

Available Walking Routes to School

Generic questions

At a meeting on 14 June 2016, the Cabinet for Cheshire East Council made the decision to;

- I. note the reclassification of routes that have been re-assessed as available walking routes to school with the consequence that school transport be withdrawn from pupils from April 2017.
- II. consult on spending of the Local Transport Plan budget allocation for 2016/17 to improve further walking routes to school.

A route that is classified as available is one that the council deems suitable for a child to walk in line with Councils approved “ Mainstream Home to School Transport Policy – Assessment of availability of routes to be walked” which is based on Road Safety UK Guidance.

In making this decision the cabinet noted that;

- it is the parents/carers responsibility to get their child to school.
- the child would be accompanied by a responsible person, such as a parent or other adult.
- routes are assessed on the basis of road safety and not personal safety in line with case law.

Road Safety UK Guidance (2011) states:

“Routes are assessed in terms of road safety, and not personal safety. Case law has found that assessments must look at the relationship between pedestrians and traffic only. Personal safety issues of children travelling alone are not considered. Local authorities are not legally obliged to provide free transport just because parents perceive the route to be unsafe on the grounds of personal safety and security”

The Council’s Mainstream Home to School Transport Policy – Assessment of availability of routes to be walked Policy and Walking Routes to School Assessments for the affected routes can be found using the following link

www.cheshireeast.gov.uk/availablewalkingroutes

See separate “Frequently Asked Questions” for route specific questions.

Question	Response
What is the distance that a child is expected to walk to and from school?	The law states that the statutory walking distance is two miles for children under eight and three miles for children aged eight and over (Cheshire East Council extends the two mile distance to cover all pupils in Primary School). The measurement of the statutory walking distance is measured by the shortest route along which a child accompanied as necessary, may walk with reasonable safety. As such, the route measured may include footpaths, bridleways and other pathways as well as recognised roads.
What happens if I work and don't have the time to walk with my child to school	The law states that it is the responsibility of the parent to ensure that a child is accompanied as necessary on the walking journey to school.
How does the assessor know if a road can be crossed in reasonable safety?	The assessments are undertaken in accordance with Cheshire East Council's "Mainstream Home to School Transport Policy – Assessment of availability of routes to be walked.", which reflects guidance issued by Road Safety GB 'Assessment of Walked Routes to School' and the Department for Education and Skills 'Home to school travel and transport guidance'. All assessments are verified with traffic counts and details are recorded in a written report which contains maps and if necessary photographs. No crossing point can be absolutely safe; the term used in the guidance is "reasonable safety" which would make the walking route available.
What happens if there is no street lighting along the route, or the lighting that is there has been turned off?	The existence or otherwise of street lighting is taken into account where this will assist drivers in seeing pedestrians walking in the road or at identified crossing points where no formal crossing

	exists (such as a light controlled or zebra crossing). If a continuous suitable footway exists then street lighting is desirable but may not be required for a route to be assessed as available.
What happens if children have heavy bags to carry?	The assessment carried out is a road safety assessment and does not take into account the weight of the bags carried by an individual.
How can I be sure my children won't misbehave on the journey to and from school?	If a parent is concerned that their children may misbehave on their journey to school then it is the responsibility of the parent to ensure that children, where necessary, are accompanied on the route to and from school.
What happens if the footpath is really narrow?	If a footway is less than ½ meter in width then traffic volumes and speeds are taken into account in the assessment. If the footway is over this width then it is considered to be an available route.
There is a level crossing on the route – I don't think this is safe?	The existence of a railway crossing does not prevent the route from being assessed as available to walk as long as there is a suitable, authorised crossing point present. Also, any danger that can be avoided if a child is accompanied is disregarded.
Can a route that is off-road without street lighting be assessed as available?	<p>In accordance with the law, all routes are assessed with the assumption that pupils are accompanied as necessary by a responsible person. Routes are not classed as unavailable solely due to any or all of the following factors:</p> <ul style="list-style-type: none"> • Lonely routes • Routes that pass close to canals, rivers, ditches, lakes, ponds etc • Routes that require railway crossings if a suitable,

	authorised crossing is present.
What time are the assessments undertaken?	Assessments usually take place in the morning during the times the children will be travelling to school and assessments may also be undertaken when returning home in the afternoon. Visits are timed, where possible so that crossing assessments of main roads take place at the times when the number of children travelling to school is highest.
What if there isn't a footway?	Even if there isn't a footway the walking route might still be assessed as available. The assessment will take account of traffic flows and whether car drivers have enough time to slow down or pedestrians have time to step-off the road or verge.
What will happen if I can't afford public transport?	Families on low income may qualify to receive assistance with school transport. Information will be provided to parents on how to apply through the implementation process.
Why does the assessment not take into account the personal safety of Children?	In accordance with Road Safety UK guidelines. "Routes are assessed in terms of road safety, and not personal safety. Case law has found that assessments must look at the relationship between pedestrians and traffic only. Personal safety issues of children travelling alone are not considered. Local authorities are not legally obliged to provide free transport just because parents perceive the route to be unsafe on the grounds of personal safety and security."
Is the assessor appropriately qualified and competent to undertake the assessment?	Yes, the professional qualifications of the safe route assessors include: <ul style="list-style-type: none"> • Accident and Safety Management – Ed excel

	<p>Advanced Professional Development Diploma. (NVQ level 5)</p> <ul style="list-style-type: none"> • Accident Investigation Courses. • Road Safety Officer for over 20 years.
How do I appeal if I think the walking route is unsafe?	No walking route can be absolutely safe; the term used in guidance is “reasonable safety” which would make the walking route available. If you think the route isn’t available you have the right to appeal. You must demonstrate that there is a change to the route that would not make it reasonably safe to walk along, or other circumstances that you feel the council should take into account that it hasn’t already considered.
Why has the Council not considered alternative arrangements?	In briefings provided to Transport Service Solutions and affected schools the potential for discussions on commercial routes was discussed. However, it was not considered appropriate for this to be explored further until the decision to withdraw transport was made. A nine month implementation was proposed to enable discussions on alternative arrangements to be considered.
My child has medical issues that make it very difficult for them to walk to school.	Some children may still be eligible for transport on grounds other than the classification of the route. Applications for circumstances to be considered would need to be made through the implementation period.
Why are the council removing the buses just to save money?	The decision is about ensuring fair, equitable and consistent application of policy. Albeit it does result in savings.
Would it be possible to phase in the transport changes due to the short notice	The local authority is required by law to give 12 weeks notice of the change of any transport provision. The proposal

given for these changes?	provided up to 9 months notice so that alternative arrangements could be explored.
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