

Report to Safer, Cleaner, Greener Standing Scrutiny Panel



Date of meeting: 2 September 2008

SCRUTINY

Subject: Traffic Management Act 2004 – prohibition of double parking & parking at dropped footways



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Committee Secretary: A Hendry

Recommendation:

To consider the Council's response to the consultation on the operation of the Traffic Management Act 2004

1. Sections 85 and 86 of the Traffic Management Act 2004 (TMA) came into force on the 31st of March 2008. These sections prohibit parking:

- (a) at dropped footways; and
- (b) double parking

2. Although these powers are also available in the London Boroughs, they operate differently in that there is no requirement for there to be roadside signage or road markings indicating to drivers that these prohibitions are in place. Signage and markings are of course required for other parking restrictions. The Government is consulting on whether it should amend the TMA to enable authorities outside of London to also enforce these new restrictions without the need to erect signage.

3. Government takes the view that:

(a) drivers should already be aware, through the Highway Code, that they should not double park nor park across dropped kerbs which are there to assist those with mobility difficulties to cross the road or provide access into off street parking, for example, in front gardens;

(b) the TMA should be enforced consistently throughout the UK thereby avoiding drivers being unaware of different regimes; and

(c) the removal of the requirement to erect signs reduces street clutter providing a better environment and making the footways easier to clean etc.

4. The views sought are as follows:

(1) Should we provide that there is no requirement for restrictions on parking for dropped footways and double parking outside London to be indicated with traffic signs and/or road markings?	Yes / No
(2) If NO, please give reasons	
(3) If NO, how do you propose that these restrictions should best be indicated?	
(4) If you are a local authority, please give an indication of how much money would be saved through not requiring signage, subsequent maintenance etc	£xxxxxx on introduction £xxxxxx annual maintenance

5. The deadline for the response is Tuesday the 21st of October 2008, although earlier responses are appreciated.