

## Delegated Officer Report (Non Key and Contracts up to a value of £100k)

**Decision Maker:** Director of Environment, Nasir Dad

**Date of Decision:** 14 July 2023

**Subject:** School Streets – Experimental Traffic Order  
Christ Church CofE Primary, Denton Lane, Chadderton

**Report Author:** Mark Woodhead, Traffic Engineer

**Ward (s):** Chadderton Central

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**Reason for the decision:** High traffic levels outside of schools poses road safety risks to all road users, including pedestrians, creates congestion, compromises air quality and obstructs access for residents and the emergency services.

Removing vehicular traffic at certain times of the day from roads in the vicinity of school entrances will facilitate safer journeys for children travelling to school and make active travel options (cycling and walking) viable and more appealing

The Council considers the use of Experimental Traffic Orders to be appropriate as the implications of this measure upon the affected roads and road users (as well as the surrounding road network) are uncertain. As such, the impact of the experiment will be regularly reviewed, monitored and assessed whilst the order is in operation. By implementing this measure in this way, the Council will be able to react quickly if circumstances require the order to be modified or removed

**Summary:** Christ Church CofE Primary School parents and residents experience the following issues associated with school pick up and drop off times:

- Surrounding streets are high density terraced streets with little or no off-street parking. This contributes to parking issues in the area,

during School drop off and Pick up times as demand for parking spaces increases

The proposed School Streets will restrict access at the junction of the school access road and Denton Lane with the access road being closed for its entire length.

***What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):***

The alternative is not to progress these measures and continue to address concerns using traditional engagement and enforcement techniques which are resource intensive and not sustainable.

***Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.***

Highways Transport Policy officers have consulted with schools, Councillors and residents in the area. A public information event was held for residents to attend and ask Officers questions.

The Ward Members have been consulted and no comments were received.

G.M.P. View - The Chief Constable has been consulted and has no objection to this proposal.

T.f.G.M. View - The Director General has been consulted and has no comment on this proposal.

G.M. Fire Service View - The County Fire Officer has been consulted and has no comment on this proposal.

N.W. Ambulance Service View - The County Ambulance Officer has been consulted and has no comment on this proposal.

***Recommendation(s):***

An Experimental Traffic Order (ETRO) will prohibit motor vehicles from entering the School Street zone/s of each school at drop off and pick up between the times listed in Appendix A on weekdays during term time. Barriers will be provided for school staff or volunteers to deploy if necessary.

## Implications:

*What are the **financial** implications?*

The cost of introducing an Experimental Traffic Order at Christ Church C of E Primary, Denton Lane, Chadderton will be £5.15k and will be capital expenditure.

| Activity                | £k          |
|-------------------------|-------------|
| Signing & Civils        | 1.90        |
| Consultation /Marketing | 0.40        |
| Staff Time              | 1.75        |
| Monitoring              | 0.30        |
| Other Resources         | 0.80        |
| Total                   | <b>5.15</b> |

This will be funded from the 'DFT ATF - School Streets' scheme within the 2022/23 Transport Capital Programme, which will be financed by Active Travel Fund grant.

(John Edisbury)

*What are the **legal** implications?*

The Council must be satisfied that it is expedient to make the Traffic Regulation Orders in order to avoid danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or for preventing damage to the road or to any building on or near the road, or for facilitating the passage on the road or any other road of any class of traffic, including pedestrians, or for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property or for preserving or improving the amenities of the area through which the road runs.

The Council may, for the purposes of carrying out an experimental scheme of traffic control, make an order under section 9 of the Road Traffic Regulation Act 1984 making any such provision as may be made by a traffic regulation order. Experimental orders should not be seen as a way of quickly making an order without going through the normal consultation procedures for permanent orders. To avoid the possibility of a successful legal challenge, the Council must be able to demonstrate where the element of experiment or uncertainty lies, as an experimental order can only be made for the purpose of carrying out an experimental scheme of traffic control. An experimental traffic order shall not continue in force for longer than 18 months.

In addition to the above, under section 122 of the Road Traffic Regulation Act 1984, it shall be the duty of the Council so to exercise the functions conferred on them by the Act as 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. Regard must also be had to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected and 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, the strategy produced under section 80 Environmental Protection Act 1990 (the national air quality strategy), 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 any other matters appearing to the Council to be relevant.

The Council is also intending to rely on school staff or volunteers to effectively enforce the prohibition of driving by erecting/removing barriers. However the Council cannot compel the school staff or volunteers to erect or remove the barriers at the appropriate times. (A Evans)

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|---|---|
| What are the <b>procurement</b> implications?   | None  |
| <i>What are the <b>Human Resources</b> implications?</i>  | None  |
| <b>Equality and Diversity Impact Assessment</b> attached or not required because (please give reason) | Not required because the measures proposed are aimed at improving highway conditions  |
| <i>What are the <b>property</b> implications</i>  | None, the work is being undertaken on the public highway which is under the control of the Highway Authority.   |
| <b>Risks:</b>   | The closure of the Streets currently requires GMP support to enforce the ETRO or support from the Schools and Parents. Without support it is likely that the ETRO will be contravened |

**Co-operative agenda**

The proposal to reducing traffic access at the junction of the school access road and Denton Lane is welcomed as this will put residents' first by reducing congestion and keeping children and families safe (Mahmuda Khanom, Policy Support Officer)

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Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution? Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget? Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council? No

**There are no background papers for this report**

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|--------------------------------|--|
| <b>Report Author Sign-off:</b> |  |
| Mark Woodhead                  |  |
| <b>Date:</b><br>14 July 2023   |  |

Please list and attach any appendices:-

| <b>Appendix number or letter</b> | <b>Description</b>      |
|----------------------------------|-------------------------|
| A                                | Schedule                |
| B                                | Proposals               |
| C                                | Indicative Closure Sign |

In consultation with Nasir Dad, Director of Environment



Signed:

Date: 27.07.2023

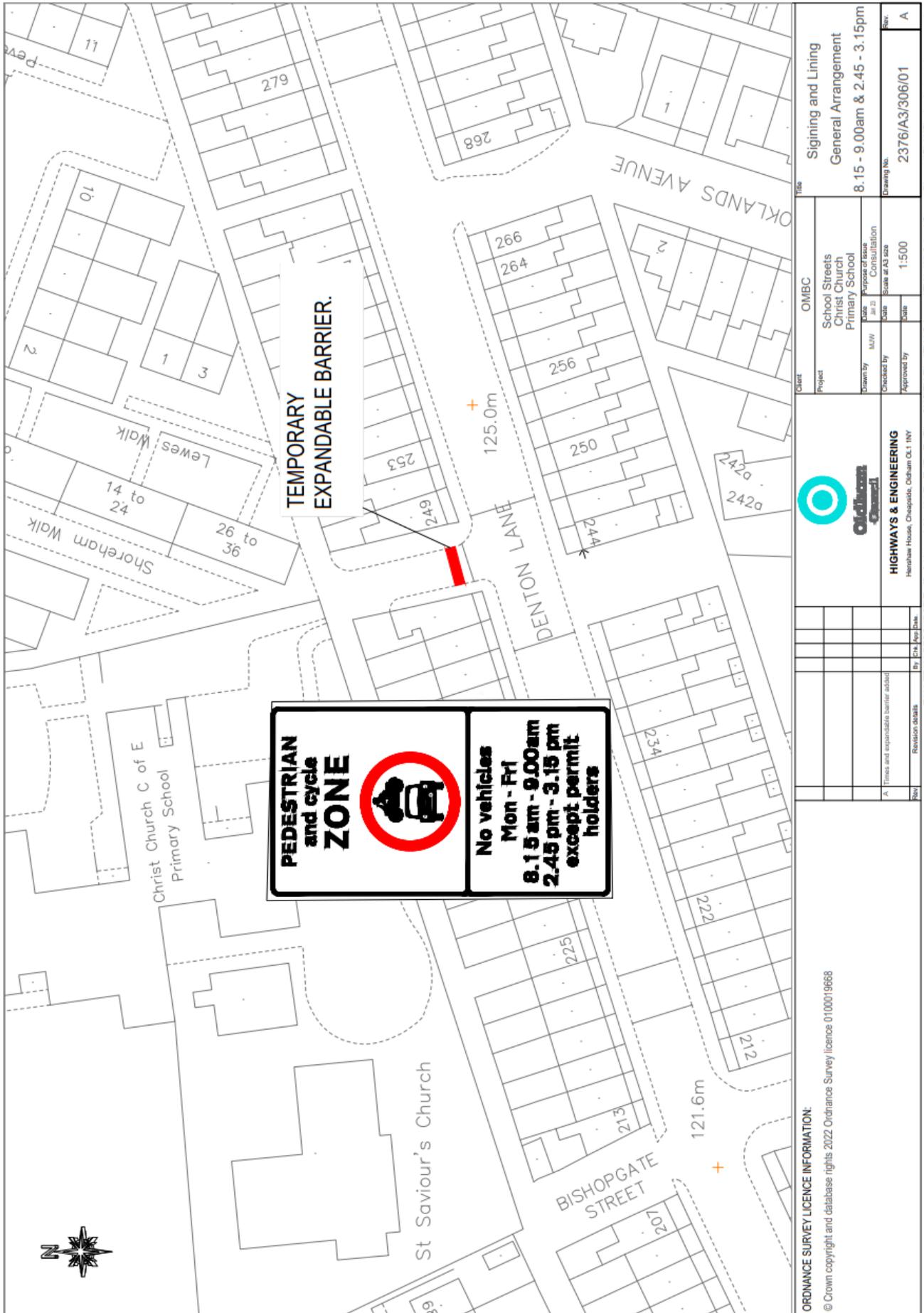
Appendix A Schedule

**Drawing Number 2376 / A4 / 306 / 01**

Prohibition of Motor Vehicles  
8.15am to 9.00am and 2.45pm and 3.15pm

| Road   | Description           |
|--|-----------------------|
| Access Road "Shoreham Walk", off Denton Lane, Oldham | For its entire length |

Appendix B – Proposals



**PEDESTRIAN  
and cycle  
ZONE**



**No vehicles  
Mon - Fri  
8.15 am - 9.00am  
2.45 pm - 3.15 pm  
except permit  
holders**