ('the Plan') which sets out a standard framework to deliver Haringey's School Streets programme, allowing for consistent, successful and efficient delivery of these measures.
- 6.6. The Council has introduced 24 School Streets and a further 15 are currently in design, consultation or decision-making stages.
- 6.7. The Plan identifies the schools referred to in this report for a School Street, subject to the outcome of consultation and decision making.

Objectives of a School Street

- 6.8. The key objectives of a School Street are as follows:
 - Objective 1: Reduce congestion and car use near schools
 - Objective 2: Reduce road danger and improve safety for pupils and parents/carers travelling to and from school
 - Objective 3: Encourage active travel to schools
 - Objective 4: Improve air quality around schools

⁵ <https://www.minutes.haringey.gov.uk/ieIssueDetails.aspx?IIId=83410&PlanId=0&Opt=3#AI75755>

- 6.9. Monitoring of recent experimental School Streets in Haringey, as well as research carried out by other boroughs and Transport for London, show that these objectives are consistently met.
- 6.10. In a broader context, School Streets help deliver targets set within the Mayor of London's Transport Strategy (MTS). These targets have since been adopted by Haringey through the Haringey Local Implementation Plan and Walking and Cycling Action Plan (2022):
- Mode share - 88 per cent of all trips in London to be made on foot, by cycle or using public transport by 2041 (77% in 2019)
 - Physical activity - all Londoners to do at least the 20 minutes of active travel they need to stay healthy each day by 2041 (currently 32%)

Adaptive Wood Green

- 6.11. The two School Streets referred to in this report are part of a set of projects called '[Adaptive Wood Green](#)' being delivered by the Regeneration Team within Placemaking & Housing department. The projects include:
- Three School Streets – Noel Park Primary (SS33), Alexandra Primary and Heartlands High (SS31) and St Paul's RC Primary (Bradley Road) (SS32)
 - Mayes Road – further improvements to Mayes Corner Pocket Park
 - Improvements to Caxton Gardens and neighbouring roads
 - Enhancements to Wood Green Common and Barratt Gardens
- 6.12. This set of projects builds on the work already undertaken as part of Connecting Wood Green to improve connectivity and the public realm throughout the area.
- 6.13. The schemes aim to tackle air quality, promote walking and cycling to school, encourage a modal shift and improve ecology, biodiversity and the facilities on offer within the green spaces.

Proposal

- 6.14. During 2021 and 2022, early engagement was carried between the schools, local stakeholders, the design team and Council officers via two workshops and a subsequent informal consultation, as detailed in paragraphs 6.24 to 6.28. This was undertaken following co-design principles and wide community engagement.
- 6.15. This early engagement resulted in the design of two School Streets and associated public realm works. The design of the School Streets align with the design principles set out in the School Street Plan and takes account of the traffic counts which were carried out in October 2021.
- 6.16. In July 2023, the School Street design was subject to statutory (traffic order) consultation. Paragraphs 6.29 to 6.34 set out the details of the process and feedback.

- 6.17. SS32 (St Paul's) School Street, it was proposed that Bradley Road would become a School Street that would operate term time only, Monday to Friday, 8:15am – 9am and 2:45pm – 3:30pm
- 6.18. SS31 (Alexandra Primary and Heartlands) School Street, it was proposed that Western Road (between Mayes Road and a point ~20m south of The Decorium) would become a School Street that would operate term time only, Monday to Friday, 8am – 9am and 2:45pm – 3:45pm.
- 6.19. In both projects (SS31 and SS32), the following details were also proposed:
- Motor vehicles (cars, vans, motorcycles etc.) will not be allowed to enter the School Street during the above times, except if they have been issued an exemption (see details below)
 - To inform drivers, traffic signs will be installed, and updates sent to sat-nav companies
 - Motor vehicles that enter the School Street without an exemption, during operational hours, will be identified by camera and may be issued a penalty charge notice (PCN)
 - No one needs an exemption to drive out of a School Street. A vehicle only needs an exemption to drive into the School Street during operational hours
 - School Streets remain open to people walking, cycling and wheeling
 - Emergency services will always have unhindered access
- 6.20. In line with the exemption policy set out in paragraphs 6.44 to 6.59 of the School Streets Plan (summarised in Appendix H of this report), the following groups would be eligible to apply for a motor vehicle exemption:
- Residents who live within the School Street (maximum of 2 vehicles per property).
 - Businesses with premises within the School Street (maximum of 2 vehicles per property).
 - Blue Badge (disabled) holders or those with a medical condition that require access to the street during the restricted hours.
 - School buses and vehicles used in the transport of children or adults with special access requirements.
 - Medical practitioners attending those with an address within the School Street.
 - School staff (to a maximum of 10% of the total number of staff at the relevant school). In addition, any staff who are Blue Badge holders may apply for an exemption when the school has provided parking for those holders.
- 6.21. In addition to the above, exemptions are automatically provided for:
- Emergency services
 - Statutory undertakers if access to the school street is necessary

- Local authority, in pursuance of statutory powers, if access to the school street is necessary
 - Exemptions stated in the Highway Code, such as a medical emergency or with the permission or at the direction of a police officer.
- 6.22. As noted in paragraph 6.19, the proposed School Streets allows motor vehicles to proceed within and exit from the School Street during operational times. Thus, the associated traffic order does not impose a prohibition upon loading or unloading within the School Street.
- 6.23. It is, however, noted that both School Streets projects do include amendments to waiting and loading traffic orders within and on the boundary of the School Street. Parking places amendments are also included within the St Pauls proposal. These amendments are considered necessary to complement the proposed School Street and the public realm works so as to ensure that vehicles do not wait or load in locations that might otherwise be dangerous or obstructive; for example, close to junctions or adjacent to rainwater gardens that narrow the effective width of the carriageway. However, the lengths of road proposed to prohibit loading or unloading – along with any existing restriction – do not exceed 30 metres out of 50 metres on one side of any length of road.

Initial engagement

- 6.24. During 2021 and 2022, the Council held design workshops with pupils and teachers and also with the wider community as follows:
- 20 October 2021 (in Barratt Gardens)
 - 15 June 2022 (in Barratt Gardens and Wood Green Library).
- 6.25. Feedback provided at the workshops towards the introduction of the School Streets and public realm improvements was positive and, following the June event, survey responses were received as follows:
- SS32 (St Pauls): Six were in support and two against
- SS31 (Alexandra and Heartlands): Nine were in support, one with no view
- 6.26. Following the public engagement exercise and refinement of the designs, a letter notifying of the proposals was sent to addresses impacted by the designs, as well as ward members in November 2022. In response to the letter:
- SS32 (St Pauls): 5 (50%) supported the proposal, 4 (40%) objected and 1 (10%) had no view;
- SS31 (Alexandra and Heartlands): 10 (67%) supported the proposal, 4 (27%) objected and 1 (7%) had no view.
- 6.27. The design team considered all feedback received during the initial engagement stage and developed a final scheme design.
- 6.28. Before any changes can be made to the traffic management orders (TMOs), statutory consultation is required.

Statutory consultation

- 6.29. Collaboration between the schools and Council officers has continued throughout the course of the project which – along with the inputs from the initial engagement stage – has led to proposed TMOs which were publicly consulted upon, as follows:
- 5 July to 26 July 2023 – statutory (TMO) consultation⁶ and stakeholder consultation (Appendix D)
 - Consultation document (Appendix E) hand delivered to all properties within ~150m of the proposal (see distribution map in Appendix E):
 - SS32: 665 properties
 - SS31: 600 properties
 - Street notices put up on lamp columns (Appendix F)
 - Ward members informed
 - [Social media](#)
 - [School Street webpages](#) – downloads of all documents available
 - [Haringey e-newsletter](#) on 21 July 2023
- 6.30. Response to the consultation could be made by either:
- Making a formal objection to the proposed traffic orders (online, email or by post)
 - Sending general feedback (online or via a paper questionnaire)
- 6.31. Full details of the consultation responses received together with officer comments to these are provided in Appendix A and summarised as:
- 6.32. SS32 (St Pauls):
- 2 objections or representations made in respect of the proposed traffic orders, of which, both wholly objected
 - 27 responses provided general feedback, of which:
 - 16 were positive or very positive about the proposal
 - 11 were negative or very negative about the proposal
 - The greatest level of support comes from residents within the proposed School Street
- 6.33. SS31 (Alexandra Primary and Heartlands):
- 2 objections or representations made in respect of the proposed traffic orders, of which:
 - 1 wholly objected

⁶ <https://www.thegazette.co.uk/notice/4393741>

- 1 was in support
- 11 responses provided general feedback, of which:
 - 3 were positive or very positive about the proposal
 - 6 were negative or very negative about the proposal
 - 2 was neutral

6.34. In both projects, key stakeholders provided feedback as follows:

- The Metropolitan Police Service (MPS) objected to SS31 on account of the impact this would have upon their operational base in Western Road and concerns about increased road danger in proximity to a zebra crossing.
- London Fire Brigade see this as a positive way of protecting the children within our community, especially given the recent tragic events that unfolded in Wimbledon.
- Haringey Living Streets noted their full support for the School Streets programme.
- There were no other responses from statutory consultees

6.35. Having considered feedback, including objections to the proposed traffic orders, as set out in Appendix A of this report, officers recommend:

- SS32 School Street be implemented as shown in Appendix B of this report.
- SS31 School Street is paused whilst further attempts are made to resolve the objection made by the MPS.

6.36. Given the above, and in respect to SS32, officers recommend that the Council exercise its discretion not to cause a public inquiry to be called on account of: the effect of the order, the small number of objections, the wider support for the project, that the project will contribute towards achieving a number of policy objectives and that holding a public inquiry would lead to expense and delay while being unlikely to alter the ultimate decision.

Memorandum of Understanding

6.37. Before any School Street is fully implemented, a Memorandum of Understanding (MoU) will be signed by the Council and the school. This has been completed for both schools detailed within this report.

6.38. The MoU sets out what each party is expected to do in the arrangement. It includes tasks for the Council such as making traffic orders, installing traffic signs and providing supporting material and matters for the school such as educating pupils about the scheme and committing to the 'Sustainable Travel: Active, Responsible, Safe (STARS) active travel programme.

7. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes

- 7.1. School Streets are specifically identified within the “Responding to the Climate Emergency” theme of the Corporate Delivery Plan, under High Level Outcome 2 - “A Just Transition.” This outcome relates to ensuring the transition to a low carbon economy is just, equitable and benefits everyone by improving air quality and road safety around schools. This will be achieved through a number of activities including:
- School Streets – create 30 School Streets by 2024 (approximately 15 per year) to improve air quality and road safety around schools.
- 7.2. School Streets also contribute to other high-level outcomes contained within the “Responding to the Climate Emergency” theme:
- High Level Outcome 1 “A Greener and Climate Resilient Haringey”
 - High Level Outcome 3 “A Low Carbon Place”
- 7.3. School Streets contribute further to high-level outcomes contained within the “Placemaking and Economy Theme” within High Level Outcome 5 “Placemaking.” Specific areas of social and economic renewal will benefit from air quality improvements resulting from the delivery of School Streets in:
- Wood Green
 - Bruce Grove
 - Seven Sisters

8. Carbon and Climate Change

- 8.1. School Streets contribute positively to carbon emission reduction and mitigate climate change in the following six ways:
- 8.2. Reduced vehicle emissions: School Streets reduce vehicle emissions during drop-off and pick-up times. When motorised traffic is restricted, there is a reduction in tailpipe emissions of carbon dioxide (CO₂), nitrogen oxides (NO_x), and particulate matter (PM). Fewer emissions mean a direct decrease in the carbon footprint associated with school-related travel.
- 8.3. Promoting active travel: By making the area around schools more pedestrian and cyclist-friendly, School Streets encourage active travel modes such as walking and cycling. This not only reduces greenhouse gas emissions but also promotes a healthier lifestyle, which, in the long run, can reduce healthcare-related emissions linked to sedentary lifestyles.
- 8.4. Behaviour change: School Streets can also lead to behaviour change among parents and guardians. When motorised access to school is limited, parents may opt for alternative transportation methods, further reducing the number of vehicles on the road and associated emissions. Over time, this can lead to a shift in commuting habits with lasting environmental benefits.
- 8.5. Public awareness: Implementing School Streets raises awareness about the environmental impact of transportation choices. It provides an opportunity for

schools to engage students in discussions about sustainability, climate change, and the importance of reducing carbon emissions. This heightened awareness can influence future generations to make eco-conscious decisions about transport.

- 8.6. Long-term effects: While School Streets primarily target short-term reductions in emissions during school hours, their influence can extend beyond these times. Positive experiences with active transportation and reduced reliance on private vehicles can lead to long-term changes in commuting behaviour, resulting in sustained emissions reductions.
- 8.7. Synergy with Climate Change Action Plan: School Streets align with the goals set out within the Climate Change Action Plan by directly contributing to reduced carbon emissions within the community and contribute to the achievement of emissions reduction targets.

9. Transport policy objectives

9.1. School Streets help deliver policies and targets set within the Mayor of London's Transport Strategy (MTS). These policies and targets have since been adopted by Haringey through the Haringey Local Implementation Plan and Walking and Cycling Action Plan (2022):

- The MTS uses the [Healthy Streets Approach](#) to improve air quality, reduce congestion and help make London's diverse communities greener, healthier and more attractive places to live, work, play and do business.
- Mode share - 88 per cent of all trips in London to be made on foot, by cycle or using public transport by 2041 (77% in 2019)
- Physical activity - all Londoners to do at least the 20 minutes of active travel they need to stay healthy each day by 2041 (currently 32%)

9.2. The Council has a duty under section 122 of the Road Traffic Regulation Act (RTRA) 1984 to "secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway." Officers consider that the following are of particular relevance, given the objectives of the School Street:

- School Streets provide access at all times to pedestrians and cyclists. Reasonable access is maintained to vehicular traffic by way of a range of exemptions when the School Street is in operation.
- School Streets restrict the passage of heavy commercial vehicles and so, in turn, preserve or improve the amenities of the area affected.
- Evidence from other School Street projects⁷ demonstrates that they improve air quality in the vicinity of schools. It is expected that this will

⁷ <https://www.london.gov.uk/press-releases/mayoral/school-streets-improve-air-quality>

also be the case in relation to this project. Therefore, the proposal has due regard to the national air quality strategy, prepared under section 80 of the Environment Act 1995.

- There is a need for public service vehicles that are responding to emergencies to be able to access the School Street safely and expeditiously and the project has taken this into consideration through the proposed use of camera-enforced traffic filters.
- The project aims to address the risk of road danger by reducing the volume of traffic close to school gates. Not only do School Streets dissipate traffic over a larger area (as opposed to a concentration of traffic within a smaller section of road space outside the school entrance) but they also encourage modal shift (i.e. change school-run trips from car travel to active travel) and so reduce the overall volume of traffic on the road network, in turn, reducing the risk of road danger.

10. Statutory Officers' comments

Finance

- 10.1. Haringey Regeneration submitted a bid for Good Growth Funding round three (GGF3) in September 2019 for a project called "Adaptive Wood Green" and, in March 2020, was successful in receiving a grant of £972,500.
- 10.2. Of the funding received from the GLA, £450,000 was attributed towards the installation of the three School Streets and a further £265,000 was contributed by Haringey Council as match funding, totalling £715,000. At the time of writing, a total of £488,910 has been spent, and therefore a balance of £226,090 is still to be spent.
- 10.3. These costs can be contained within the capital programme plan, under capital scheme 478 and capital internal order number 10006564.

Procurement

- 10.4. Strategic Procurement note the contents of the report and recommendations in section 3 which do not necessitate a procurement process or decision.

Head of Legal and Governance (Matthew Barrett, Senior Planning Lawyer)

Statutory duties / Legislation

- 10.5. The recommendations in this report are being considered in the Council's capacity as the local highway/traffic authority for the Borough. The various statutory powers, obligations and guidance that need to be followed are set out below and their relevance and compliance is considered.
- 10.6. Under section 6(1) of the Road Traffic Regulation Act 1984 (RTRA 1984), the Council may make an order for controlling or regulating vehicular and other traffic (including pedestrians) on roads within the Borough for which it has responsibility. Such an order may be for any of the purposes or with respect to any of the matters mentioned in Schedule 1 to the RTRA 1984 and for any of

the purposes mentioned in paragraphs (a) to (g) of section 1(1) of that Act. Such an order may be made only where it appears to the authority that it is expedient to make the order for the purpose(s) in question.

- 10.7. Section 122(1) of the RTRA confers a duty on the Council to exercise its functions under that Act (so far as practicable having regard to the matters specified in section 122(2)) to secure the expeditious, convenient, and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Based on case law applicable to another power in the RTRA 1984, it is considered that “safe” in section 122 (1) means “not at risk of accident”, rather than “free from ill health”. The matters specified by section 122(2) are:
- i. the desirability of securing and maintaining reasonable access to premises;
 - ii. the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - iii. the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
 - iv. the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles; and
 - v. any other matters appearing to ... the local authority ... to be relevant.”
- 10.8. Section 39 of the Road Traffic Act 1988 requires the Council to prepare and carry out a programme of measures designed to promote road safety, to carry out studies into accidents arising out of the use of vehicles on roads in its area, and – in the light of those studies - to take such measures as appear to the Council to be appropriate to prevent such accidents, including giving advice and practical training to road users, the construction, improvement, maintenance, or repair of roads for which they are responsible, and other measures taken in the exercise of its powers for controlling, protecting, or assisting the movement of traffic on roads.
- 10.9. Under section 16 of the Traffic Management Act 2004, the duty of a traffic authority is to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. Under section 17(5) of the Traffic Management Act 2004, the network management duty includes obligations on traffic authorities to monitor the effectiveness of the implementation of their decisions and assess their performance in managing their network.
- 10.10. As required under section 144(1) of the Greater London Authority Act 1999, the Council has had regard to the Mayor’s Transport Strategy 2018.
- 10.11. In *R (on the application of Moseley) v London Borough of Haringey* [2014] UKSC 56, the Supreme Court considered the requirements of public

consultation. It approved a list of four legal requirements relating to public consultation, which had previously been approved by the Court of Appeal in *R v Brent London Borough Council ex parte Gunning* (1985) 84 LGR 168—and therefore often referred to as the ‘Gunning’ or ‘Sedley’ requirements. These are that:

- (i) consultation must be at a time when the authority’s proposals are still at a formative stage;
- (ii) the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- (iii) adequate time must be given for consideration and response; and
- (iv) the product of consultation must be conscientiously taken into account in finalising any proposals.

- 10.12. In terms of point (iv), the decision maker must consider consultation responses with 'a receptive mind' (*R v Camden London Borough Council ex parte Cran* [1995] EWHC 13 (Admin)) and be prepared to change course if persuaded (*R v London Borough of Barnet ex p B* [1994] ELR 357). But there is no duty to adopt the views of consultees (*R (Smith) v East Kent Hospital NHS Trust* [2002] EWHC 2640 (Admin)).
- 10.13. The procedure for making experimental or permanent traffic orders is set out in *The Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996* (SI 1996/2489) (“the 1996 Regulations”). Before making a traffic order, the authority must comply with the prescribed duty to consult, which includes consulting statutory consultees.
- 10.14. The 1996 Regulations also set out a number of procedural requirements such as a requirement to publicise the Council’s intention to make the Order before actually making it and making a copy of the proposed order available for inspection. The necessary notification and consultation with the relevant bodies have been carried out. A permanent Order can only be made after considering the objections received in response to the notice of proposals and, in some cases, after consideration of the findings of a public inquiry.
- 10.15. Regulation 9(1) sets out when an authority must hold a public inquiry before making an order and when it has a discretion to hold one. Notwithstanding the objections, there is no obligation in this case to hold an inquiry given that the proposals to prohibit loading and unloading fall within the exception contained in Regulation 9(4)(b) of the 1996 Regulations. However, the Council has a general discretion to hold a public inquiry under regulation 9(1) of the 1996 Regulations. It would be lawful for the Council to decide not to hold a public inquiry having regard to among other matters the following: the scheme will contribute towards achieving a number of the Council’s policy objectives and holding a public inquiry would lead to expense and delay while being unlikely to alter the ultimate decision.
- 10.16. Before the order becomes effective, appropriate road signs informing motorists and pedestrians of the restrictions introduced must be erected and/or installed, or any that may cause confusion removed: Regulation 18 of the 1996 Regulations.

Equality

- 10.17. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
 - Advance equality of opportunity between people who share those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 10.18. The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.
- 10.19. The first School Street Plan (2020) was subject to an Equality Impact Assessment (EqIA) which was updated in 2022 and again as part of the new School Street Plan (2023). The current EqIA should be read in full.
- 10.20. It is noted that the exemptions available for School Streets are different from the exemptions available for Low Traffic Neighbourhoods (LTNs). This is because the two project types have different objectives. Exemptions to School Streets are typically more limited than exemptions for LTNs because the primary objective of School Streets is to create a safer environment for children (a particularly vulnerable protected group), while LTNs aim to reduce the overall impact of traffic in residential areas. For example, exemptions within LTNs allow vehicles to pass through a traffic filter even if the journey could be taken via another route. However, in School Streets, this is not the case and exemptions are only provided where motorists have a requirement to access premises within the School Street. It is also important to note that School Streets only operate for a very limited time period (approximately one hour in the morning and one hour in the afternoon), Monday to Friday and during term time only. This contrasts to traffic filters within LTNs which operate 'at any time'. This difference is relevant when considering the justification for and proportionality of the School Street under the Equality Act.
- 10.21. Mitigation of potential adverse impacts on protected groups is made through the implementation of an exemption permit system whereby certain groups can apply for an exemption to the restriction, where they meet the specified policy criteria. The groups currently provided for are set out in paragraph 6.20. Those holding a valid exemption are allowed to drive into the School Street during operational times.
- 10.22. Consultation was carried out prior to the schemes being recommended for implementation. This has provided everyone with the opportunity to comment prior to the making of the TMOs. Consultation documents (Appendix E) provided details for those who required it in an alternative format, for example in audio or would like the materials translated. Consultation documents were also distributed to stakeholders representing protected groups (see Appendix D for details).

11. Use of Appendices

Appendix A – Consultation report

Appendix B – Design (SS32 - St Paul's School Street, Bradley Road)

Appendix C - Design (SS31 - Alexandra Primary and Heartlands High School Street, Western Road)

Appendix D – Stakeholder list

Appendix E – Consultation documents

Appendix F – Consultation distribution map

Appendix G – Public street notice

Appendix H – Exemption policy summary

Appendix I – EqIA 2023

12. Background Papers

- [13/6/23 - Cabinet: School Street Plan](#)
- [Net zero carbon Haringey](#)