

## APPENDIX C – CEC response to the comments raised during the public engagement

Themes	Response
The road/route is unsafe and dangerous	<p>This is not supported by the independent route assessment undertaken on the Council's behalf.</p> <p>In the case of Regina v Rogers and another, the judgement by the House of Lords supported the line consistently taken by Essex County Council that for a route to be available, it must be a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route would not fail to qualify as “available” because of dangers which would arise if the child was unaccompanied.</p> <p>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 ‘Home to school travel and transport guidance’. All assessments are verified with traffic counts where necessary and details are recorded in a written report which contains maps. No crossing point can be absolutely safe; the term used in the guidance is “reasonable safety” as such the walking route is available.</p>
It is dark with no street lighting	<p>Road Safety GB guidance on route assessments states “On its own the absence of street lighting does not make a route unsafe”</p> <p>It is assumed that children are accompanied as necessary by a responsible parent or carer. 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.</p>
Traffic speed is high/national speed limit	The route assessment has taken speed limits into account together with traffic volumes and noted that pupils are not expected to cross the B5085 Knutsford Road where the

	national speed limit applies. If vehicles are exceeding the speed limit, then this is a police matter and should be reported.
Length of journey/time taken	<p>With regard to the distance the law states that the statutory walking distance is two miles for children under eight and three miles for children aged eight and over. 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.</p> <p>DfE guidance states that:  “Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes “</p>
Will add to existing traffic	The proposals only affect 37 pupils. Some of these may opt to continue to use the existing bus service. However this proposal is focussed on making the route available for walking to school which will not impact traffic volumes.
Vulnerability of solo walkers	<p>Case law and national guidance states that it is for a responsible parent or carer to ensure that a child is accompanied as necessary on the walking journey to school.</p> <p>It is not mandatory that pupils use this walking route. Parental judgement might suggest that alternatives are more appropriate for individual children. As above pupils may continue to use the existing bus service but this would not be free.</p> <p>Given that school start and finish times are largely the same for all pupils it is highly likely that they will, either by design or coincidence, end up walking in groups, should they choose to walk.</p>
The lower school is further away	This point is accepted and results in the distance for lower school pupils (years 7 & 8) being extended by 0.3 miles. Individual journey distance will be re-assessed on that basis which will result in some pupils continuing to receive free transport until they move to the Upper School site.

Impact on children's wellbeing and learning	Walking is generally accepted to have a positive impact on health and wellbeing.
Conflict with parents work time/patterns	<p>It is the parent's responsibility to ensure that their child attends school regularly and the need for travel planning should be considered as part of that. The subsidy payments may offer some funding for alternative transport measure which might not have been thought necessary when this school was originally chosen prior to the route becoming available.</p> <p>Of the 48,476 children of compulsory school age within Cheshire East only 3,802 receive travel assistance. Therefore 44,674 parents (92%) are successfully managing their responsibility in this respect.</p>
Has any officer/councillor walked the route?	Yes, both officers and councillors have walked the route on a number of occasions.. Local head teachers have also been offered this same opportunity.
Has the DfE guidance been properly applied?	<p>Yes – the assessment has been undertaken in accordance with Cheshire East Council's Available Routes to School Policy, which reflects guidance notes issued by Road Safety GB in 2017 'Assessment of Walked Routes to School' and the Department for Education in 2014 'Home to School Travel and Transport Guidance'.</p> <p>It is reviewed and countersigned by a Senior Road Safety Engineer, the CEC Highways Contract Manager and a CEC Senior Commissioning Manager.</p> <p>The assessor is personally qualified as follows:</p> <p>Qualifications:</p> <ul style="list-style-type: none"> <li>• Degree level qualification in 'Accident and Safety Management'</li> <li>• RoSPA Accident &amp; Investigation Training Qualification</li> </ul> <p>Experience:</p> <ul style="list-style-type: none"> <li>• 18 years in Road Safety</li> <li>• 11 years in Safer Routes to School</li> <li>• 6 years in Transport Policy</li> <li>• 6 years experience in assessing available walking routes to school</li> </ul>