

Draft Exemption policy

1 INTRODUCTION & CONTEXT

1.1 Underpinning Principle

The London Borough of Barking & Dagenham is committed to the health and safety of its school children and have experimented and consulted on opportunities for a number of School Streets at several schools in the borough.

By taking these positive and proactive steps and introducing these schemes, the Council aims to reduce traffic, improve safety for school children and encourage more walking and cycling on the school run. The School Streets initiative further supports Barking & Dagenham Council's local implementation plan which aims to make it easier for people to travel around the borough and beyond by sustainable modes of transport, while seeking to reduce the need to travel and addressing the environmental problems caused by excessive travel. This initiative will also greatly increase road safety and security for the children of the borough on their journeys to and from school.

By closing roads temporarily to non-residents' vehicles we will make it safer for children to get to and from school by reducing congestion and pollution.

1.2 About School Streets

Concerns regarding general traffic and schools have existed for many years. School Keep Clear markings were first established in the 1964 Traffic Signs Regulations and keep the space outside of schools free from parked vehicles so that children can be seen more easily when crossing the road. In 1964 there were fewer than 7 million vehicles on the road, today this figure has increased to more than 38 million¹. School Streets are a twenty-first-century solution. They extend the original principle by closing the road outside a school to motor vehicles during drop-off and pick-up times. Access restrictions do not apply to residents and the schemes only operate on weekdays during term-time.

Across the UK, roads become congested with traffic during the school run. In London, as much as 25% of rush hour traffic is made up of vehicles travelling to school, adding 254,000 vehicles to London's roads alone². Collisions, driving too fast, inconsiderate or unlawful parking, and pollution from motorists idling their engines are well-known issues in the roads surrounding schools. An estimated 16 children are killed or seriously injured on a school run each week³.

From other London boroughs' experiences, residents of School Streets suffer lower volumes of traffic, fewer instances of inconsiderate parking, and improved air quality.

Air pollution can be five times higher during the school run than at other times of day⁴ and we know that children are among those most affected by high air pollution levels⁵. Air pollution has been linked to asthma, heart disease and can impact lung development. Meanwhile using active forms of travel like walking and cycling have excellent benefits not only for the environment but also for

¹ RAC Foundation

² Sutton Council

³ <https://oneboroughvoice.lbld.gov.uk/hub-page/school-streets-safe-streets>

⁴ Kings College London, 2019

⁵ <https://www.blf.org.uk/support-for-you/risks-to-childrens-lungs/air-pollution>

the health of our residents. Barking & Dagenham Council acknowledges the predicament parents, guardians, and carers face. While traffic makes the roads unsafe, they often feel they have no choice but to drive their children to school.

450 School Streets are currently operating within London. They have seen on average a 23% reduction in air pollution at school gates⁶. Barking & Dagenham Council is therefore committed to help support families to switch to active travel to school by making it clear that motor vehicles have no place outside school gates. A School Street will help make the road safer and calmer for students at school start and finish times, reinforcing the principles of 'School Keep Clears' and encouraging more sustainable modes of transport to and from school.

□HYPERLINK

"https://www.sutton.gov.uk/info/200194/parking_transport_and_streets/2299/sutton_school_streets/2"

A School Street is a road, or section of road, that is closed to vehicular traffic during specified school drop-off and pick-up times and where a pedestrian and cycle only zone is created adjacent to the school entrance.

Vehicles are not permitted to enter the zone during the School Street restricted times, unless they have been granted an exemption. The Council as Highway Authority can determine which road users are granted an exemption to entering the School Street during restricted times.

1.3 Objective of the Exemptions Policy

Our aim is to transform busy, congested and polluted school roads into safer, healthier, more pleasant environments.

The Council is mindful that there are good reasons to exempt certain road users from the restriction of a School Street that, if managed properly, will not have a material impact on the effectiveness of the scheme.

This exemption policy document has been prepared taking account of the feedback from the recent consultation exercise undertaken in the streets local to the initial proposed sites.

⁶ <https://oneboroughvoice.lbbd.gov.uk/hub-page/school-streets-safe-streets>

2 THE EXEMPTIONS POLICY

The groups of road users and vehicle types set out in policy below and the corresponding notes form the School Street exemption policy and will be prescribed in the traffic orders where relevant. In the event of any contradiction between policy and traffic order, it is the traffic order that takes primacy, except in the case of term-time enforcement, where it has been agreed that enforcement will take place during term-time only.

Unless specifically exempt, vehicles are not permitted to enter the School Street zone during the hours of operation. Timings of the restrictions have been limited and exemptions are focused on those who require essential access to the zone during those times. The scheme will be ineffective if exemptions are granted to all vehicles

The Council would encourage that drivers, even if exempt, avoid entering the School Street during restricted times to maximise the benefits of the School Street for the students. The exemptions in this policy relate to motor vehicles only. A specific exemption policy is not detailed for active travel modes but cycling, scooting, and walking to school are not only exempt but are very much encouraged in the School Street.

Exemption One – Residents

Residents that live in eligible properties relevant to the School Street will be entitled to an exemption and will be able to enter the School Street, to access their properties, using their private vehicles during the hours of operation

Further Notes on Exemption One

- Whilst the hour of operation of School Streets are short, to prohibit residents from within the School Street zone from using their private vehicles would be excessively restrictive on those affected and would risk compromising local compliance and support for the School Streets.
- For the purposes of this policy, a private vehicle is defined as “A vehicle registered to an eligible property within the School Street zone, or a company vehicle provided to a resident of an eligible property within a School Street zone”.
- The Council has a process for registering and confirming resident status and qualification for exemption and the resident (or carer) applying must comply with that process to ensure eligibility is recognised and unnecessary Penalty Charge Notices (PCNs) are not issued.
- The Council does not currently prescribe a maximum number of exempt vehicles per eligible property, but may consider doing so in the future if it will help ensure the School Street is safe and effective.
- Exemptions for residents may be time-limited so residents may need to apply annually, which will help ensure records of exempt vehicles are up to date and accurate.
- Informal carers of eligible residents may also be eligible for exemption. This exemption will cater for the caring needs of residents who live within the School Street zone. This could extend to include informal carers who collect/drop-off an elderly or disabled resident. Informal carers must provide some evidence of the caring arrangement e.g., a note from a General Practitioner (G.P.), District Nurse or other NHS professional.
- Registered carers, including NHS key workers, of residents living within the School Street will be exempt from the restriction and able to access the zone where necessary to facilitate the caring work.

Exemption Two – Emergency Vehicles

Any marked emergency vehicle (police, fire, ambulance) will be exempt from the School Street restriction and able to travel through the area during the hours of operation

Further Notes on Exemption Two

- Emergency vehicles not dealing with an emergency are encouraged to avoid driving through the restricted zone during the hours of operation, but emergency vehicles will remain exempt in all circumstances
- Emergency vehicles will not individually need to be added to the exemption records as these vehicles can be identified and excluded during video review before any PCNs are issued. Alternatively, they may be exempted from the system preventing the issue of a PCN.
- If any unmarked emergency service vehicles are attending an emergency and need to drive through the School Street during operation hours, the registered keeper will be able to appeal the PCN, providing evidence of requirement to enter the School Street.

Exemption Three – Special Education Needs and Disabled Students

Vehicles carrying Special Education Needs (SEN) and disabled students with specific needs that require they be dropped off and collected directly outside the school entrance are exempt

Further Notes on Exemption Three

- If the vehicle belongs to the school, the school will manage the entry on the exemption list. If not, the owner or operator of the vehicle must apply directly for the exemption, with the relevant school confirming the exemption need. This also applies to parents transporting SEN or disabled students in their own vehicles.
- Vehicles carrying SEN or disabled students are typically  buses but may occasionally be other types of vehicles.
- Schools will be required to confirm the status of parents or students who are included in an exemption application.
- School staff using their own vehicles to transport SEN and disabled students will need to apply for exemption, providing evidence of ownership and proof of employment at the school

Exemption Four – Blue Badge Holders

Vehicles carrying blue badge holders, whether as passengers or the driver, are exempt from the School Street restrictions during the hours of operation in instances where the blue badge holder requires access to the school or a property within the School Street zone during restricted times

Further Notes on Exemption Four

- The exemption does not apply as a means for driving through School Street and must be for access to the school itself or a property within the School Street zone.

- In instances where an adult dropping-off or collecting a student has a blue badge and needs to park close to the school, there will be a reasonable expectation on the individual to pre-register their vehicle with the Council, with the relevant school confirming the need for an exemption.
- As blue badges are not limited to specific vehicles, a mechanism will be in place by which the blue badge holder will be able to register a vehicle for exemption on a particular day. However, the blue badge holder must already have a vehicle pre-registered with the Council and must wait for confirmation that the new vehicle is registered to avoid a PCN being issued.

Exemption Five – School Buses

Buses transporting school children to or from the specific school to which the School Street relates are exempt from the restrictions and are permitted to be within the School Street zone during hours of operation

Further Notes on Exemption Five

- This would typically involve the bus services taking students from home to school at the beginning of the day or school to home at the end of the day.
- Council school bus service vehicles that need to collect and drop-off from inside the School Street zone will be required to apply for an exemption. This also applies to private out-of-school clubs that operate a bus service to the school. The school will be required to confirm that the service collects and drops-off and children from the school.
- This exemption would also include buses attending the school to take the students on a school excursion or event.
- Dedicated bus services accessing bus only bays within the School Street are also exempt.
- There is a reasonable expectation that the school and bus service providers comply with Council processes to administer these exemptions
- Should a need arise for a London Bus (under the auspices of Transport for London) to access a School Street, it will be exempt.
- No other buses (e.g., minibuses) are exempt.

Exemption Six – School Staff

School staff who need to access a school car park that has an entrance on a School Street will be exempt from the School Street restrictions during the hours of operation

Further Notes on Exemption Six

- School staff are strongly encouraged to avoid driving through the School Street restriction during operational hours. However, if there is a requirement for an exemption, the school will confirm this requirement
- If the entrance to the staff car park is within the School Street zone, exemptions will be granted for staff. If the car park can be accessed without needing to enter the School Street, staff will be expected to use the alternative route during the restricted times.

- The ongoing eligibility of school staff to remain exempt from the School Street restriction will be reviewed periodically to ensure that the driving does not compromise the underpinning ambition of safer and healthier streets for the school students.
- External workers who need to access the school, e.g., caterers, will also be exempt. Although encouraged not to use the School Street during the restricted times, they will be able to apply for an exemption as and when necessary, with the relevant school confirming the requirement.

Exemption Seven – Tradespeople attending emergency callouts

Tradespeople, including statutory undertakers, attending emergency callouts in the School Street zone during restricted times are exempt

Further Notes on Exemption Seven

- Due to the nature of the work, it may be that a PCN is issued and evidence can be provided on appeal. Examples of this include an emergency works permit or proof provided by the utility company that it was required to visit the location and undertake emergency work.
- Examples would include attending a sewer collapse, burst water main, leaking gas main or a similar emergency.
- Similar discretion would also apply on appeal for tradespeople attending household emergencies such as flooding, broken boilers, ceiling collapse or similar emergency. Evidence of the emergency would be required.
- The exemption will not be a mechanism for scheduling non-emergency work. Where reasonable, it is expected that utility companies and tradespeople will schedule work outside of the restricted times or park outside the restricted zone wherever possible.
- Refuse vehicles will be exempt when entering the School Street to undertake waste collection.

Exemption Eight – Businesses on School Streets

Vehicles belonging to businesses located on School Streets will be exempt

Further Notes on Exemption Eight

- Evidence that the vehicle belongs to the business must be provided
- Exemptions for vehicles that belong to businesses that must use the School Streets during operational hours will also be considered. Examples of this include vehicles used to deliver milk on a regular round and vehicles used to transport equipment for window cleaning on a regular round.

- Even when exempt, businesses are strongly encouraged to avoid driving through the School Streets during restricted times if possible.

Exemption Nine – Postal Vehicles

Liveried Royal Mail postal vehicles that require access to the School Street to carry out their duties are exempt

Further Notes on Exemption Nine

- Although exempt, Royal Mail drivers are strongly encouraged to avoid driving through School Streets during restricted times if possible.

Administration of Exemptions

- A system of permits that eligible people can apply for will be administered by the Council, which will be linked to a vehicle and the Council's enforcement software, so that no PCNs are issued to that exempt vehicle.
- It is anticipated that, with the introduction of new software, applying for permits will be largely automated. Schools and the public will be responsible for applying for their own exemptions via a website, which will then be approved by the Council. Arrangements for those who do not or cannot access on-line services will be made.

Misuse of Exemptions

- Schools, the public and all stakeholders are reasonably expected to comply with the exemption processes in place to help ensure the safe and effective operation of the School Street.
- If it is found that an application for an exemption has been made on a false premise, the Council reserve the right to withdraw the exemption and consider a prosecution for fraud.
- Similarly, if it is found that an exemption has been knowingly misused i.e., not for its intended purpose, the Council reserve the right to withdraw the exemption and consider a prosecution for fraud.

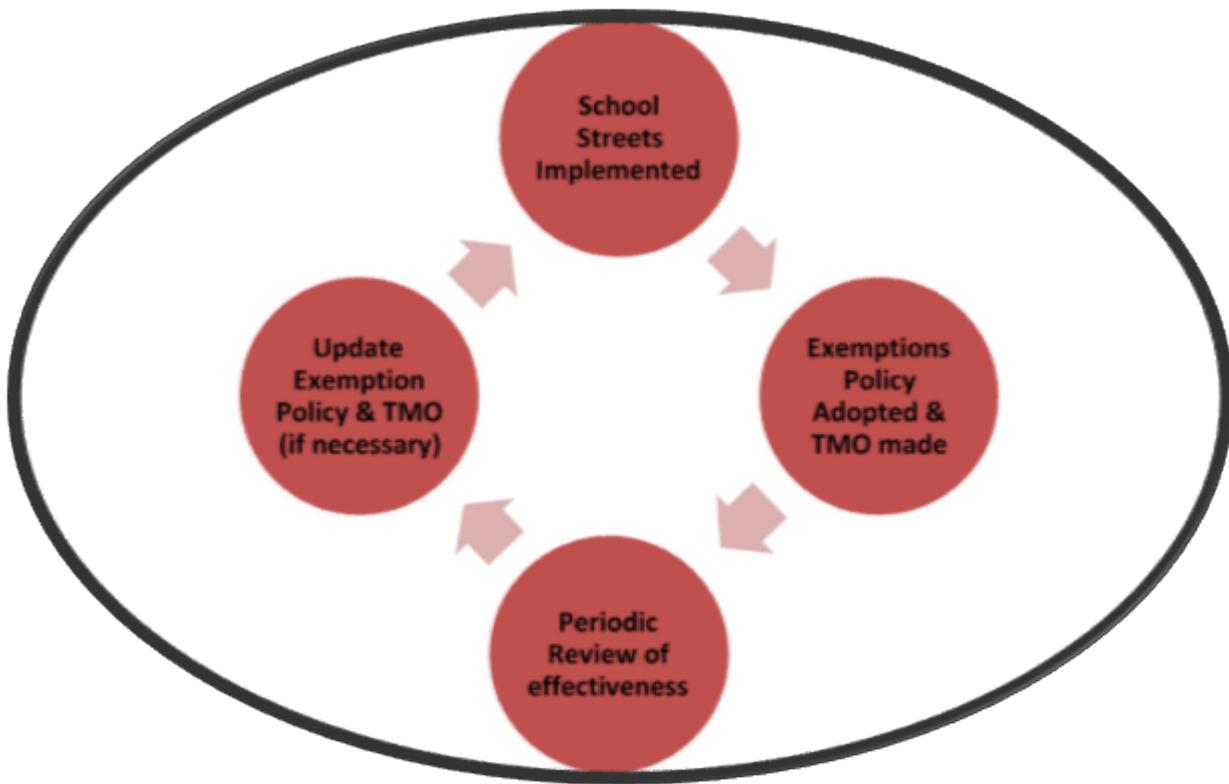
Management of Exemptions

- Following implementation, Parking Enforcement are responsible for the operational management of School Streets, including the management of exemptions.
- Parking Enforcement will make the operational decisions regarding matters of dispute or ambiguity concerning exemptions and appeals. Due regard will be given to decisions that have been made previously and to this policy to ensure a fair and consistent approach*. However, as the responsible service, decisions made by Parking Enforcement will be considered final.

*Parking Enforcement will consult Gloria Millis (Green Travel Co-ordinator), who has had a major role in drafting the current exemption policy, for input, before any final decisions or policy amendments are made.

3 REVIEWING THIS POLICY

This new School Streets Exemption Policy will be corporately owned by Barking & Dagenham Council and implemented by the relevant operational teams, with Parking Enforcement leading. It is appropriate that periodically, the policy is reviewed and assessed to determine how effective it remains. Where exemptions need updating the policy will be updated and associated traffic orders modified if required.



Parking Enforcement will have responsibility for any policy reviews and modifications and will liaise across the Council as appropriate – including with colleagues involved in Green Travel - before any amendments are finalised.