



**CABINET – 19 NOVEMBER 2021**

**PROPOSED MANDATORY SCHOOL KEEP CLEAR RESTRICTIONS  
MONDAY TO FRIDAY FROM 8AM TO 4PM, CASTLE DONINGTON  
(EASTWAY, HASTING STREET, MOUNT PLEASANT AND  
DOVECOTE)**

**REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to seek approval for the implementation of a mandatory “no stopping” traffic regulation order (TRO) on Eastway, Hasting Street, Mount Pleasant and Dovecote, in Castle Donington outside the entrances to Castle Donington College and St. Edwards C of E Primary School.

**Recommendation**

2. It is recommended that the proposed restrictions as shown on drawing no. TM4519/T1/1/71a attached as Appendix A to this report, be approved for implementation.

**Reason for Recommendation**

3. The proposed restrictions would prevent potential blocking of the highway in the vicinity of the school gates to Castle Donington College and St. Edwards C of E Primary School and create a safe access.
4. The Local Member, Mr T. Pendleton CC, does not support the scheme and therefore Cabinet determination is required.

**Timetable for Decisions (including Scrutiny)**

5. Subject to the Cabinet’s approval, the making and implementation of the Traffic Regulation Order (TRO) will be carried out within 12 weeks.

**Policy Framework and Previous Decisions**

6. The scheme contributes to the delivery of Local Transport Plan 3 (LTP3) and the priorities of safety and quality of life.

7. Approval of minor transport schemes such as this is delegated to the Director of Environment and Transport, following consultation with the Cabinet Lead Member, and subject to the support of the relevant Local Members.
8. The Local Member for Castle Donington, Mr T. Pendleton CC, has indicated that he cannot support the proposal on Mount Pleasant and therefore the matter has been referred to the Cabinet for determination.

### **Resource Implications**

9. There are no resources implications arising from the recommendations in this report. The estimated cost of processing the TRO is £5,000, which will be covered from the existing Council budget for such work.
10. The Director of Corporate Resources has been consulted on the content of this report.

### **Legal Implications**

11. The Council's power to make TROs is derived from the Road Traffic Regulation Act 1984. Section 122 of the Act places a duty on the Council to exercise the functions conferred by the Act to secure the expeditious convenient and safe movement of traffic. The proposals in this report are intended to improve highway visibility and safety in accordance with this requirement.
12. In implementing the installation of the no stopping restrictions, the Council will comply with prescribed statutory process.
13. The Director of Law and Governance has been consulted on the proposals.

### **Circulation under the Local Issues Alert Procedure**

This report has been circulated to Mr T. Pendleton CC

### **Officers to Contact**

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## **PART B**

### **Background**

14. In June 2018 all schools in Leicestershire were invited to take part in the School Keep Clear Project to combat the problems of inconsiderate parking with the first schemes becoming operational in September 2018. Castle Donington College requested to take part in the Project due to issues with inconsiderate parking directly outside the school.
15. School Keep Clear (zigzag) markings are laid outside pedestrian entrances at schools to keep an area clear of stationary vehicles. This provides a safe area for pedestrians to cross. The markings may be either mandatory (backed by a TRO and legally enforceable) or advisory. In practice, the mandatory and advisory marking look similar, apart from the mandatory marking being laid in accordance with regulations at a length between 25.560 metres and 43.560 metres, with an accompanying sign stating the times of operation (typically Monday to Friday from 8am to 4pm).
16. The proposed mandatory school keep clear markings have been proposed following a request from Castle Donington College. They have reported several incidences with cars obstructing the carriageway outside the entrances to the school and also inconsiderate parking on the existing advisory School Keep Clear Markings.
17. The aim of the proposed restrictions is to deter parking directly outside the school gates during school times (Monday to Friday, 8am to 4pm) and enable enforcement to take place. Residents will be free to park on the markings outside these times.
18. Details of the proposed permanent TRO are shown on Drawing No. TM4519/T1/1/71a attached as Appendix A to this report.

### **Consultations**

19. The public consultation was undertaken on the proposed TRO for a period of three weeks from 23 October 2020 to 13 November 2020.
20. The scheme was advertised in the local press and on the Council's website, and notices were posted on site. A copy of the proposal was made available for inspection at North West Leicestershire District Council offices for the consultation period.
21. The following responses were received:

Consultee	Response	
Formal consultations with a letter and drawing sent to:	General agreement with the proposals/no adverse comments received	Do not support the proposals
Mr. T. Pendleton CC Castle Donington Parish Council North West Leicestershire District Council Leicestershire Constabulary Ambulance Service Fire Service Road Haulage Association Freight Transport Association Local residents (62 letters sent)	1 1 1 1 1 1 1 1 2	1        8
<b>TOTAL</b>	9	9

### **Summary of responses**

22. There were 10 responses received from residents: 8 objections and 2 in support of the proposals and several responses with other comments.
23. The majority of those raising objections are opposed to a small element of the scheme outside properties nos. 13-17 Mount Pleasant as they believe the restrictions will cause more problems for residents being able to park near to their properties.
24. Some requests were received for residents parking or an exemption from the restrictions.
25. The Police, Freight Transport Association, Road Haulage Association and other statutory consultees have raised no objections to the proposals.
26. Mr T. Pendleton CC indicated that he could not support the proposals without amendments to the proposals outside nos. 13-17 Mount Pleasant.
27. Officers are unable to support the requested changes as amending the length of the proposed zig zags in the vicinity of nos.13 to 17 would make the scheme ineffective (and not enforceable), as this is the location causing most of the problems and associated with the issue of parking within the mouth of the school gates.
28. Reducing the time that the restrictions operate was also considered as requested. However, as the site hosts a number of different facilities, the gates are constantly being used by the school, an early learning centre and preschool/nursery, and therefore the zone needs to be kept clear throughout the day (between the hours of 8am to 4pm Monday to Friday).
29. All the objections received to the proposed TRO are detailed in Appendix 'B'.

### **Conclusions**

30. It is a duty of Leicestershire County Council in its role as the local Highway Authority to maintain the safe, expeditious movement of traffic which this TRO will achieve.
31. There is no requirement for the Highway Authority to provide parking for residents.
32. There is ample on street parking available within the immediate vicinity which can be used during the restricted hours.
33. The proposed waiting restrictions are in accordance with the Department for Transport (DfT) guidance. To facilitate the implementation of waiting restrictions is considered necessary on highway safety grounds to process a TRO and to create a safe access into and out of Castle Donington College.

### **Equality and Human Rights Implications**

34. There are no equality or human rights implications arising from the recommendation in this report.

### **Background Papers**

Local Transport Planning in Leicestershire 2011-2016: Leicestershire Local Transport Plan 3: <https://bit.ly/3EL0Ybi>

### **Appendices**

Appendix A - Drawing number TM4519/T1/1/71a  
Appendix B - Summary of objections received

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