

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	21 August 2018
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Parking/Road Safety at Schools – Update
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise the Committee of the key issues in connection with parking at schools as well as potential actions to assist in reducing the number of pupils travelling to and from school by car.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the tools, techniques and initiatives reviewed by the Roads Safety Forum and outlined in this paper continue to be deployed as solutions throughout the Council area in response to identified issues; and
- (2) that efforts are made to provide a greater uptake in the development of School Travel Plans by primary and secondary schools.

3. Background

3.1. It was agreed that the key issues, listed below in relation to parking and road safety around schools, previously identified by the Community and Enterprise Resources Committee of 3 October 2017 would form the basis of consideration and discussions at the Council's Roads Safety Forum:-

- ◆ Statutory enforcement practicalities and capacity
- ◆ Banning vehicles from school frontages (e.g. East Lothian trial)
- ◆ Encouraging active travel
- ◆ Obstructive/dangerous parking

3.2. Indiscriminate parking can lead to a variety of issues such as blocking footways, limiting children's crossing opportunities, masking visibility of approaching drivers and congestion. Each school has a different level and mix of such issues which can be dependent on their geographical location such as rural/urban or in a residential/town centre location.

3.3. At the Roads Safety Forum on 5 December 2017, members initially discussed these issues and a variety of safety related parking issues including the relative roles of stakeholders, such as the Council and Police Scotland, the issues related to congestion and the resultant associated risk of conflicts occurring between road users which could lead to accidents.

3.4. The discussion at the Forum included other topics and these are listed below:-

- ◆ Effectiveness of School Travel Plans and the sharing of the survey information
- ◆ Scope for Council employees or volunteers to assume the roles of Parking Attendants to take enforcement action/issue Penalty Charge Notices (PCNs)
- ◆ Opportunities to use camera technology to assist in any enforcement action
- ◆ Road safety projects and initiatives available
- ◆ School Keep Clear markings

3.5. The Roads Safety Forum met on 15 May 2018 where a paper regarding these issues was presented. The subject areas referred to below were discussed and it was agreed that a range of tools, techniques and initiatives continue to be deployed in response to road safety issues at schools. This report provides an update on these measures and how they are delivered.

4. Accident Analysis

4.1. Within South Lanarkshire, there are 17 Secondary Schools, 124 Primary Schools, 2 Private Schools and 7 Additional Support Needs Schools. Together there are approximately 50,000 pupils who attend school on a daily basis and this equates to 9,500,000 pupil journeys to and from school every academic year.

4.2. Transport Scotland's latest publication on Reported Road Casualties Scotland 2016 states that for the years from the end of 2012 to 2016 the annual average number of children killed in South Lanarkshire was 0 while the number of children seriously injured was 8. Therefore, accidents involving children remain at relatively low levels in South Lanarkshire and, of these, less than half will likely involve an accident occurring on the journey to school.

4.3. While these statistics are encouraging, we cannot become complacent and we must continue to refine and assess the effectiveness of what we presently do and consider whether there are alternative ideas to be developed. The remaining sections of this paper discuss each of the subject areas raised above.

5. Statutory Enforcement Practicalities and Capacity

5.1. In 2005, parking was decriminalised in South Lanarkshire. Therefore, the Council is responsible for the enforcement of waiting and loading restrictions where these exist.

5.2. The decriminalisation of parking does not preclude Police Scotland from enforcing legislation in relation to parking that is considered to be either causing an obstruction or danger. This applies whether or not parking restrictions exist. Enforcement actions from Police Scotland will, however, be commensurate with their other duties.

5.3. The definition of "obstruction" Police Scotland use can be found in Regulation 103 of The Road Vehicles (Construction and Use) Regulations 1986. It states:
'No person in charge of a motor vehicle or trailer shall cause or permit the vehicle to stand on a road so as to cause any unnecessary obstruction of the road.'

- 5.4. In circumstances where a vehicle is obstructing the roadway (which includes carriageway and footway), Police judge each incident on its own merit.
- 5.5. Where the driver or keeper of the vehicle is present, a police officer may request the vehicle to be moved and depending on the circumstances, appropriate enforcement may be undertaken. This could result in penalty points and a fine and these are very much dependent on the circumstances. Where the driver or keeper disputes the action being taken, then a Standard Prosecution Report will be submitted where the Procurator Fiscal will view the case and consider options such as court action.
- 5.6. Where a vehicle is parked in a dangerous position then Section 22 Road Traffic Act 1988 can be considered by Police Scotland. This section states:-
'If a person in charge of a vehicle causes or permits the vehicle or a trailer drawn by it to remain at rest on a road in such a position or in such condition or in such circumstances as to involve a danger of injury to other persons using the road, he is guilty of an offence'.
- 5.7. Police Scotland will again consider the circumstances where a vehicle is parked dangerously on each incident's merit. In the absence of the driver or keeper of the vehicle, Police Scotland can consider removing the vehicle if deemed necessary.
- 5.8. Where a complaint in relation to obstruction or dangerous parking is received in relation to a vehicle parked at a school crossing or within a controlled area, it is likely that Police Scotland will attend, and consideration will be given to removing the vehicle. In most cases, Police Scotland will resolve matters by liaising with the driver or keeper of the vehicle. It is very rare that they will remove vehicles using their removal contractor.
- 5.9. Turning back to the Council's remit, the Road Traffic Regulation Act 1984 provides legislation in relation to the employment of Parking Attendants (PAs). It states that a parking attendant shall be an individual employed by the authority or where the authority has made arrangements with any person for the purposes of parking enforcement, an individual employed by that person to act as a parking attendant.
- 5.10. South Lanarkshire Council employ individuals as Parking Attendants (14 no.) which fulfils the first part of the Act. It should be noted that any Parking Attendants needs to be employed by the Council, directly or indirectly, therefore volunteers cannot perform the function of a Parking Attendant.
- 5.11. It should be noted that most schools are located on roads where parking restrictions are not in place and are generally located in residential areas and outwith main town centres. In cases where enforcement of restrictions is an issue (e.g. on mandatory zig zag markings) our existing Parking Attendants can be deployed as necessary. However, there are practical issues with enforcement as the offending vehicles are usually occupied and hence will simply drive away.

- 5.12. Finally, in terms of enforcement, while we understand that the Protection of Freedoms Act 2012 permits the use of Automatic Number Plate Recognition cameras in privately-run car parks, this legislation does not presently give Local Authorities the ability to use the same technology either in the Council's own car parks or on-street restrictions.
- 5.13. At this time, Parking Attendants require to undertake this duty by being on site to witness and observe any infringement of parking restrictions. We propose to investigate future opportunities for camera enforcement in discussion with the Scottish Government and Legal colleagues.

6. Banning Vehicles From School Frontages

- 6.3. In 2014 East Lothian Council undertook an 18 month trial banning vehicles from three Haddington streets during the peak school travel periods. The trial was introduced following a period of public consultation which resulted from proposals made by the school Parent Councils, teachers and officers from East Lothian Council. The trial was concluded, and permanent traffic regulation orders are now in place. The schools in question have high numbers of children who walk or cycle to school.
- 6.4. The banning of motor vehicles from Neilson Park Road, Victoria Road and Wemyss Place, Haddington, which serve three schools, are effective from 0830 to 0930 and 1500 to 1600 (Monday to Thursday) and 0830 to 0930 and 1145 to 1245 (Friday) during term time. These restrictions do not apply to residents of the streets or blue badge holders. Provision has also been made in the order for emergency services and delivery vehicles to access the streets during these times.
- 6.5. The schools are located in two relatively short culs-de-sac with narrow carriageways and footways. The third street, Wemyss Place runs at 90 degrees to Victoria Road. There are less than 20 residential properties accessed via the two culs-de-sac. The culs-de-sac are accessed from main roads and are close to the town centre of Haddington and away from residential areas.
- 6.6. These schools suffered the same general problems experienced around the vast majority of schools where, at opening and closing times, significant numbers of parents/carers park and manoeuvre their vehicles to the detriment of other road users. The usual methods to discourage indiscriminate parking and manoeuvring, such as letters to parent/carers, had been used and have failed to resolve the issues.
- 6.7. Over and above that, the schools experienced problems that could be described as antisocial behaviour by a select minority of parents/carers. Actions included turning vehicles with little or no regard to pedestrians which, given the narrow nature of the streets, require multiple manoeuvres.
- 6.8. Residents have been issued with passes that show that they are entitled to drive during the periods of prohibition. Head teachers have been issued with a small number of passes to distribute as they see fit but, in general, teachers and staff are expected to lead by example and not drive to school or be using the roads during the periods of prohibition.

- 6.9. The consultation process for the Order included liaison with Police Scotland who, at that time, were the legacy force of Lothian and Borders. Police Scotland were generally supportive of the Order but commented that the proposed signing was cumbersome while advising that enforcement would be a low priority and commensurate with other duties during times of operation.
- 6.10. Depending on the individual circumstances at each school there is a risk that the problem the prohibition has designed to address would simply transfer to adjacent streets.
- 6.11. East Lothian Council believes that the prohibition works best when the number of residential properties accessed via the cul-de-sac is 20 or less. A higher number will make the management and distribution of resident permits more awkward to administer. The prohibition would also only be appropriate in culs-de-sac where entry and exit is controlled - a through road would be virtually impossible to operate and manage.
- 6.12. A prohibition such as this is classed as a moving traffic violation and it can only be enforced by Police Scotland. Preliminary discussions between South Lanarkshire Council and Police Scotland have indicated that the general principle of the prohibition of driving at schools using similar criteria to that used by East Lothian Council would be supported. Support for such proposals would, however, be considered on each location's own merit.
- 6.13. A preliminary review of schools in South Lanarkshire indicates that 33 Primary and 8 secondary schools are accessed via a cul-de-sac. The adoption of such an initiative at these locations would require to be considered as part of a suite of measures emerging from School Travel Plan development.

7. Encouraging Active Travel/School Travel Plans

- 7.1. The aim of School Travel Plans is to encourage more sustainable modes of travel, such as walking and cycling, hence reducing congestion outside schools and increasing safety, improving health and environmental awareness, ultimately setting active travel patterns for life. The local context, including pupil travel patterns, is researched and presented in the Plan. This then allows appropriate solutions to be identified and targets for implementation to be set. The process puts the onus on pupils, parents and teachers to monitor the travel situation and to develop appropriate aims and identify targets and timescales for action. The Plan is an active document with a monitoring regime included, so the progress of any measures can be followed, and new ones added as it continues to develop.
- 7.2. At present, there are 68 schools (65 primary and 3 secondary) that have completed a travel plan and a further 60 schools (49 primary, 10 secondary, 1 private) are currently working towards completing their travel plan. The remaining schools are being encouraged to take part.
- 7.3. To understand the views of the school community, pupils, parents/carers as well as staff are asked to complete a questionnaire as part of the travel plan development. This gives an opportunity to provide suitable travel information and also identify specific problems to be resolved through identification of objectives and targets. A programme of activities or initiatives is identified.

- 7.4. Feedback from schools who have completed their plan has been positive and the document is used not only to identify initiatives but also provide an evidence based model which justifies the allocation of funding.
- 7.5. To encourage schools to complete and continue to update their plans consideration is being given to introducing a “recognition” award. Where schools meet criteria relating to increasing proportions of sustainable travel, participation in certain initiatives such as Junior Road Safety Officer/Calendar Competition and other campaigns then it would perhaps be appropriate to recognise this.
- 7.6. It should be noted that a school will be invited to a future Road Safety Forum to present their plan and provide feedback on the process as well as the effectiveness of the plan.

8. Road Safety Projects and Initiatives

- 8.1. The Council take a “whole life” approach to road safety education with initiatives aimed at all ages and types of road users. It is believed that good habits are best developed when people are young. Therefore, emphasis is given to educating and training children and young people.
- 8.2. Through the Curriculum for Excellence education programmes, School Travel Plan projects and Cycling Initiatives, there are number of options available that are tailored to specific needs and instances where road safety issues have been raised.
- 8.3. Appendix 1 lists these as well as the target users and the paper presented at the Road Safety Forum of 27 February 2018 discussed the initiatives in greater detail.
- 8.4. The Council also delivers engineering solutions to problems surrounding schools. These problems are identified through the development of the School Travel Plans and solutions such as new guardrail, signing, lining or speed management initiatives are introduced such as part-time mandatory 20mph speed limits. To some degree, progress on implementing physical works is funding dependent.

9. School Keep Clear Markings

- 9.1. At its meeting in June 2010, the Road Safety Forum noted the contents of a report proposing a pilot scheme for the introduction of mandatory zig zag markings outside 20 schools. Up to this time, all school keep clear markings in South Lanarkshire had been advisory. In May 2014, the Forum noted a further report that provided results from a monitoring exercise carried out before and after the zig zag markings were changed from advisory to mandatory.
- 9.2. It was noted that 10 schools showed a reduction in the number of vehicles stopping on the zig zag markings, 3 schools showed no change and 7 schools showed an increase. Overall 113 vehicles stopped on the school keep clear markings in the before survey and 81 stopped in the after study, a reduction of 32 vehicles.
- 9.3. Before and after vehicle speeds were measured in each direction outside 6 of the schools. On average, the speeds increased from 22mph to 24.9mph, an increase of 2.9mph.

- 9.4. A short questionnaire/survey was also sent to the 20 schools to gauge the success or otherwise of the pilot scheme. The results of the pilot indicated that while parking generally reduced, the perception from the schools was that the scheme had limited effect on parking practices. It was noted that the introduction of mandatory school keep clear markings should be considered as one of several measures and targeted at specific schools with known parking problems.

10. Conclusion

- 10.1. This paper has sought to consider and discuss some of the key issues related to parking and road safety around schools.
- 10.2. Issues can be complex and there is no single solution to the problems being experienced. A variety of solutions, discussed in this paper, require to be developed in discussion with the school communities and must take cognisance of the location of the school and travel characteristics of those attending the school. Emerging from this exercise will be individual actions for schools that complete their School Travel Plans.
- 10.3. Schools should therefore be encouraged, and in some cases required, to complete a School Travel Plan. Its contents should identify specific problems to be resolved through identification of objectives and targets. Liaison between the Head Teacher, Parent Council, Education Resources, Roads and Transportation Services and Police Scotland is required to ensure the solutions taken forward are appropriate.
- 10.4. Even then the success of these solutions is dictated by the commitment of the school community (e.g. schools, parents, children) to champion and embrace the solutions being introduced.
- 10.5. Funding requirements to implement physical works will also require to be considered further.

11. Employee Implications

- 11.1. There are no current employee implications associated with this report, however, any increased roll out of the initiatives discussed above should be considered in the context of available road safety employee resources which have decreased significantly in recent years as a result of establishment downsizing to achieve revenue savings.

12. Financial Implications

- 12.1. There are no financial implications associated with this report, however, it should be noted that capital resources for these initiatives presently require to be prioritised from external funding streams. A modest level of revenue funding is currently available for education, training and publicity initiatives. If a greater level of physical improvements is required relative to the typical current practice, then greater levels of funding will be required.

13. Other Implications

- 13.1. There are no significant risks associated with this report, nor any environmental implications.
- 13.2. There are no implications for sustainability in terms of the information contained within this report.

14. Equality Impact Arrangements and Consultation Arrangements

- 14.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore, no impact assessment is required.
- 14.2 All necessary consultation arrangements will take place.

Michael McGlynn

Executive Director (Community and Enterprise Resources)

13 July 2018

Link(s) to Council Values/Ambitions/Objectives

- ◆ Improve the quality of life of everyone in South Lanarkshire
- ◆ Support our communities by tackling disadvantage and deprivation and support aspiration
- ◆ Improve the road network, influence improvements in public transport and encourage active travel
- ◆ Make communities safer, stronger and sustainable
- ◆ Improve health care and wellbeing

Previous References

- ◆ Community and Enterprise Resources Committee of 3 October 2017
- ◆ Road Safety Forum of 5 December 2017
- ◆ Road Safety Forum of 27 February 2018
- ◆ Road Safety Forum of 15 May 2018

List of Background Papers

None

Contact for Further Information

If you would like to inspect any of the background papers or want further information, please contact: - Stuart Laird, Roads and Transportation Services

Ext: 3607 (Tel: 01698 453607)

E-mail: Stuart.Laird@southlanarkshire.gov.uk

Curriculum for Excellence	Target Users
Ziggy's Road Safety Mission	Nursery and P 1
Streetsense/Streetsense 2	P1 – P7
Junior Road Safety Officer Scheme	P6/7
A2BSafely (Additional Support Needs Resource)	P5 – S6
Theatre in Education – The Journey	P6/7
Crash Magnets	S4/ S5
Your Call	S1-3
Reaction Timers	S3- S6
Theatre in Education	S1
Play School Daze	S5/6
Friends Disunited	S5/6
Calendar Competition	all school – all stages
School Travel Plan Projects School Travel Plans Walk to School Campaigns Safe Start Kerbcraft Driving School of Sports News Time Travellers Resource Park Smart Campaign Park and Stride Walking Bus Bus Safety HGV Safety	Target Users all schools all schools P1 New Intake - all schools P1/2 Pupils - Delivered at 13 schools in Hamilton/ Blantyre area) P4-P7 P5 all schools all schools Primary Schools P4-P6 all schools
Cycling Initiatives Bikeability Cycle Friendly School Awards	Target Users all schools all schools