

APPENDIX 4



Department
for Transport

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From the Parliamentary
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Dear Cllr Cook

Thank you for your letter of 6 February 2018, about the issue of parking enforcement near schools. I note the concerns you have raised and that you have undertaken a local scrutiny review of school parking in your area.

It is a matter for local authorities to provide appropriate traffic management schemes for their roads, as they have a statutory responsibility under section 122 of the Road Traffic Regulation Act 1984. Local authorities are therefore free to make their own decisions about the streets under their care, provided they take account of the relevant legislation.

Among the options available are the placement of "School Keep Clear" markings. These are legally enforceable when used in conjunction with an upright road sign (as prescribed in the Traffic Signs Regulations and General Directions 2016, as amended), and backed by a Traffic Regulation Order.

Powers under Section 1 and 2 of the Road Traffic Regulation Act 1984 can also be used to make Traffic Regulation Orders, to prohibit parking on a designated length of highway or over a wider area. In cases where a local authority has obtained Civil Parking Enforcement powers under the Traffic Management Act 2004, which I understand your council has, it is able to enforce such parking prohibitions rather than relying on the Police.

The Department is not proposing to give local authorities any additional statutory powers, in relation to parking near schools, at this time.

Yours sincerely,

JESSE NORMAN