

# **CABINET MEMBER DECISION**

## **Decision:**

### **Recommendation from Epsom and Ewell Local Committee – Highways Update**

**(i) Details of decision**

To approve the response, attached as Appendix 1.

**(ii) Reasons for decision**

To respond to the Epsom and Ewell Local Committee's recommendation.

**(iii) Details of any alternative options considered and rejected**

None

**(iv) Details of any consultation and representations received not included in the published report**

In addition, the Cabinet Member for Transport and Environment highlighted the following points:

1. Recent changes to legislation has now brought this issue under local committees, having being decriminalised it now opens the way for local committees and enforcement officers to decide whether or not to enforce schools keep clear lines.
2. Three local committees have currently acted upon this freedom and during this process it was discovered that not all of the zigzags met the required level to ensure that the markings were legally enforceable. They are currently being reviewed but will take upto two years to complete countywide.
3. The delay in Epsom and Ewell has not been due to a lack of staffing to proceed with the local committee's recommendation.
4. This matter will be brought to the Epsom and Ewell Local Committee in March to approve the TRO required, and then the committee in conjunction with the local authorities' civil enforcement officers will be able to act.
5. This may not be progressed any faster as constitutionally only the Leader of the Council is in a position to change the appropriate parts of the Constitution.

### **Conflicts of Interest and any Dispensations Granted**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)**

None

**Decision taken by:**

(i) **Name:** John Furey

(ii) **Portfolio:** Cabinet Member for Transport and Environment

**Date of Decision:** 23 January 2013

**Date of Publication of Record of Decision:** 24 January 2013

## **APPENDIX 1**

### **CABINET MEMBER RESPONSE TO EPSOM AND EWELL LOCAL COMMITTEE WITH REGARD TO HIGHWAYS UPDATE**

#### **Epsom and Ewell Local Committee recommendations**

The Local Committee recommends to the Cabinet Member:

That this Committee expresses its concern that the arrangements for the legal enforcement of school keep clear lines in Epsom & Ewell is being delayed until March 2013 and calls upon the Cabinet Member for Transport and Environment to provide the necessary resources to enable this to be completed by January 2013.

#### **Reply:**

Schools have had zigzag lines outside them for many years, and in the majority of cases, not just in Surrey but in much of the country, they have been advisory markings. That means that the prohibition of stopping on them could not be enforced. However it also meant that they could be installed without the need for, and time and cost associated with, the introduction of the necessary traffic regulation order (TRO). As in general drivers respected the purpose of the markings and kept clear of them, this was a quick and easy way to improve road safety near schools.

In some instances the markings were installed with the backing of a TRO and so the prohibition of stopping on them could be enforced, but until recently any enforcement was the responsibility of the police. However, recent changes to legislation mean that the contravention has been decriminalised and can now be enforced by local authorities' civil enforcement officers and as a result it was decided to instigate a project to make all the markings enforceable.

As there are strict criteria that need to be met about the length and position of the lines, and about accompanying signs setting out the times that the restrictions apply, the county council's parking team are in the process of visiting all Surrey's schools and identifying which already meet the criteria and which need work to be done to make the markings legally enforceable. We are also looking at whether zigzags are needed where they have not previously been installed. As there are over 500 schools across the county, the team think it will take around two years to complete the work countywide. Three local committees have already approved the making of a TRO and the necessary works, and Epsom & Ewell will therefore be the fourth borough to be included in the programme.

In the meantime we work with schools and Surrey Police through initiatives such as Drivesmart and Parksmart to ask all drivers to use common sense and consideration when parking near schools, to help us keep all our pupils and teachers safe

**John Furey**  
**Cabinet Member for Transport and Environment**  
**23 January 2013**