

Report for: Cabinet

Title: Devonshire Hill Primary School Street

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: Bruce Castle (Haringey) and Upper Edmonton (Enfield)

**Report for Key/
Non-Key Decision:** Key decision

1. Describe the issue under consideration

1.1. To determine whether a School Street should be implemented near the Devonshire Hill Primary School following informal and statutory consultation.

2. Cabinet Member Introduction

2.1. School run traffic makes up around 25% of all traffic and is why those times of day are often the most congested. More cars mean it's less safe to walk, cycle or scoot meaning those that can are more likely to take their children to school by car, meaning more traffic. It's a vicious cycle.

2.2. For those who do not own a car, and in Tottenham, that equates to the majority of the population, that means getting to and from school is the most dangerous time of day for most children.

2.3. School streets break that cycle and therefore not only reduce road danger but incentivise healthier ways to get to school. With 35% of Year 6 children in Haringey classed as overweight or obese, this can go a long way in addressing the borough's health inequalities. Passengers in a car are also breathing in more toxic fumes than those outside.

2.4. The more parents who choose to ditch the car for a sustainable mode to get their kids to school, the more they are also giving their young lungs a chance.

2.5. Nearly 6km of our streets have been converted to pedestrian and cycle zones at school-run times. This is helping our children to walk, cycle and wheel to school more safely – and in cleaner air - than before.

2.6. School Streets are a proven method for increasing active travel, reducing harmful air pollution and reducing road danger around schools and therefore why I have no hesitation in supporting these recommendations.

3. Recommendations

Cabinet is asked to:

- 3.1. Note all feedback provided through the informal and statutory consultations in Appendix I – Consultation response attached to this report.
- 3.2. Approve the making of permanent traffic management orders (TMOs) and the installation of any necessary highway infrastructure and works necessary to give effect to the School Street design set out in Appendix A attached to this report; and note that the TMO shall be made following the completion of the arrangements and agreement referred to in recommendations 3.3 and 3.4.
- 3.3. Approve, with the agreement of the Leader, entering into joint arrangements with the London Borough of Enfield for the purposes of making and enforcing TMOs and carrying out highway works on the northern section of the School Street (in Weir Hall Road between its junction with Barclay Road and a point 33m south of that junction) within the London Borough of Enfield.
- 3.4. Approve, with the agreement of the Leader, the Council entering into an agreement with the London Borough of Enfield to delegate/transfer the London Borough of Enfield's functions under the Highways Act 1980 and the Road Traffic Regulation Act 1984 to the Council for the purposes of making and enforcing TMOs and carrying out highway works on the northern section of the School Street (in Weir Hall Road between its junction with Barclay Road and a point 33m south of that junction) within the London Borough of Enfield.
- 3.5. Delegate to the Assistant Director Direct Services authorisation to (a) approve the terms of the agreement referred to in recommendation 3.4 above and (b) (following completion of the agreement with Enfield and not before the date that the joint arrangements are in effect) to take all steps necessary for the making of the TMO(s).

4. Reasons for decision

- 4.1. A School Street is recommended in part of Weir Hall Road, adjacent to Devonshire Hill Primary School, for the following reasons:
 - 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;
 - The London Borough of Enfield has proposed a scheme in Bull Lane that may reassign traffic into Weir Hall Road at times when children are arriving or departing this school; and
 - The proposals contribute towards the strategic objectives of the Council.
- 4.2. Weir Hall Road straddles the borough boundary and therefore an agreement to exercise the London Borough of Enfield's highway and traffic functions on the part of that road in their borough is required to ensure delivery of a high quality, effective and enforceable School Street near Devonshire Hill Primary School.

5. Alternative options considered

Do nothing

- 5.1. This option was rejected as not delivering this School Street would be contrary to the objectives set out in the Corporate Delivery Plan, the Transport Strategy, the Climate Change Action Plan and the Walking and Cycling Action Plan.
- 5.2. It is likely that doing nothing would also result in an increase in motor vehicle traffic outside the school as a consequence of a 'bus gate' proposed in Bull Lane by the London Borough of Enfield.

Propose a School Street only to operate within the London Borough Haringey

- 5.3. If the northern entry point into the School Street was positioned at the administrative boundary of the London Borough of Haringey in Weir Hall Road (instead of the junction with Barclay Road, as recommended), this would increase road danger. Such a layout would result in motorists driving up to the start point of the restriction and having no exit route. Those motorists would either make a potentially dangerous U-turn or drive past the signs and receive a penalty charge notice; this would likely result in accusations of entrapment. In view of this, this option is not recommended.

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 2020, the Council approved the School Street Plan ('the Plan') which set out a standard framework to deliver Haringey's School Streets programme, allowing for consistent, successful and efficient delivery of these measures in the report to Cabinet for its meeting on 10 November 2020.
- 6.6. The Council has introduced 23 School Streets with a further batch of 15 currently being consulted upon.
- 6.7. Whilst the Plan did not identify Devonshire Hill Primary School for a School Street at that time, it is now considered that such a scheme is both necessary (on the basis that the North Middlesex Hospital active travel scheme is being delivered)

and feasible (on the basis that Weir Hall Road should no longer be considered as “the main alternative connection between White Hart Lane and Wilbury Way instead of the A10” and that a scheme aiming to improve children health should be given higher priority than parking). It is noted that, in line with priorities set by the administration, the Council intends to update its School Street Plan in 2023.

- 6.8. The reason this School Street has arisen is from a need to respond to proposals by the London Borough of Enfield, referred to as the ‘North Middlesex Hospital Active Travel Improvement’ project.

Objectives of a School Street

- 6.9. 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
- 6.10. 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.

Location

- 6.11. Devonshire Hill Primary School is located in Weir Hall Road, approximately 35 metres north of the junction with Oak Avenue.
- 6.12. Weir Hall Road provides a link in the road network between White Hart Lane and Wilbury Way. It runs roughly parallel with Bull Lane / Queen Street, which provides a similar link between those same roads (see location map in Appendix B).
- 6.13. The borough boundary between Enfield and Haringey splits Weir Hall Road in two: the southern section (between White Hart Lane and a point approximately 33m south of Barclay Road) is located in Haringey and the northern section (between a point 33m south of Barclay Road and Wilbury Way) is within the London Borough of Enfield.
- 6.14. The school has three pedestrian entrances and one staff car park entrance that all open onto the east side of Weir Hall Road, to the south of the playing fields.
- 6.15. Weir Hall Road is within the Tottenham Event Day (TED) Controlled Parking Zone (CPZ) which operates on match days only. Parking places designate where vehicles should park (fully or partially on the footway) with the remainder of the kerb space restricted with either waiting or stopping restrictions.

Proposal

- 6.16. Following engagement with the school, an initial design was developed and later consulted upon. The initial design takes account of the feedback from the school, Enfield and Haringey Council officers and the Cabinet Member for Climate Action, Environment and Transport, and is aligned with the School Street General Design Principles (Appendix C).

- 6.17. This initial design was consulted upon between November 2022 and January 2023, see paragraphs 6.24 to 6.25 for details of the process and feedback.
- 6.18. The key elements of the proposed design were:
- Weir Hall Road (between Barclay Road and Oak Avenue) proposed to become a School Street that would operate:
 - o Term time only
 - o Monday to Friday
 - o 8:30am – 9:15am and 2:30pm – 3:45pm
 - Relocation of parking places from the footway to the carriageway, to improve accessibility.
 - A raised table at the junction of Weir Hall Road and The Weymarks, to the north of No. 35 Weir Hall Road
 - Planting of new street trees on east side of Weir Hall Road
 - Motor vehicles (cars, vans, motorcycles etc.) will not be allowed to enter the School Street during the above times unless they had been issued an exemption (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. An exemption is only required to drive into a School Street during operational hours.
 - School Streets remain open to people walking, cycling and wheeling.
 - Emergency services will always have unhindered access.
- 6.19. In line with the exemption policy established within paragraph 7.5 of the School Streets Plan report to Cabinet on 10 November 2020, and if the scheme went ahead, the following groups would be eligible to apply for an exemption:
- Residents or businesses who have an address within the School Street to a maximum of two per property.
 - Blue Badge holders who require access to the School Street.
 - Pupils with a disability that prevents them walking or cycling to school.
 - Medical practitioners visiting someone with an address in the School Street
 - School vehicles transporting special educational needs and disabled children.
- London Borough of Enfield – North Middlesex Hospital Active Travel Improvement project
- 6.20. As part of its Healthy Streets Programme, the London Borough of Enfield has been consulting upon a range of measures to improve walking and cycling access to North Middlesex University Hospital and contribute towards a long-term increase in the levels of active travel.
- 6.21. Pertinent to the recommendations in this report, Enfield carried out statutory consultation in November 2022 on a ‘bus gate’ in Bull Lane.

- 6.22. Details of the ‘bus gate’ are set out in Enfield’s public notice of intent¹ as follows: *“ban vehicles, except buses and pedal cycles, from entering or proceeding in Bull Lane N18, between the exit from the yard outside No. 22 Bull Lane and the southernmost gated entrance to Bull Lane Park”*.
- 6.23. This proposal has the potential to reassign motor vehicle traffic from Bull Lane to Weir Hall Road (and Pretoria Road). Enfield’s report² noted that, as a worst-case scenario *“the potential increase in two-way traffic flow at the peak hour on Weir Hall Road and Pretoria Road will be approximately between 3 and 5 vehicles per minute. This figure on an average 24-hour day drops to approximately between 2 and 3 vehicles per minute”*.

Consultation and engagement

- 6.24. Engagement between school staff and Council officers has continued throughout the course of the project and led to a proposal that was publicly consulted upon as follows:
- 21 November to 12 December 2022 – informal consultation
 - 13 December to 8 January 2023 – stakeholder consultation (Appendix D)
 - 21 December to 18 January 2023 – statutory (TMO) consultation³
 - Consultation document (Appendix E) hand delivered to approx. 800 properties in Haringey and Enfield (see distribution map in Appendix F)
 - Materials provided to the school to distribute to parents and carers
 - Pop-up stall outside school gates at 3pm on 21 November 2022. Aimed at school parents and carers, council representatives were on hand to answer questions and distribute a postcard (Appendix G) explaining how to respond to the consultation
 - A3 posters put up on street lamp columns (Appendix H)
 - Ward members informed
 - [Social media](#)
 - [School Street webpages](#) – downloads of all documents available
 - [Haringey e-newsletter](#) on 2 December 2022
- 6.25. Full details of the consultation response are provided in Appendix I and are summarised as
- 64 individual responses
 - 42% of those responding were positive or very positive about the proposal
 - The greatest level of support comes from pupils or parents at the school
 - No statutory objections were made in response to the TMO consultation
 - The Metropolitan Police considered Haringey’s proposal in the context of Enfield’s plans and had no objections.
 - There were no other responses from statutory consultees.

Joint agreement with London Borough of Enfield

- 6.26. As noted in paragraph 6.13, the administrative boundary between the London Borough of Haringey and Enfield is located approximately 30m south of the junction of Weir Hall Road and Barclay Road.

¹ <https://www.thegazette.co.uk/notice/4205162>

² <https://governance.enfield.gov.uk/documents/s91198/NMHActiveTravelreport.pdf>

³ <https://www.thegazette.co.uk/notice/4243486>

- 6.27. It would be dangerous to start the School Street at the administrative boundary. Such an arrangement would inevitably lead to vehicles making U-turns in the road and/or accusations of entrapment. Therefore, the recommended design proposes that the School Street starts at the junction of Weir Hall Road and Barclay Road.
- 6.28. To enable the recommended design to be delivered an agreement with the London Borough of Enfield will need to be entered into to enable:
- Haringey to make a Traffic Management Order for that section of the recommended design that lies within the London Borough of Enfield
 - Haringey to enforce all Traffic Management Orders associated with the scheme
 - Haringey to install traffic signs and enforcement cameras within the London Borough of Enfield

Memorandum of Understanding

- 6.29. 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 the school detailed within this report.
- 6.30. 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.

Finance

- 6.31. The cost of delivering the infrastructure and the community engagement for this School Street is expected to be approximately £90,000 and will be fully met from the Council's capital programme under Scheme 119 – Schools Street.
- 6.32. Measures covered by these costs include active travel engagement with the school and community, highways signage and notifications, independent road safety audits, traffic counts, cameras and set up (average two cameras per scheme), letter drops and communications to the school and community.
- 6.33. These costs and measures are required to enable the delivery of traffic orders and its requirements. These costs will be managed within the Capital Programme (School Streets) for the Council.

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 the following high level strategic outcome:
- A Just Transition: the proposed School Street will assist in improving air quality and road safety around a school.
- 7.2. School Streets will also contribute to other high-level outcomes such as:

- A Greener and Climate Resilient Haringey: the proposed School Street will reduce through traffic leading to safer, cleaner and more pleasant streets for people to walk, wheel, cycle and gather.
- A Low Carbon Place: the proposed School Street will help achieve a built environment that supports carbon reduction – through transport modal shift - and climate adaptation – through the planning of street trees.

8. Statutory Officer Comments

8.1. Finance

- 8.1.1. The total cost of this proposal amounts to £0.09m and will be fully met from the current council capital programme budget within capital scheme reference number: 119 – Schools Street.
- 8.1.2. The quarter three capital budget monitoring report for this financial year shows a revised budget position of £1.116m, and cumulative actual spend to date of £0.423m.

8.2. Procurement

- 8.2.1. Strategic Procurement note the contents of the report and recommendations in section 3 and that it does not involve include a procurement decision.

8.3. Legal

- 8.3.1. The power of a local authority to make an order regulating or controlling vehicular and other traffic is contained within section 6(1) of the Road Traffic Regulation Act 1984 (RTRA) and to introduce raised tables is contained in section 90A of the Highways Act 1980 and the Highways (Road Humps) Regulations 1999.
- 8.3.2. Before an order is made the measures proposed to regulate or control traffic in the order must be consulted on as described in section 6 of this report, and where representations are received, as described in that section and set out Appendix I, they must be considered before an order is made.
- 8.3.3. Section 122 of the RTRA requires the Council to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). In exercising that duty, the Council must (so far as practicable) have regard to the matters specified in s.122(2) RTRA, which are –
- (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) 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;
 - (bb) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy);
 - (c) 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
 - (d) any other matters appearing to the local authority to be relevant.
- 8.3.4. The factors which have pointed in favour of making the restrictions on the movement of traffic in the traffic orders for Devonshire Hill Primary School Street

have included the objective of securing the safe movement of pedestrians and cycle traffic.

- 8.3.5. Pursuant to s.9D of the Local Government Act 2000, the functions (e.g. highways works and the making of a traffic management order) that it is proposed be discharged by Haringey on behalf of LB Enfield are Executive functions. Accordingly, Cabinet may approve the making of the permanent traffic order for Devonshire Hill Primary School Street. It should be noted that the TMO(s) may not be made until after LB Enfield has approved the proposed joint arrangements and those arrangements have come into effect.
- 8.3.6. The joint arrangements proposed between the Council and the LB Enfield are permitted under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (“the 2012 Regulations”), which (in certain circumstances) enable a local authority to arrange for the discharge of any of their Executive functions by another local authority.
- 8.3.7. Section 8 of the Highways Act 1980 enables the Council to enter into agreements with another Highway Authority under which arrangements will be made for the discharge of highways functions including highways works, among other things. Accordingly, the agreement contemplated in Recommendation 3.4 may be made pursuant to applicable statutory powers, including s8 Highways Act and the 2012 Regulations.
- 8.3.8. Pursuant to Regulation 4 of the 2012 Regulations and Part 3, Section C, paragraph 2.1(g) of the Council’s Constitution, unless the Leader directs otherwise, the Cabinet may agree to enter into such joint arrangements with LB Enfield.

8.4. Equality

- 8.4.1. 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.
- 8.4.2. 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.
- 8.4.3. The School Street Plan was subject to an equalities impact assessment (EqIA) subsequently reviewed in March 2022⁴. The report (and section 3 of the EqIA) identified that:
- There is evidence that air pollution disproportionately affects children and young people. Therefore, the recommendations represent a step change to address a known inequality.

⁴ <https://www.minutes.haringey.gov.uk/ieIssueDetails.aspx?IIId=78374&Opt=3>

- The primary beneficiaries of the School Street programme will be young people, with older people, those with disabilities, and pregnant women also benefitting from improved air quality.
- Young people, older people, those with disabilities and pregnant women will benefit because they disproportionately suffer from poor air quality.
- Those people with disabilities will be accommodated by the School Streets scheme and their access to their areas of residence will not be negatively impacted by way of the exemption permit system, the criteria for which is set out in Appendix J.
- It also notes that the Council will take steps to identify and prevent or mitigate any adverse impacts that may arise for people who depend on car travel, such as people with limited mobility, pregnant women, and people who depend on private vehicles to attend places of worship.

8.4.4. The recommendations contained within this report are considered to be consistent with the EqlA detailed above.

8.4.5. Mitigation 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 Appendix J. Those holding a valid exemption are allowed to drive into the School Street during operational times.

8.4.6. As noted above, the EqlA was last reviewed in March 2022 the contents of which are still considered relevant to this report. Officers consider that the impacts of School Streets on persons with protected characteristics have not changed and therefore an update to the EqlA is not considered necessary for this report.

8.4.7. Consultation was carried out prior to the scheme being recommended to be introduced. This has provided everyone the opportunity to give feedback prior to this decision.

9. Use of Appendices

Appendix A – Recommended design
 Appendix B – Location map
 Appendix C – General design principles
 Appendix D – Stakeholder list
 Appendix E - Consultation document
 Appendix F – Consultation document distribution area
 Appendix G – Consultation postcard
 Appendix H – Consultation poster
 Appendix I – Consultation response
 Appendix J – Exemption policy

10. Local Government (Access to Information) Act 1985

- [10/11/20 Cabinet: School Streets Plan](#)
- [7/3/22 Cabinet Member Signing: Updated EqlA](#)

