



Author/Lead Officer of Report: *Andrew Kay*

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Report of: Executive Director Place

Report to: Individual Cabinet Member Decision

Date of Decision: 2019

Subject: School Keep Clear Review – Dobcroft Infant and Junior School (Pingle Road)

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Transport and Development		
Which Scrutiny and Policy Development Committee does this relate to? Economic and Environmental Wellbeing		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number) 547</i>		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-		

Purpose of Report:
Decision required on Traffic Regulation Order (TRO) Pingle Road (Dobcroft Infant Junior School)

Recommendations:

- 7.1 That the proposal is implemented as advertised(Appendix B) with the exception that restrictions in the turning head (Pingle Road) are implemented as the revised version contained in Appendix D.
- 7.2 Contributors to the consultation to be informed accordingly.

Background Papers:

- Appendix A TRO Consultation Drawing
 Appendix B Summary of relevant comments
 Appendix C On site photographs
 Appendix D A Revised Proposal

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Gaynor Saxton
	Legal: Richard Cannon/Bob Power
Equalities: Anne Marie Johnston	
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission: <i>Laraine Manley</i>
3	Cabinet Member consulted: <i>Councillor Robert Johnson</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: Andrew Kay
	Job Title: Senior Technician, Streetsahead Opportunities Team
Date: 2019	

1. PROPOSAL

- 1.1 Pingle Road (Dobcroft Infant and Junior School) has been assessed in phase eleven of the School Keep Clear review programme.
- 1.2 At base the proposal is to replace the non-standard School Keep Clear (SKC) marking, in the turning head of the cul de sac, with a single yellow line (no waiting and no loading Monday to Friday 8.30 am to 4pm). Also it is proposed to increase the status of the double yellow lines at the Pingle Road/Whirlowdale Crescent junction. These lines would be made no waiting and no loading at any time.
- 1.3 The School Keep Clear review programme is not a mandatory process. The programme aims to upgrade all relevant parking restrictions, outside schools, to full enforcement status so that transgressions may be enforced. This may entail an upgrade of an existing school keep clear marking or, alternatively or additionally, more orthodox parking restrictions may be recommended. In a number of instances a Traffic Regulation Order (TRO) is required in order to meet this objective. The usual consultation process takes place in relation to each location subject to a proposal.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 The SKC review contributes to the delivery of the Council's *Vision for Excellent Transport in Sheffield* (a better environment, a healthier population and a safer Sheffield).
- 2.2 Generally speaking, if the provisions of the SKC review have a significant effect in reducing driver abuse of parking restrictions then, by degree, road safety benefits will accrue. Furthermore absence of parked vehicles, directly in front of school gates, will render the school environment less oppressive for pedestrians.

At this specific location freeing up the turning head, at the end of the cul de sac, will have a propensity to reduce vehicle movements within school grounds. Safety benefits will accrue.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The proposals have been subject to the standard legal process associated with Traffic Regulation Orders. In this case the proposal was advertised on 25 October 2018. The consultation period ended three weeks later on 15 November 2018. Five on street notices were posted and a number of residents were leafleted.
- 3.2 In 2012 residents objected to two proposals designed to introduce parking restrictions in the cul de sac.

- 3.3 Seven objections were received during the current period of consultation. Two of the objections were tendered the day after the official closing date. All relevant comments have been included in the summary of comments/objections contained in appendix B. The local school supports the proposal. Between the end of the consultation period and the time of writing a local Councillor has asked on progress on enforceable markings at this location.
- 3.4 None of the objections relate to the proposal to increase the status of the double yellow lines at the junction Pingle Road/Whirlowdale Crescent.
- 3.5 Key issues raised

We agree that parking near schools is an issue but there must be a better way to solve this? The yellow zig-zags outside the school were designed by the highways agency for this instance so why do they not work for this school? Why are they non-standard as well?

Officer Comment

SKC markings are unenforceable if not backed by an appropriate TRO which underpins the obligatory on street signage. The marking at the cul de sac end is of irregular shape and length and is an inappropriate configuration for an SKC marking.

*It stops the top of Pingle Rd from being used on Christmas day for visitors
It stops the top of Pingle Rd from being used on Good Friday for visitors
It stops the top of Pingle Rd from being used on Easter Monday for visitors
It stops the top of Pingle Rd from being used for 6 weeks in the summer for visitors.
Half-Term etc....*

Officer Comment

No individual has rights to on street parking. The rest of the cul de sac would be available for visitor parking at the times the single yellow line restriction applies.

In order to witness on street parking patterns, an officer made visits to Pingle Road during the Christmas and New Year holiday period (2018/19). On 26,28 December and 1,3 and 4 January no vehicles were parked in the turning head at the time of the inspections. This was the case when two visits were made during the recent February half term holiday. At the times of all of the visits ample on street parking was available in the cul de sac

In consultation a resident states that Pingle Road, “... *is deserted and peaceful in the 6 weeks summer holidays*”.

The width of the turning head is sixteen metres.

The most northwesterly property, on Pingle Road, cannot have a delivery between 8:30 and 16:00 any weekday even when the school is closed.

Officer Comment

For drivers of delivery vehicles there are ample on street parking opportunities nearby. A private forecourt could also be utilised. However the proposal can be amended in order to address the resident's concern in respect of loading vehicles. Such an adjustment would not compromise the intention of the scheme. Details of the amended proposal are contained in paragraph 5.5

People block my drive most days so the situation will get worse as you will just move the problem.

Officer Comment

This is a common issue at many school locations. Obstruction is an offence enforceable by the Police.

The school should stop parents driving up Pingle Rd rather than penalise the residents.

Officer Comment

The school has no power over the actions of third parties. Nonetheless Dobcroft School has always taken part in School Travel Plan and Walk to School initiatives. These initiatives have the aim of encouraging use of active travel options for the school journey.

The parents park on the pavement on Pingle Rd when dropping the children off, this should be prosecuted as its illegal and dangerous.

Officer Comment

Footway parking in itself is not an offence unless obstruction is caused. The proposed single yellow line will not detrimentally affect SY Police ability to enforce any transgression. The single yellow line restriction will enable the Council's parking services officers to enforce footway parking in the turning head.

The children from the school live far away and have to be driven in, the council should only let local children go to this school.

Officer Comment

This aspect is not in the Highway Authority's control. School numbers are rising generally. In any case many parents will always wish to park as close as possible to the school gate. A reduction in numbers will make little difference to the situation. Parental parking, in the cul de sac, has been experienced throughout the last twenty years and more.

The paint on the road has only just set. Why did you not do this when it was a pot holed mess? Removing the existing lines will no doubt ruin the new surface.

Officer Comment

Officers should not change the configuration of lining without reference to the TRO process and associated legal consultation. Obviously a Councillor decision cannot be assumed until the TRO process is complete. Any assumption of change could compromise any prospective consultation. Ideally

the aim is for a Traffic Regulation Order and resurfacing work to coalesce. However this has not always proved possible given the changes made to the core maintenance programme.

This area is used quite extensively during the summer holidays as this is the only chance the residents have to do any major work on their properties. Quite often drives have scaffold and skips on while this work is being carried out and this area quite import during this period.

Officer Comment

There cannot be an assumption that public highway can be reserved for a particular private purpose. Skip and scaffolding placed on the highway require appropriate permissions. Parking restrictions can be temporarily rescinded as deemed necessary. Restrictions would not be relaxed in order to accommodate displaced parking.

I presume then you will still be able to turn at the top of the road as long as you do not wait or load between 8:30am and 4.00pm. Tradespeople do need to get out of the road obviously and therefore would have to turn in the turning head.

I need clarity on the subject.

Officer Comment

The times of restriction reflect orthodox business hours. The turning head will be free for vehicle manoeuvres if the parking restrictions are respected. This is the purpose of a turning head arrangement. This consequence is more preferable to the prospect of manoeuvres being made in school grounds or, alternatively, reversing down the cul de sac.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 No significant implications are identified. The prospective single yellow line, at the top of the road, would merely replace the School Keep Clear marking which was in place at the vehicle/pedestrian access to the school. The proposal will render the school scene less oppressive for pedestrians of all abilities. Equality impact assessment number is 547.

4.2 Financial and Commercial Implications

- 4.2.1 Any work would be financed through funding allocated from the Local Transport Plan. Members have decided that £15,000 will be allocated to the School Keep Clear programme in financial year 2019/20. The implementation cost in relation to the Pingle Road proposal is estimated at less than £2000.

4.3 Legal Implications

4.3.1 The Council has the power to create a traffic regulation order (TRO) under Section One of the Road Traffic Regulation Act (1984) for reasons that include the avoidance of danger to people or traffic and for facilitating the passage, on the highway, or any other road of any class of traffic (including pedestrians). Before the Council can make a TRO, it must consult with relevant bodies in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. It must also publish notice of its intention in a local newspaper. These requirements have been met, The Council should consider and respond to any public objections received. In making decisions of this nature the Council must be satisfied that the measures are necessary to avoid danger to road users or for preserving or improving the amenities of the area through which the road runs. Providing the Council is so satisfied then it is acting lawfully and within its powers.

No resident has rights to on street parking or has legitimate claim to any specific on street parking spot.

4.3.2 in exercising the powers, under the 1984 act, the Council is required to secure (a) the expeditious, convenient and safe movement of traffic (including pedestrians) and (b) the provision of suitable and adequate parking facilities, on and off the highway, and as far as practicable having regard to the matters listed below. The matters to be considered before reaching any decision are:

- the desirability of securing and maintaining reasonable access to premises.
- the effect on the amenities of a locality and (including) the use of roads by heavy commercial vehicles.
- the national air quality strategy prepared under Section 50 of the environment act.
- the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of passengers /potential passengers.
- any other matters appearing to the Council to be relevant.

4.3.3 The procedure in relation to consultation and notification, which is set out in Schedule 9 of the 1984 Act and the Local Authorities' Traffic Orders (procedure) (England and Wales) Regulations 1996 ("the 1996 regulations") must be followed and proper consideration given to all duly made representations. In particular, attention is drawn to paragraph 5.6 below concerning the circumstances where a public inquiry must be held. If the modified scheme (Appendix D) is to be taken forward the council is satisfied that said objections, in so far as they pertain to matters of loading and unloading of vehicles for the purposes of Regulation (3) of the 1996 Regulations are no

longer relevant and may dispense with the requirement to hold an inquiry.

4.4 Other Implications

- 4.4.1 If implemented and the restrictions respected, by degree, the situation outside the Dobcroft School gate will be rendered less oppressive and more pleasant for pedestrians.
- 4.4.2 All dwellings, in the Pingle Road cul de sac, have off street parking areas. The proposed single yellow line, in the turning head, is less than forty metres in length. The proposed restriction spans two residences as well as the school. If implemented residents visitors and service vehicles would be unable to park in the turning head at the times the restriction applied.
- 4.4.3 Representatives of the school have made the request that the turning head is kept clear of parked vehicles. Aside from the usual school entrance concerns, school staff have witnessed vehicle turning movements being completed on school grounds. In terms of pupil safety this occurrence is far from ideal.
- 4.4.4. During the school term parking patterns vary. Some parking can occur in the turning head while, at other times parking takes place in the body of the cul de sac. Appendix C contains photographs of parking in the cul de sac. These images have been captured at various times. Clearing the turning head of parking will enable large vehicles to manoeuvre without encroaching on school grounds or without drivers making long reversing movements down the cul de sac. The occurrence of such vehicle manoeuvres is not ideal in close proximity to a school.

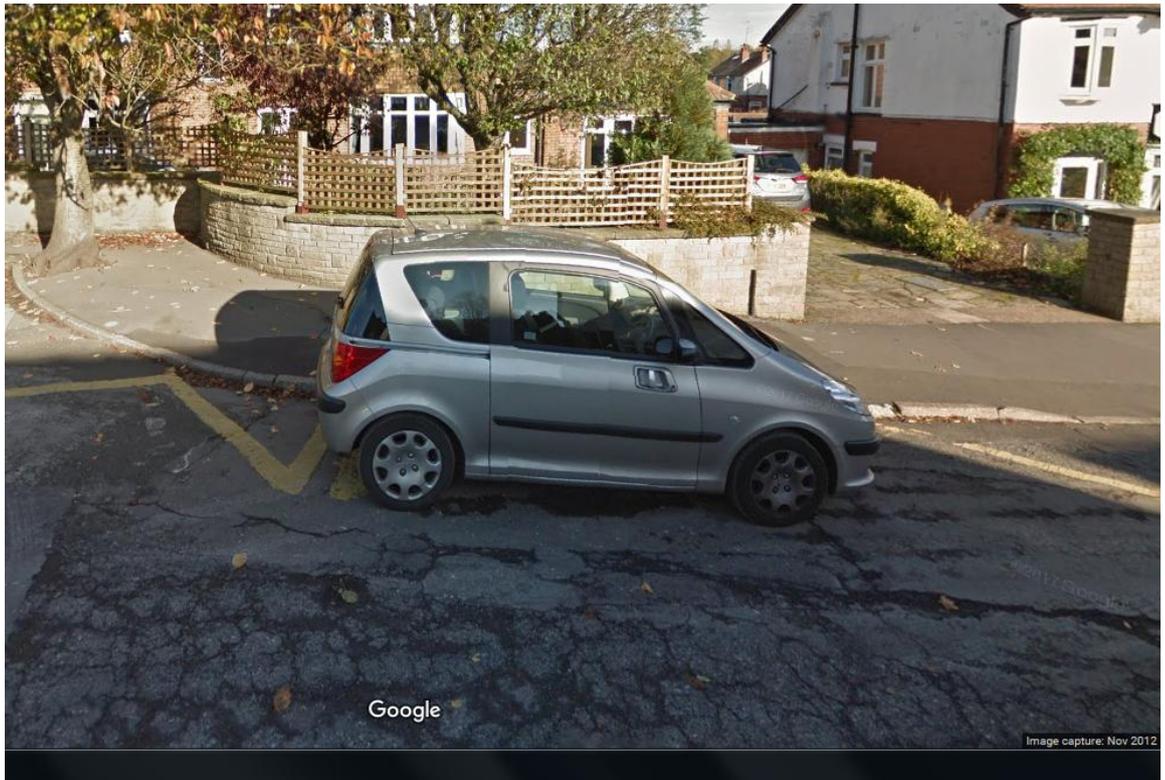
5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 In 2012 the Council received a petition with two hundred and thirty one signatures. The request was to provide “*signage showing times during which parking is not allowed on the zig zag lines at the top of Pingle Road outside the only vehicular access to both schools, We would also request that signage is included to prevent parking throughout the whole school day to the turning head directly outside the school gates*”. Subsequently two separate options were subject to the TRO process. One related to single yellow line restrictions covering significant lengths of the cul de sac, the other was for all the five School Keep Clear markings to be made enforceable at school opening and closing times. Both proposals were met by objections from residents. Councillors made the decision to revisit this issue after Amey had completed resurfacing work in 2017.
- 5.2 There is an option to do nothing. The SKC markings would remain unenforceable. Dobcroft School would not be unique in there being an absence of an enforceable marking outside its gates but Dobcroft would be the only

school, making a request for provision of restrictions, to have the request denied. School representatives are aware of the SKC review programme and its objectives.

- 5.3 Generally speaking some residents and school staff would seek to have “access only” arrangements applying to a cul de sac. There would be difficulties in applying an appropriately precise definition for the vehicles to be restricted in order to identify them for the purposes of enforcement action. Subsequently enforcement efforts would be frustrated.
- 5.4 The DfT do not recommend signing advising “term time” parking restrictions because term time can vary. The Monday to Friday daytime restriction is judged appropriate for the turning head as these are times when larger works and delivery vehicles are more prevalent. In itself the proposal represents a compromise. The aim is to keep the turning head clear of vehicles throughout weekdays when it is more likely that trades vehicles will be operating. Parking, in the turning head, would be permitted in the evenings and at weekends.
- 5.5 The proposed single yellow line, for the turning head, front two dwellings in the cul de sac. Concerns have been expressed in relation to the ability to load/unload in this area. There will still be the opportunity for parking in front of the eastern property as the proposed restrictions do not cover the whole frontage. However the frontage of the western property is completely covered by the proposed restrictions. In order to facilitate loading/unloading in front of the western dwelling the scope of the restriction could be relaxed. The single yellow line could be reduced to “no waiting at any time” (Monday to Friday 08.30am to 4pm) directly outside the property. It is viewed that such a prospect would be a reasonable compromise and would not jeopardise the overall objectives of the scheme.

The plan contained in Appendix D illustrates the revised configuration.



Part of the frontage of the eastern property at the end of the cul de sac. No enforceable restrictions are proposed at the vehicle access or the spot where the car is parked.

- 5.6 If it is decided that the scheme is to be taken forward as originally proposed (appendix A) the order cannot be made until a public inquiry has been held as per the requirements of regulation 9 of The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. Any decision to take the order forward as per the original proposal is therefore conditional upon the holding of an inquiry.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Officers recommend that the parking restrictions are implemented as shown on the revised plan Appendix D.
- 6.2 The opportunity to make these types of improvements through a TRO process is propitious while the School Keep Clear review is being progressed. However the project is in its last phases so It is unlikely that, in terms of provision of parking restrictions, Pingle Road would be a priority for the Authority's scrutiny in the short or medium terms.

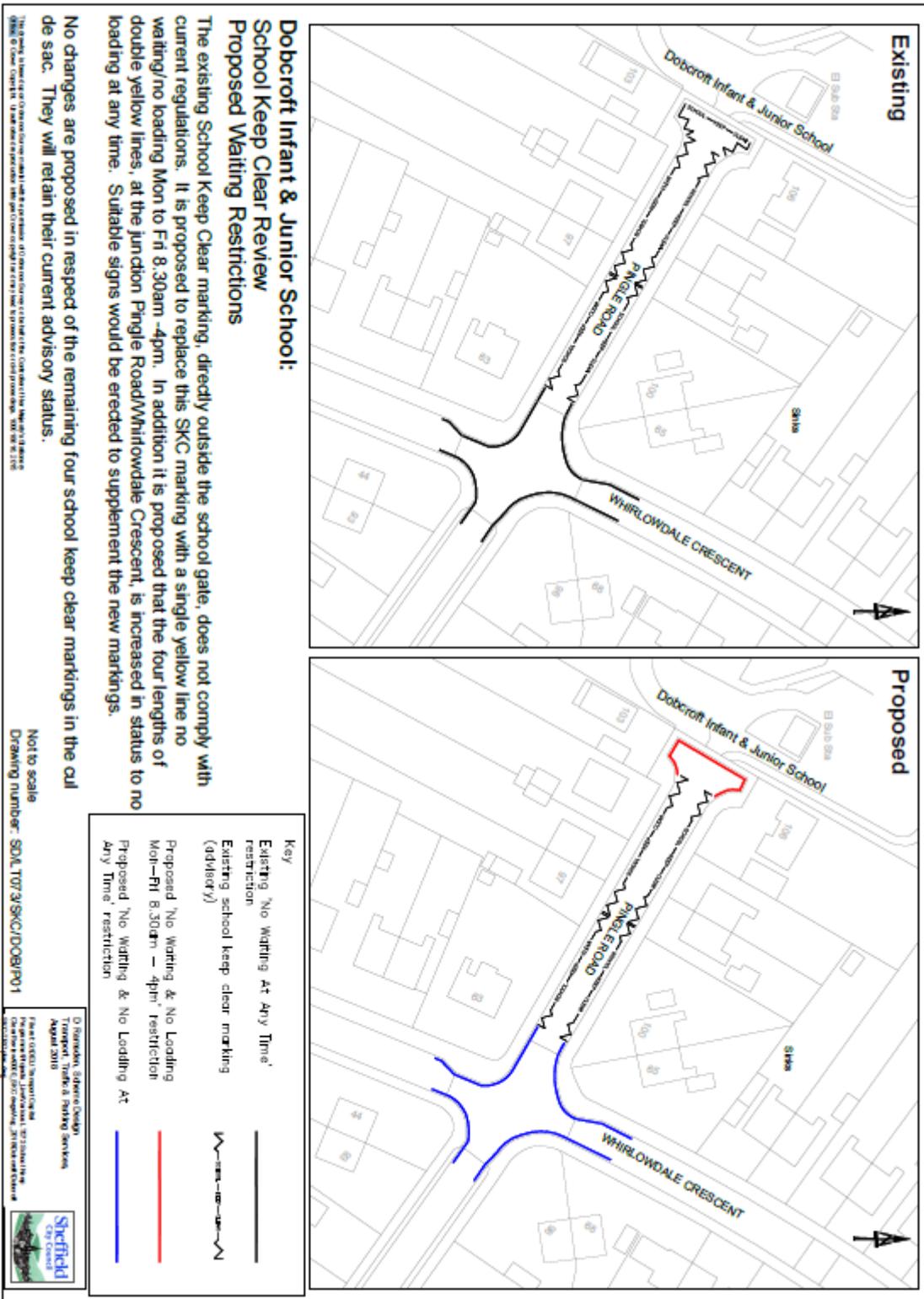
The proposed single yellow line restriction covers two residences and is 35 metres in length. Both these residences have access to off street parking. Inconvenience, as a consequence of implementation of the proposal, has been expressed. However, taking all factors into account, the benefits of having the turning head available for the purpose it is intended is viewed as being generally beneficial. The restrictions shown in Appendix D will allow loading/unloading for the Western property at the end of the cul de sac. The frontage of this property would be completely covered by the proposed restrictions.

- 6.3 As previously stated, the proposal is something of a compromise. The end of the cul de sac would be available for parking at off peak times. All indications are that plenty of on street parking space is available on non school days.

7. RECOMMENDATIONS

- 7.1 That the proposal is implemented as advertised(Appendix B) with the exception that restrictions in the turning head are implemented as the revised version contained in Appendix D.
- 7.2 Contributors to the consultation to be informed accordingly.

APPENDIX A THE TRO PROPOSAL



APPENDIX B

At the top of Pingle Road the inclusion of during school term time only to the restrictions would be a more acceptable version, though it does seem a bit over the top in general.

As discussed, We are unhappy that the top of Pingle Road cannot be used for parking in the weekday daytime when school is out. We agree it's the proposed restrictions for during school days but not for non-school days.

8*****

“ the restrictions between 8 and 4.30 all year round will impose significant restrictions to living at the head of Pingle road and penalties. Visitors , deliveries , workmen will all be detrimentally impacted. The proposal is overboard as an all year round solution. “

I am writing regarding the proposed changes to parking restrictions on Pingle road.

As residents of Pingle road, we believe the restrictions proposed would be very problematic for us. The current system works well and means our visitors can park on the road outside of school hours etc.

We agree with the Whirlowdale Crescent proposal but feel strongly that the Pingle road restrictions are overkill.

I hope you take our views into consideration

At the head of Pingle road it is a very different situation. Speaking personally All year round you would impose a situation where we couldn't have a guest parked outside our house from 8.30 to 4.30 , or a workman or a delivery ? Bearing in mind it is deserted and peaceful in the 6 weeks summer holidays.

It would be better to stop the parents ALL thinking they have the right to turn up to the top of the road for Dash after school club and for pick up at 4.30 after the after school clubs and the MILLIONS of cars that enter that tiny space for school discos. We can't get out of our drive for cars reversing at us .

That is the real issue of child safety on Pingle Road because we have to watch like a hawk to reverse out of our drive concentrating primarily on scanning and rescanning for small people.

We agree that parking near schools is an issue but there must be a better way to solve this. The yellow zig-zags outside the school were designed by the highways agency for this instance so why do they not work for this school? Why are they non-standard as well?

Objections

- 1) It stops the top of Pingle Rd from being used on Christmas day for visitors
- 2) It stops the top of Pingle Rd from being used on Good Friday for visitors
- 3) It stops the top of Pingle Rd from being used on Easter Monday for visitors
- 4) It stops the top of Pingle Rd from being used for 6 weeks in the summer for visitors.
- 5) Half-Term etc....
- 6) No 103 Pingle Rd cannot have a delivery between 8:30 and 16:00 any weekday even when the school is closed.
- 7) People block my drive most days so the situation will get worse as you will just move the problem.
- 8) The school should stop parents driving up Pingle Rd rather than penalise the residents.
- 9) The parents park on the pavement on Pingle Rd when dropping the children off, this should be prosecuted as its illegal and dangerous.
- 10) The children from the school live far away and have to be driven in, the council should only let local children go to this school.
- 11) The paint on the road has only just set. Why did you not do this when it was a pot holed mess? Removing the existing lines will no doubt ruin the new surface.

The roads do get congested at the beginning and end of the school day and when there is a major event on. As you will see parents and children do use both pedestrian access gates into the school car park but also walk through the vehicular access due to the volume going to and from the site. Due to inconsiderate parking, in the turning area, at the top of Pingle Road, vehicles are forced to enter the school car park with the resultant danger to pedestrians. Closing the school gates at this time is not an option as the schools are run independently and, as mentioned previously, pedestrians also use this access/egress point.

Visitors and staff to both schools need to be able to access the joint car park and this is its only access point.

It is therefore requested that a Traffic Regulation Order to be made and correct signage and new road markings be provided to help stop cars parking during the restricted times

A statement from an officer of the school 2012

APPENDIX C

Various on site images



Google images August 2008



Google images September 2012



Google images November 2012



Early evening 12 April 2018



14 May School day



17 May 2018 Parking witnessed in turning head at beginning of school day



12 July 2018 School Day



18 December 2018 am



21 December 2018



28 December 2018



1 January 2019



8 January 2019 no parking in cul de sac at end of school day



February 21 2019 Half term holiday



February 22 2019 Half term

