

REGULATORY COMMITTEE
9th OCTOBER 2002

**WILTON/SALISBURY: FAIRVIEW ROAD, WILTON,
TO WESTWOOD ST. THOMAS SCHOOL, SALISBURY -
REQUEST FOR FREE SCHOOL TRANSPORT**

Purpose of Report

1. To summarise issues and events and to reach a conclusion regarding the safety of the walking route in this area.

Background

2. This issue has been considered over a protracted period of time, having taken account of issues raised by Wilton Town Council and parents of pupils living in Fairview Road, Wilton.
3. The full background to this report is set out in the report considered by Members of the Regulatory Committee on 15th May 2002, which is attached at **Annex 1**.
4. To summarise comparatively briefly the background to this issue:-
 - (i) The shortest available walking route is 2.9 miles (three miles is the qualifying distance whereby the County Council has a duty to provide free transport).
 - (ii) If the walking route is considered by the County Council to be unsafe, then free transport can be provided.
 - (iii) The County Council uses prescriptive guidelines to assess the safety of walking routes. These are attached at **Annex 2**.
 - (iv) Two officers walked the route and assessed it as safe for a child of compulsory upper school age to walk (age 13-16 years).
 - (v) This opinion was endorsed by the Road Safety Officer.
 - (vi) An alternative and shorter potential walking route, using Penning Road, was identified. Whilst some pupils from Quidhampton in particular have used this track unofficially for years, some upgrading would be required to bring it up to the standard of an available walking route.
 - (vii) Members decided to walk the Penning Road track to assess its potential suitability as an available route, and this walk was carried out on 22nd July 2002.

- (viii) Subsequently, before reaching a conclusion regarding Penning Road, Members decided to walk the full existing safe walking route via Roman Road and Pembroke Road. This walk was carried out on 16th September 2002. A map showing both routes is attached at **Appendix 1** to **Annex 1**.

This meeting will therefore consider the findings of the site visits and reach a conclusion thereon.

Route Safety Assessments

5. The extract from the County Council's Education Transport Policy which relates to the assessment of walking routes is attached at **Annex 2**. These guidelines incorporate definitions devised by the County Road Safety Officers' Association.
6. Statutory provisions determine that the County Council is responsible for providing free transport if the shortest available walking route is three miles or more. The route in question is 2.9 miles.
7. It is important to bear in mind that the three mile qualifying distance for free school transport is merely the breakpoint which determines whether:-
 - if over distance, the County Council has a duty to provide free transport; or
 - if under distance, the parent is responsible for making and paying for any arrangements to get the child safely to school (whether this be by lift-share arrangements, cycling, travelling by bus or walking).
8. In assessing a walking route a judgment has to be made whether the route is 'available'. If an adequate walkway exists of firm surface and at least one metre wide, then the route is 'available'.
9. Other factors that subsequently need to be considered are:-
 - the potential for molestation;
 - additional issues, eg crossing points, the age of the child, and accident data (relevant to term-time dates and times when children would be travelling to or from school).
10. To reach a conclusion on whether free transport should be provided, the following questions need to be answered:-
 - (i) Could the child walk to school unaccompanied, with reasonable safety?

If the answer is yes, then there would normally be no case for the provision of free transport.

If the answer is no, then (ii) below should be considered.
 - (ii) Could the child walk to school, accompanied by an adult, with reasonable safety?

If the answer is yes, then there would normally be no case for the provision of free transport.

If the answer is no, provision of free transport should be considered but the matter should be referred to the Area Highway Engineer to investigate whether any cost-effective road improvements could be made as an alternative.

Note In connection with (ii) above, it should be noted that the proposed improvements to Penning Road were put forward in response to parental concerns that the existing safe route (walked by Members on 16th September) is too long to walk. Members have not yet determined whether they endorse the Road Safety Officer's view that this existing longer route is safe for a child (accompanied as necessary) to walk.

Related Factors

11. At present the age range of Westwood St. Thomas School is 13-18 years. From September 2005 this age range will broaden to 11-18 years. However, with the admission of 11 year olds to the school in 2005, the 'parental duty to accompany' (detailed in paragraph 12 below) must be emphasised even more strongly. Route safety is only a consideration whilst a pupil is of compulsory school age. (Beyond this a student is old enough to be working for a living and to be responsible therefore for his/her own safety).
12. The parental duty to accompany a child "*... as necessary, on their way to school, or to find another responsible adult to do so ...*" must be remembered here. If the parent is unable to accompany, or to find another adult to do so, then the County Council can point to the existence of a public bus service.
13. A bus service operates from a bus stop located on the A36 just beyond the first crossing point for children from Fairview Road, Wilton. The current fares, taking pupils directly to the school campus, are 77p single or £1.20 daily return.
14. Accident data, provided by the Police initially, has been interrogated to find details of any accidents occurring along the walking route to school at times when pupils would be going to or from school. Over the three years to June 2002 (the latest date for which information has been supplied) one accident occurred. This involved a pedestrian in Pembroke Road walking into the path of a car, incurring slight injuries, in June 2002.

Summary

15. It is of paramount importance to be clear about the issue to be decided upon here, which is whether a safe walking route (accompanied as necessary) to the school exists. The issue is clearly not one of whether it is more desirable to grant free bus passes as an alternative to walking to school.

Financial Implications

16. The cost of providing bus passes for each child from Fairview Road to Westwood St. Thomas School is presently £228 per annum for five children for three years at the school. However, it is the question of whether the walking route is safe which is to be decided here, rather than cost being the determining factor.

Conclusion: Options Considered

17. Assessing the route according to the guidelines in the County Council's Education Transport Policy (in the opinion of the Education Transport Officers and the Road Safety Officer) a safe walking route 2.9 miles long exists via the A36, Roman Road and Pembroke Road. This absolves the County Council of any duty to provide free transport under its statutory obligations. It means that parents are responsible for making their own arrangements (eg to lift-share, cycle, travel by bus or walk).
18. There is also the option of upgrading the Penning Road route to the standard of an available walking route. This cuts approximately one mile off the distance to school and would provide an improved access route for all the community. Work would include street lighting and tarmac laying, with an enhanced crossing facility on the A36 where children would need to cross.

Recommendation

19. Members are asked to consider all the relevant issues and to decide whether:-
 - (i) To endorse the Officers' opinion that the walking route via the A36, Roman Road and Pembroke Road is safe for a pupil of upper school age to walk, accompanied as necessary; and/or
 - (ii) To commission improvements to the Penning Road track to upgrade it for use as a shorter available walking route to school.

Reason for Recommendation

20. The decision given by Members represents the final avenue in the appeal process for considering the safety of walking routes to school.

RICHARD J. LANDER

Director of Environmental Services

The following unpublished documents have been relied on in the preparation of this Report:

None

Environmental impact of the Recommendation contained in this Report:

There will be a positive impact on the environment by encouraging responsible alternative ways of getting to school safely (ie lift-share, cycle, bus or walking)

WILTSHIRE COUNTY COUNCIL

AGENDA ITEM NO. 13

REGULATORY COMMITTEE

15th MAY 2002

WILTON/SALISBURY: FAIRVIEW ROAD, WILTON, TO
WESTWOOD ST. THOMAS SCHOOL, SALISBURY -
REQUEST FOR FREE SCHOOL TRANSPORT

Purpose of Report

1. To present further proposals, in response to local concerns, regarding an alternative shorter walking route for pupils from Wilton who attend Westwood St. Thomas School in Salisbury.

Background

2. Pupils attending Westwood St. Thomas School are of the age group 13-16 years. For this age group, free transport is available through the County Council's policy if the pupil lives three miles or more from their designated school (measured by the shortest available walking route). The distance from the furthest house in Fairview Road, Wilton, is under three miles from the school.
3. For pupils living under that distance, free transport is available if the County Council considers that the walking route to school is unsafe. The route is assessed by two officers and, if the parent disagrees with that decision, the route is assessed by the Road Safety Officer. If this decision is still contested, Members are asked whether they wish to uphold the Road Safety Officer's decision or to walk the route themselves before reaching a conclusion.
4. In 1992, applications for transport from Fairview Road were refused by Officers after two separate assessments found the route to be "*unquestionably*" safe for a child accompanied by a responsible adult. However, free transport for Fairview Road pupils was granted subsequently after an appeal to the former Transport Panel: the decision may have been influenced though by an alleged lack of a suitable bus stop as a reason why transport should have been provided (although it transpired later that this information was incorrect).
5. Since that time, the assessment guidelines have been updated to include the prescriptive definitions of a safe walking route written by the Local Authority Road Safety Officers' Association.
6. In line with the practices of Best Value, this County Council reviews its decisions from time to time, and under the current guidelines this walking route is considered safe. This view was endorsed by the local Road Safety Officer.

7. In June 2000, parents of pupils in Fairview Road were notified that free passes would not be available from September 2001 onwards. This gave 15 months notice that fares would have to be paid if pupils travelled on the bus (although no period of notice is required in such instances).
8. At the meeting of the Environmental Services Sub-Committee on 5th September 2001, Members were asked if they wished to uphold the Road Safety Officer's decision that the route is safe to walk, or to walk the route themselves. The Sub-Committee resolved:-
 - (i) *To note the Road Safety Officer's assessment of the route;*
 - (ii) *To note the availability of a commercially-operated school bus service between Wilton roundabout and Westwood St. Thomas School;*
 - (iii) *To take account of any representations made to them by the appellants concerning any financial difficulties which payment of fares would place upon them;*
 - (iv) *To defer a decision pending further information on cost-effective improvements which could be made to increase the safety and suitability of an alternative and shorter route utilising Penning Road.*

The Current Situation

9. Since then, each of the parents involved in this issue has been contacted individually to invite them to have their case considered further if payment of fares would place them in financial difficulties. No such requests have been received. During a live radio interview in January 2002 when parents raised the profile of this issue, this offer was made again, but no appeals have been received.
10. As detailed below, considerable progress has been made on the alternative shorter walking route identified in Penning Road. A map showing the location of this route is attached at **Appendix 1**.
11. The current situation, therefore, is that parents are making their own arrangements for pupils to get to school, either walking or paying to use the bus. The present walking route is considered to be safe and this report details below a shorter alternative walking route and it is envisaged this will provide another safe route for accessing the school.

Penning Road

12. Having listened to the concerns of Fairview Road residents that their children would have to walk 2.9 miles to school (if they chose not to use the bus), a potential alternative shorter walking route was identified. This track leads directly to the school, but it is owned by Wilton Estates.

13. Although pupils have been noted using the track, an upgrading of the surface and provision of lighting would be required before this could be considered a suitable walking route. Wilton Estates have given permission for this upgrading to be carried out by the County Council. Crossing facilities will be included as part of the provision of bus lanes along the A36, which is proposed as a separate project. This project is in the approved Plan, and finance for this has been agreed.
14. It should be noted that the A36 is a trunk road and so the County Council is not the Highways Authority for this, and is therefore limited in its powers to enhance this stretch of road.
15. The effect of using this upgraded track as a recognised walking route is that pupils from the Wilton area will have nearly a mile less to walk, if they choose not to use the bus, and this route could be used by all residents to improve local access.
16. The upgrading of the track will be completed for the start of the new Academic Year in September 2003.

Conclusion: Options Considered

17. In the opinion of the local Road Safety Officer, the current walking route from Wilton is safe to walk. However, if parents still have any concerns about this then the County Council can remind them that it is their duty, in law, to accompany their children *".....as necessary, on their way to school, or to find another responsible adult to do so."* If parents are unable to do this, then the County Council can point to the existence of a public bus service which runs to the school.

Recommendation

18. That the action taken to make available a shorter alternative safe walking route for pupils from Wilton who walk to Westwood St Thomas School be noted. When the upgrading of this track has been completed, Members will be asked either to endorse the Road Safety Officer's view that the walking route to the school is safe, or to walk the route themselves and make a decision thereon.

Reason for Recommendation

19. Improved access to local amenities will benefit all local residents as well as encouraging walking to school.

RICHARD J. LANDER

Director of Environmental Services

The following unpublished documents have been relied on in the preparation of this Report:

None

Environmental impact of the Recommendations contained in this Report:

These proposals represent a positive contribution towards alternative ways of improving local access.

ASSESSMENT OF SAFE WALKING ROUTES TO SCHOOL

1. The initial assessment is carried out by two Officers from the Education Transport Team of the Department of Environmental Services.
2. The general policy for assessing an available route is attached at **Appendix 2**.

An available route is a route:-

- along which it is reasonably practicable for a child to walk; and
- along which a child, accompanied as necessary, can walk with reasonable safety.

In assessing the safety of a particular route, consideration is given primarily to dangers related to traffic and highway conditions. The potential for molestation and other dangers must also be considered in the assessment. The availability of a pavement or footpath will normally be taken to provide a safe route for that part of the journey.

The availability of an accessible verge onto which the child (and accompanying adult as necessary) can step, when vehicles are passing, will normally be taken to provide a safety route for that part of the journey. On routes where there is neither pavement, footpath nor verge, consideration should be given to:-

- (a) width of carriageway;
- (b) traffic speed;
- (c) composition of traffic;
- (d) visibility (e.g. sharp bends with high hedgerows or banks).

Consideration should be given to the accident data for the route, with particular regard to the effect on pedestrian movements. Where the road has to be crossed, the availability of facilities to assist such crossings should be considered. In assessing the safety of a particular route, regard should be given to the age of the child and any other relevant circumstances.

3. The County Road Safety Officers' Association Guidelines, at **Appendix 3**, are used in the assessment procedure.

4. As a result of the inspection, the two officers make a recommendation as to whether transport is to be provided.

In making their decision, there are two main considerations:-

- (a) could the child walk to school unaccompanied, with reasonable safety?

If the answer is “yes”, then there would normally be no case for the provision of free transport.

If the answer is “no”, then (b) below should be considered;

- (b) could the child walk to school accompanied by an adult, with reasonable safety?

If the answer is “yes”, then there would normally be no case for the provision of free transport;

If the answer is “no”, provision of free transport should be considered but the matter should be referred first to the Area Highways Engineer to investigate whether any cost-effective road improvements could be made as an alternative to the provision of free school transport.

5. If, after the inspection, the officers are unable to make a recommendation, a Road Safety Officer will be asked to assess the safety of the route using the same guidelines for assessment. A decision is made then as to whether free transport should be provided. If it is decided that free transport should be provided, the Director of Environmental Services will notify the parents and make the necessary arrangements (if the Area Highways Engineer is not able to carry out cost-effective road improvements as in 4(b) above).
6. The Road Safety Officer will be asked to assess the safety of the route, using the same guidelines, if the parent is dissatisfied with the outcome of the Officers’ initial assessment. If the Road Safety Officer upholds the recommendation of the Officers’ initial assessment, then the parent is informed of their right of appeal to the relevant Committee.
7. If the parent appeals then the route is walked by Members and an assessment made using the guidelines. As a result of this assessment Members consider, at their next meeting, whether free transport should be provided on grounds of road safety.

**SCHOOL TRANSPORT – GENERAL POLICY FOR ASSESSING
ON AVAILABLE ROUTE**

1. In deciding the way it should provide free transport to enable pupils to attend school, the County Council have to determine the distance to school by the nearest available route.
 2. There are two stages.
 3. The first stage is to decide what is an available route.
 4. In Rogers v Essex County Council (1986) the House of Lords heard that for a route to be available it must be a route which:-
 - 4.1 it is reasonably practicable for a child to walk along; and
 - 4.2 a child, accompanied as necessary, can walk along with reasonable safety.
- This involves taking any dangers or hazards into account: the County Council has to make a judgement. However, the presence of public transport cannot be considered at this stage.
5. The second stage is to measure the nearest available route from home to school.
 6. If the nearest available route is below two or three miles, as appropriate, there is no absolute obligation to provide free transport but the County Council has to consider whether or not there is a duty to provide free transport having regard to its policy.
 7. If the nearest available route is more than two or three miles, as appropriate, the County Council has a duty to provide free transport.
 8. The Director of Environmental Services will decide whether a route is available under the terms of paragraph 4. above. In cases of dispute he may refer the matter to the relevant committee.
 9. The Director of Environmental Services, in deciding whether a route is available, will refer to guidelines in the County Council's Policy on Education Transport.
 10. Where the Council decides a route is available under the terms of paragraph 4 which is less than two or three miles, and a parent requests free transport on grounds that it is dangerous for an unaccompanied child but it is not practicable for the parent to accompany the child to school, the County Council may point to the existence of a public bus service to get the child to and from school safely alone.

COUNTY ROAD SAFETY OFFICERS' ASSOCIATION GUIDELINES

The County Road Safety Officers' Association set of guidelines are used to assess the safety of routes in the light of such factors as traffic and highway conditions, on the assumption that a child is accompanied by a responsible adult.

Footway	An adequate footway is defined as one "At least 1 metre wide, even in surface and without ruts and potholes – suitable for walking on".
Road Width	An adequate width of road has been determined as "A minimum of 5.5 metres of usable road surface".
Weight of Traffic	<p>The term "Weight of Traffic" applies to the maximum two-way traffic volume on a road of up to 5.5 metres is equal to or less than 240 vehicles per hour and where the maximum proportion of HGVs is no greater than 5% of the total.</p> <p>In cases where the two-way volume of traffic exceeds 240 vehicles per hour, or the proportion of HGVs exceeds 5% of the total number of vehicles, then the minimum width of the road shall be 6.5 metres.</p>
Step Off	<p>The term "Step Off" refers to the facility for pedestrians to be able to step clear of the roadway onto a reasonably even and firm surface level with (or nearly level with) the roadway and of a minimum width of 1 metre.</p> <p>Such a "Step Off" must be capable of being accessed quickly and easily by pedestrians who may be in charge of small children or prams/pushchairs.</p>
Visibility	<p>The term "Visibility" means the distance of unobstructed vision when measured from the eye point of a driver (usually taken as being 1.05 m from the road surface).</p> <p>Further, this distance must be equal to, or greater than the appropriate minimum overall stopping distance as shown in the table in the Highway Code given the known 85 percentile speed of traffic on the road.</p>

A sequential assessment based on these definitions follows:-

1. Footway If an adequate footway exists the route is safe.
2. Safe Visibility Adequate sight lines must exist, bearing in mind the speed of traffic, ie is there time to see and be seen in order to take action.
3. Step-Offs On narrow roads (with no footway) a step-off facility is required except on lightly trafficked roads with good sight lines.

4. Road Width/
Traffic Volume With a minimum width of 5.5 metres and two-way traffic volumes below 240 vph (maximum % if HGV traffic no greater than 5) the route should be considered safe, assuming conditions 2 and 3 exist. Where the % of HGV traffic exceeds 5, or total traffic flows exceed 240 vph, the minimum road width should be 6.5 metres.

N.B. In normal circumstances it is assumed that the pedestrian is walking to face oncoming traffic, although it may be safer to extend sight lines on some occasions by moving across to the outside of bends.

FAIRVIEW ROAD, WILTON**SITE VISIT 16th SEPTEMBER 2002 COMMENCING AT 8.00 am**

Described below are details of the route assessed previously as 'safe' by two Education Transport Officers and the Road Safety Officer. The walk on 16th September was also completed by several members of the Regulatory Committee, prior to consideration at Committee 9th October.

ROUTE ASSESSED: FAIRVIEW ROAD, THE AVENUE, A36, ROMAN ROAD, PEMBROKE ROAD, RAWLENCE ROAD, WESTWOOD ROAD, SCHOOL ENTRANCE

From Fairview Road in Wilton, turn left along The Avenue for a short distance. The safest crossing point at the end of The Avenue is just before the roundabout, where traffic speeds are lower because vehicles are approaching or leaving the Roundabout. It is only necessary to cross one carriageway at a time, owing to the traffic island in the middle of The Avenue at this point.

Having crossed The Avenue, the walk proceeds along the A36 on the left-hand pavement. A few yards after crossing, the bus stop is located. This is where pupils can catch the fare-paying service that takes them directly to the school campus. The walk continues straight along the A36, with a firm pavement of adequate width.

At the junction with the Quidhampton turning, there is a pedestrian-controlled crossing with a central elongated traffic island. Having crossed the A36 at this point, the walk continues along firm and wide pavement again, and negotiates two minor road crossings at Foots Hill and Skew Road (both coming up from the village of Quidhampton). The pavement continues over Skew Bridge and then a Pelican Crossing is reached which facilitates easy crossing of the A36 over to Roman Road.

After just a few yards, it is necessary to cross Roman Road (outside the Newsagent) and there are several different points at which this can be done. At the start of Roman Road, there is a traffic island and this can be used to cross the road which means that traffic only has to be monitored in one direction at a time. Roman Road can also be crossed further up, without the assistance of the traffic island. There are parked cars here and these can obscure the view, needing extra care when crossing. Having crossed into Pembroke Road, this road can be crossed in several places before it reaches the junction with Rawlence Road. This road stretches into Westwood Road, and the school campus is found on the left.

A map showing the route assessed is at **Appendix 1 to Annex 1** of this report. The location of Penning Road, which was visited by Members in July 2002, is also denoted on that map. Details of the Penning Road track, and proposals for upgrading, are given in the report of 15th May 2002 which is appended at **Annex 1**.