

DERBYSHIRE COUNTY COUNCIL

CABINET MEMBER FOR YOUNG PEOPLE

5 December 2017

**Joint Report of the Strategic Director for Children's Services
and the Director of Economy, Transport & Environment**

HOME TO SCHOOL TRANSPORT – HAZARDOUS ROUTES

1. Purpose of Report

To consider a request for a route from home to contracted vehicle bus stop be declared 'hazardous'. This designation is used when determining the 'eligibility' of children to whom the statutory duty to make suitable travel arrangements applies and the extent of the transport support provided.

2. Information and Analysis

The Authority provides assistance with travel for full-time primary and secondary school pupils who do not live within walking distance of their normal area school. This distance, as defined in the 1996 Education Act, is 2 miles for children under 8 and 3 miles for children over 8 measured by the nearest available route.

An exception may be made to these distance rules if the Authority agrees that a particular route is hazardous for a pupil, accompanied if necessary, to undertake on foot. In making such a decision, the Authority will not only consider the nature of the route or alternative routes the pupil could reasonably be expected to take, but also the age of the child and whether, due to disability, the parent is unable to accompany him or her.

Criteria: The Authority's criteria for the assessment of route safety in relation to home to school transport situations are set out below:-

- a) In assessing the safety of a particular route, consideration be given only to danger relevant to traffic/highway conditions;
- b) It is essential that each case be considered objectively on its merits;

- c) It is assumed that the child is accompanied, if necessary, by a parent or other responsible person and will be suitably clad;
- d) Where a footway or roadside strip of reasonable width and condition, public footpath or bridleway exists, this will normally be assumed to provide a safe route for that part of the journey;
- e) Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey;
- f) Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility (ie sharp bends with high hedgerows or banks);
- g) The absence of street lighting is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor;
- h) Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement; and
- i) Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.

Where a route is deemed hazardous for any of the above highway reasons the matter should also be referred to the Cabinet Member for Highways and Transport to consider if the danger can reasonably be removed by appropriate highway management means. Granting of "hazardous route" status should be on the clear understanding that this status would cease if and when necessary highway measures are taken to remove the cause of the danger.

Leadmill, Hathersage under railway bridge on the B6001

The request for the route to be assessed in accordance with the Authority's criteria for route safety for the purposes of home to school transport has been made by a parent who resides just off the B6001, Leadmill, (opposite The Plough Inn) and whose child is entitled to assistance with transport to Hope Valley College in accordance with the criteria outlined in Section 2.1 above. The Authority's contracted vehicle transports students from Hathersage to Hope Valley College and the bus stop is less than one mile from the student's home address - 'Children will normally be expected to walk up to a mile, accompanied as necessary, to meet a service vehicle to school' – Derbyshire's Transport Policy for Children and Young People.

In this case, the parent has cited concerns with regard to the route between the student's home and the bus stop – specifically travelling under the railway bridge which crosses the B6001.

A pro forma (Appendix A) is attached with the area in question indicated on the attached map (Appendix B– railway bridge) and Accident Data (Appendix C).

The route from the property is paved along both sides of the B6001 to the junction Leach House and the Sewage Works, where the pavement on the right hand side travelling towards Hathersage then becomes a grass verge. This verge narrows towards the railway bridge.

The pavement on the left hand side of the road travelling towards Hathersage continues to the railway bridge.

There is no pavement on either side of the road travelling under the railway bridge. The pavement continues after the bridge on the left hand side travelling into Hathersage. The right hand side of the road has a grass verge to the junction with Station Approach. The remainder of the route into Hathersage is either pavement or a wide grass verge.

Date of Inspection

04 October 2017

Panel's Recommendation

Not hazardous

3. Financial Considerations

Any routes which are declared hazardous by the County Council automatically require the provision of free transport to children who have to travel along those routes if there is no alternative route under the relevant

distance to the bus pick up point (see paragraph 3 Background – Transport Policy for Children and Young People). Therefore, any routes so designated have ongoing financial consequences for the Authority which would have to be met from its Home to School Transport budget. In each case under consideration the cost does not have a bearing on the question of whether a route should be regarded as dangerous.

4. Legal Considerations

A Local Authority is required by Section 508B of the Education Act 1996 to make such travel arrangements as they consider necessary to facilitate attendance at school for “eligible children”. Schedule 35B of the Act defines “eligible children” – those categories of children of compulsory school age (5–16) in the Authority’s area for whom free travel arrangements must be made. Included within the categories of “eligible children” are children who live within the normal walking distance of the qualifying school cannot reasonably be expected to walk to their nearest suitable school because the nature of the route is deemed to be hazardous by the Local Authority (paragraph 4 of Schedule 25B).

It should be noted the pupils who presently travel to Hope Valley College under the bridge to access the Local Authority contracted vehicle are already “eligible” children as the distance between their homes and Hope Valley College is more than the normal walking distance. However the issue of whether the journey between home and the bus stop is a safe one will impact upon the statutory duty of the Local Authority to make “suitable travel arrangements” for “eligible” children.

The primary school children who are required to travel under the bridge to access the normal area primary school (St Michael CE Primary school) presently are not “eligible” children as the school is within the “normal walking distance” range but would become an “eligible” child if the route or part of was deemed to be unsafe in line with para 4 of Sch 35B Education Act 1996

Statutory guidance issued by the Department for Education in July 2014 (“Home to school travel and transport guidance”) states that, in determining whether a child cannot reasonably be expected to walk to school due to the hazardous nature of the route, a Local Authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child’s parent can reasonably be expected to accompany the child.

The statutory guidance also states that, when considering whether a child’s parent can reasonably be expected to accompany the child on the

journey to school, a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

The guidance also makes it clear that Local Authorities should promote and ensure equality of opportunity for disabled parents. For example, if a parent's disability prevents them from accompanying their child along a walking route that would otherwise be considered unsafe without adult supervision, a reasonable adjustment might be to provide free home to school transport for the child in question.

In the event that the Local Authority does not deem a child's route to school to be hazardous (in which case, it will not be required to provide free home to school transport for the child(ren) concerned), the child's parent may request a review of this decision in accordance with paragraph 2.13 of the Authority's Transport Policy for Children and Young People (May 2016). Parents whose review has been refused have the right to request that their case be considered further by a Senior Officer.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered: - prevention of crime and disorder, equality of opportunity and environmental, health, personnel and property considerations.

6. Background Papers

Reports and recommendations as mentioned in this report.

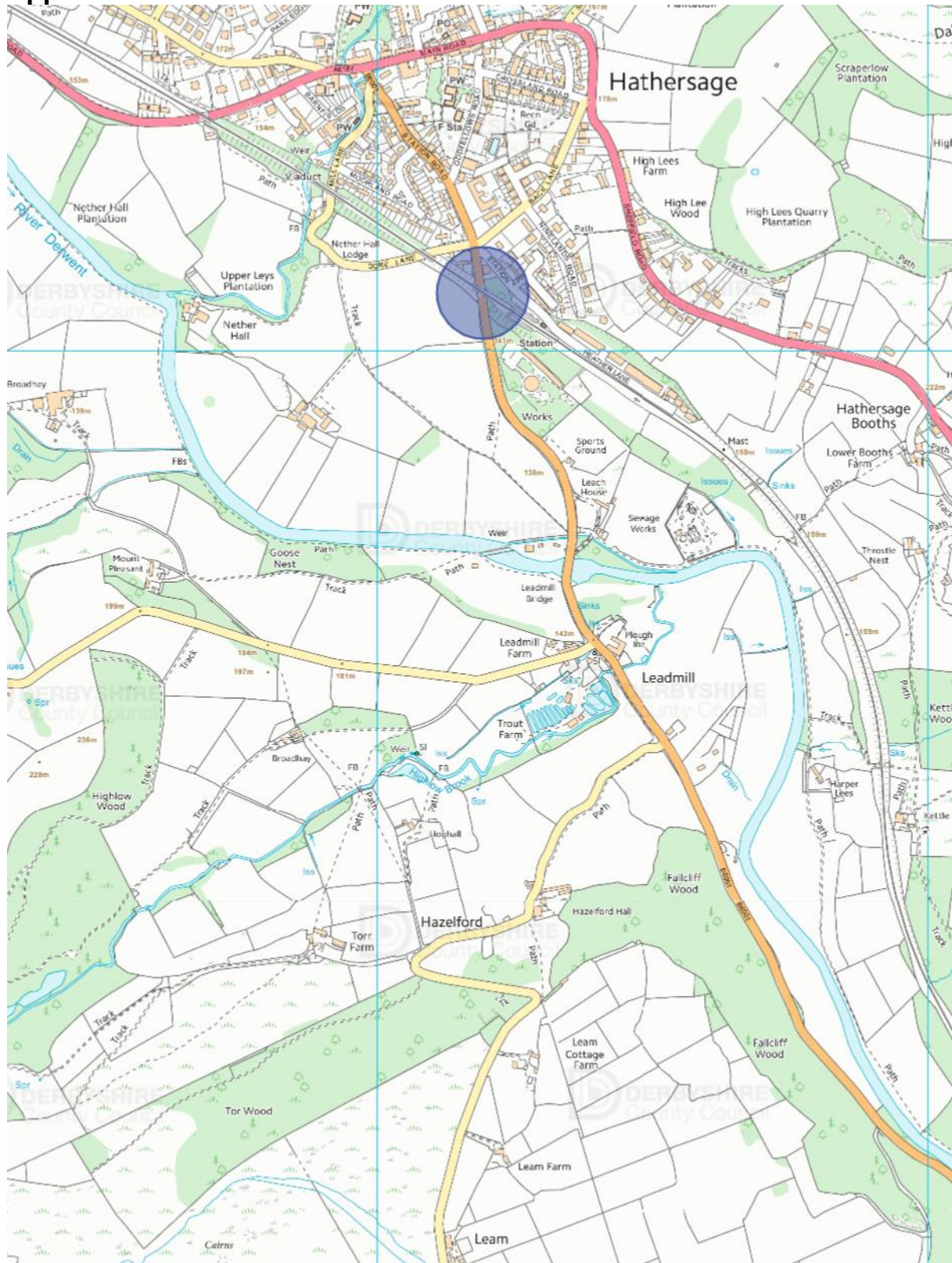
7 Recommendation

The Cabinet Member is asked to confirm the Hazardous Route Panel's recommendation to declare the route indicated not hazardous for the purposes of home to school transport. The Panel also suggested some further improvements to the route including improving the footway under the bridge and moving the 50mph signs to the other side of the bridge to slow traffic down approaching the bridge from Hathersage village.

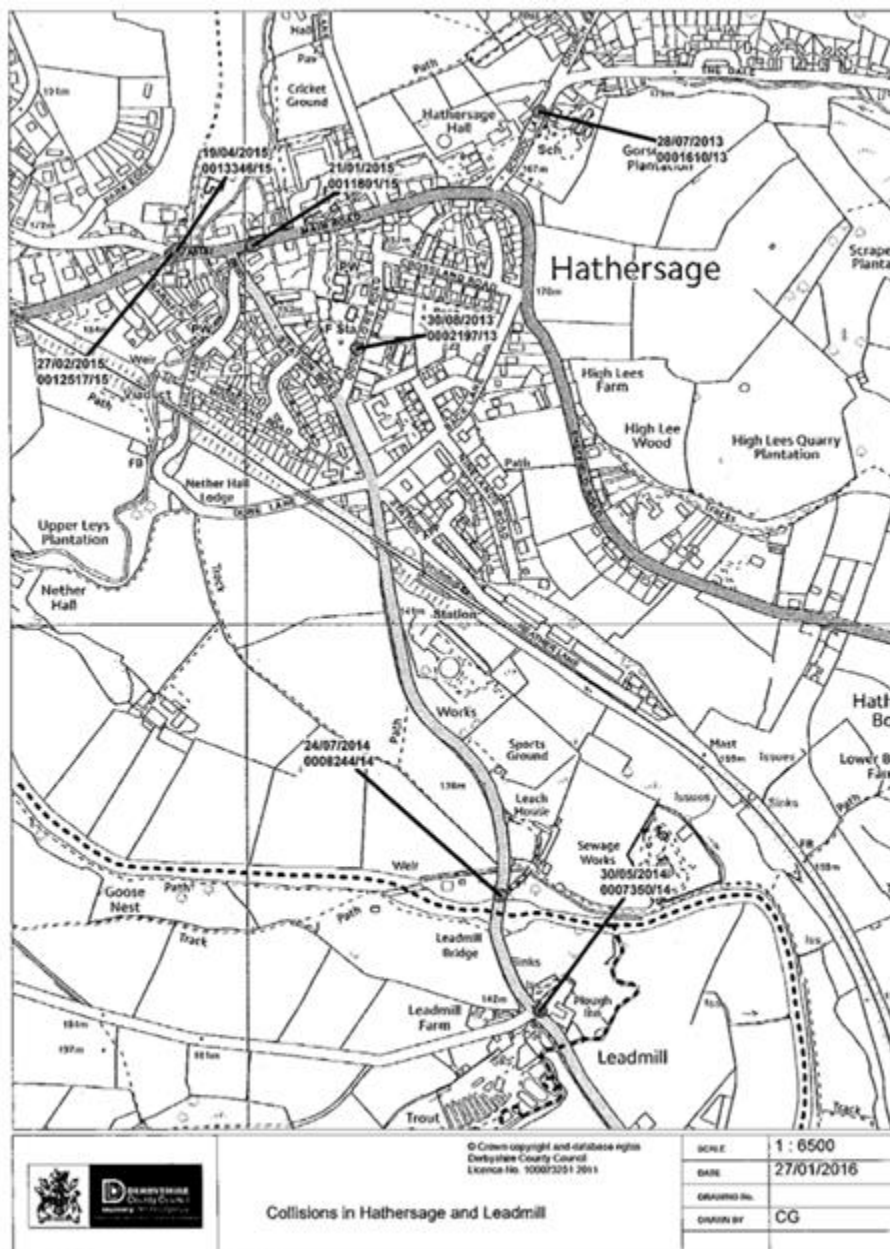
Appendix A

<u>HOME TO SCHOOL TRANSPORT - CRITERIA FOR ROUTE SAFETY</u>	<u>ROUTE: B6001 Hathersage under railway bridge</u>	
In assessing the safety of a particular route consideration should be given only to danger relevant to traffic/highway conditions. It is essential that each case be considered objectively on its merits.	<u>RELEVANT INFORMATION (where applicable)</u>	<u>OFFICER'S COMMENTS</u>
1. It is assumed that the child is accompanied if necessary by a normal caring parent or other responsible person and will be suitably clad.		
2. Where a footway or roadside strip of reasonable width and condition, public footpath or bridleway exists, this will normally be assumed to provide a safe route for that part of the journey.	A footway exists on one or both sides of the B6001 between The Plough Inn and the railway bridge.	Both sides of the road are paved from the area of The Plough Inn. The right hand side approaching Hathersage becomes a grass verge at the junction with Leach House and the Sewage Works
3. Where, on a lightly trafficked or narrow road, a verge exists which is not easy to walk on, but which can be stepped onto by the child and accompanying person when vehicles are passing, it can normally be assumed to provide a safe route for that part of the journey.		With the exception of road crossings, it is not necessary to walk along the carriage way until reaching the railway bridge.
4. Many routes may lie along roads having neither footway nor verge. On such roads consideration should be given to the width of the carriageway, traffic speed and composition (such as frequent heavy goods vehicles) and to visibility (ie sharp bends with high hedgerows or banks).	The speed limit along the B6001 is 50 mph to the junction with Station Road. The limit then changes to 30 mph. Signs leading from Hathersage alert motorists to the bridge and the possibility of traffic in the centre of the carriageway.	Vehicle count: 20 minute period prior to bus leaving for school - HGV / buses – 4 Small lorries / vans – 23 Cars – 101 Motorcycles – 1 Cyclist - 1
5. The absence of street lightening is not in itself a measure of the availability of a safe route although where children are unable to step off the road surface it could become a significant factor.		There are street lights along the route from the railway bridge into Hathersage village.
6. Consideration should be given to the relevant accident record of the route with particular regard to the effect on pedestrian movement.	Accident statistics enclosed – 01.07.12 – 31.03.16	There were seven collisions in the Hathersage area, two of which were along the B6001
7. Where road crossings are necessary, the availability of facilities to assist such crossings should be taken into consideration as should the extent of visibility.	For pedestrians living on the left hand side of the B6001 travelling towards Hathersage, it is not necessary to cross the carriageway. There is a pavement leading to the railway bridge.	Visibility is good and road crossings are possible with appropriate road safety awareness.

Appendix B



Appendix c



Details of Personal Injury Accidents for Period - 01/07/2012 to 30/06/2015 (36) months

Selection:

Notes:

Selected using Pre-defined Query :

Collisions from B6001 The Plough Inn, Leadmill and Hathersage
01/07/2012 - 30/06/2015

Police Ref	Day	Location Description	Vehicles					Casualties				
			Veh No	Type	Age	Mann	Dir	Class	Sex	Age	Sev	
Road No.	Date											
2nd Road No.	Time											
Grid Ref.	Dir											
	R.S.C											
	Weather											
	Speed											
	Account of Accident											
Causation Factor:												

0001610/13 Sunday Hathersage UC SCHOOL LANE nr. 28/07/2013 OPPOSITE THE PRIMARY SCHOOL
R1: U 0400 hrs Veh 1 Taxi 57 Go/head N to S RSP M 20 Slight
Darkness, street lights present Veh 1 Taxi 57 Go/head N to S RSP M 19 Slight
E 423,407 Flood
N 381,701 Raining without high winds
30 mph

Causation Factor:

Participant:

Confidence:

1st: Other

Vehicle 1

Very Likely

PASSENGERS HAD PRE-BOOKED TAXI FROM SHEFFIELD TOWN CENTRE BACK TO HOPE VALLEY, EN ROUTE DRIVER OF TAXI WENT DOWN THE DALE, HATHERSAGE DURING HOURS OF TORRENTIAL RAIN, UNKNOWN THAT THE RIVER HAD BURST ITS BANKS AND FLOODED THE ROAD, THE TAXI THEN RAN INTO A VERY DEEP FLOODED AREA OF THE ROAD CAUSING THE TAXI TO COME TO A SUDDEN STOP. PASSENGERS WERE JOLTED IN THE CAR AND THEN HAD TO CLIMB OUT WHEN THE TAXI STARTED TO FLOOD

0007350/14 Friday HATHERSAGE B6001 AT J/W 30/05/2014 PLOUGH INN PUB CAR PARK EXIT.
R1: B 6001 2212 hrs Veh 1 Car 20 Go/ahead LH bend N to SE Dri M 20 Slight
R2: U 2212 hrs Veh 2 Car 27 Starting E to W
Darkness: no street lighting
E 423,403 Dry
N 380,470 Fine without high winds
50 mph

Causation Factor:

Participant:

Confidence:

1st: Exceeding speed limit

Vehicle 1

Very Likely

2nd: Failed to judge other persons path or speed

Vehicle 2

Very Likely

3rd: Road layout (eg bend, hill crest)

Vehicle 2

Very Likely

4th: Careless/Reckless/In a hurry

Vehicle 2

Very Likely

VEH 1 TRAVELLING ALONG ROAD. VEH 2 PULLED OUT OF PUB CAR PARK, HITTING SIDE OF VEH 1.

0002197/13 Friday Hathersage UC Oddfellows Road at j/w 30/08/2013 UC, car park
R1: U 1334 hrs Veh 1 Car 44 Parked 0 to 0
R2: U 1334 hrs Veh 2 Car 52 Go/head NE to SW Ped F 10 Slight
Dry
E 423,155
N 381,377 Fine without high winds
40 mph

Causation Factor:

Participant:

Confidence:

1st: Crossed road masked by stationary veh

Casualty 1

Very Likely

MOTHER STOPPED CAR AND DAUGHTER GOT OUT OF THE N/S. SHE RAN AROUND THE REAR OF THE CAR AND INTO THE PATH OF VEHICLE 2

Details of Personal Injury Accidents for Period - 01/07/2012 to 30/06/2015 (36) months

Selection:

Notes:

Selected using Pre-defined Query :

Collisions from B6001 The Plough Inn, Leadmill and Hathersage
01/07/2012 - 30/06/2015

Police Ref.	Day	Location Description	Vehicles						Casualties		
			Veh No.	Type	Age	Manv	Dir	Class	Sex	Age	Sev
Road No.	Date										
2nd Road No.	Time										
Grid Ref.	DiL										
	R.S.C										
	Weather										
	Speed										
	Account of Accident										
Causation Factor:											

0008244/14 Thursday HOPE VALLEY B6001 at j/w UC, DRIVEWAY TO HARPER LEYS
R1: B 6001 24/07/2014
R2: U 1940hrs
E 423,349 Dry
N 380,628 Unknown
50 mph

Veh 1 Car 43 Starting NE to S
Veh 2 Pedal cycle 56 Go/head N to S Dri M 56 Slight

Causation Factor:

Participant:

Confidence:

1st: Failed to look properly

Vehicle 1

Possible

2nd: Exceeding speed limit

Vehicle 2

Possible

VEHICLE 1 WAS TURNING OUT OF THE DRIVEWAY FROM HARPER LEES ONTO THE A6187 AND A CYCLIST CAME VERY QUICKLY FROM UNDER THE BRIDGE AND WAS STRUGGLING TO STOP. VEHICLE 2 (THE PEDAL CYCLE) SKIDDED UNDERNEATH AND HE FELL TOWARDS THE MIDDLE OF THE ROAD WITH THE CYCLIST FALLING INTO THE SIDE OF VEHICLE 1.

0011801/15 Wednesday HATHERSAGE A6187 MAIN ROAD
R1: A 6187 21/01/2015
R2: U 1336hrs
E 423,011 Snow
N 381,518 Snowing without high winds
30 mph

Veh 1 Bus/coach 59 Stopping E to W Ped M 18 Slight

Causation Factor:

Participant:

Confidence:

1st: Slippery road (due to weather)

Vehicle 1

Very Likely

BUS PULLING INTO BUS STOP HITS SLUSH AND SLIDES INTO BUS STOP WITH EXTENDED WING MIRROR. WING MIRROR FALLS OFF ONTO HEAD OF PEDESTRIAN.

0012517/15 Friday HATHERSAGE A6187 CASTLETON
R1: A 6187 27/02/2015
R2: U 1630hrs
E 422,899 Wet/Damp
N 381,506 Fine without high winds
30 mph

Veh 1 Car 80 Turning right W to SW
Veh 2 M/C > 500 cc 50 Go/head SW to E Dri M 50 Slight

Causation Factor:

Participant:

Confidence:

1st: Failed to judge other persons path or speed

Vehicle 1

Possible

VEH 2 HAS BEEN TRAVELLING ALONG A6187 AND VEH 1 HAS BEEN COMING FROM THE RIGHT, STOPPED AT THE JUNCTION AND THEN PULLED OUT, CAUSING VEH 2 TO SWERVE AND COLLIDE WITH THE SIDE OF THE KERB.

Details of Personal Injury Accidents for Period - 01/07/2012 to 30/06/2015 (36) months

Selection:

Notes:

Selected using Pre-defined Query :

Collisions from B6001 The Plough Inn, Leadmill and Hathersage
01/07/2012 - 30/06/2015

Police Ref.	Day	Location Description	Vehicles					Casualties		
			Veh No	Type	Age	Mov	Dir	Class	Sex	Age / Sev
Road No.	Date									
2nd Road No.	Time									
Grid Ref.	D/L									
	R.S.C.									
	Weather									
	Speed									
	Account of Accident									
Causation Factor:										

0013346/15 Sunday HATHERSAGE A6187 MAIN ROAD AT
19/04/2015 J/W UC, JAGGERS LANE Veh 1 M/C > 500 cc 63 Turning right E to NW
R1: A 6187 1100hrs Veh 2 Pedal cycle 48 Go/head W to E Dri M 48 Slight
R2: U
E 422,907 Dry
N 381,512 Fine without high winds
30 mph

Causation Factor:

Participant:

Confidence:

1st: Failed to judge other persons path or speed

Vehicle 1

Possible

2nd: Failed to judge other persons path or speed

Vehicle 2

Possible

V1 MOTORCYCLE WHILST TURNING RIGHT FROM MAIN ROAD HATHERSAGE ONTO JAGGERS LANE COLLIDES WITH PUSHBIKE TRAVELLING ALONG MAIN ROAD HATHERSAGE FROM HOPE DIRECTION