



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART III

#### CROSSINGS AND PLAYGROUNDS

##### *School crossings*

#### **26 Arrangements for patrolling school crossings.**

- (1) Arrangements may be made by the appropriate authority for the patrolling of places where children cross roads on their way to or from school, or from one part of a school to another, during periods between the hours of eight in the morning and half-past five in the afternoon when children are so on their way, by persons appointed by or on behalf of the appropriate authority, other than constables.
- (2) For the purposes of this section, in its application to England and Wales, the appropriate authority—
  - (a) as respects places [<sup>F1</sup>outside Greater London] shall be the council of the county [<sup>F2</sup> or metropolitan district] in which the places in question are;
  - (b) as respects places in the City of London, shall be the Common Council of the City; and
  - [<sup>F3</sup>(c) as respects places in a London borough, shall be the council for the borough,] and for the purposes of this section, in its application to Scotland, the appropriate authority shall be the [<sup>F4</sup>council constituted under section 2 of the Local Government etc. (Scotland) Act 1994].
- (3) The functions of the appropriate authority for the purposes of arrangements under subsection (1) above shall include the duty to satisfy themselves of the adequate qualifications of persons appointed to patrol, and to provide requisite training of persons to be appointed.
- (4) In taking decisions as to making arrangements under subsection (1) above—
  - [<sup>F5</sup>(a)] in England or Wales, the council of a county [<sup>F2</sup>or metropolitan district]. . . , shall have regard to any representations made to them [<sup>F6</sup>. . . by local authorities

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for localities in the county [<sup>F7</sup>or], [<sup>F2</sup>metropolitan district]. . ., as the case may be, [<sup>F8</sup>and

- (b) in Scotland, the regional council shall have regard to any representations made to them by district councils for areas in the region.]

[<sup>F9</sup>(4A) Before making arrangements under subsection (1) above for the patrolling of places where children cross GLA roads, a London borough council or the Common Council of the City of London must consult Transport for London and take account of any representations made by Transport for London.]

(5) Any arrangements under subsection (1) above—

- [<sup>F10</sup>(a) if made in England or Wales by the council of the county [<sup>F11</sup>,London borough][<sup>F12</sup>or metropolitan district as respects places in the county [<sup>F11</sup>, London borough] or district], may include an agreement between that council and the police authority for the police area in which those places are, [<sup>F13</sup>or
- (b) if made in Scotland by a regional council, may include an agreement between that council and any district council whose area comprises the place to which the arrangements relate,]

for the performance by the police authority, [<sup>F14</sup>or, in Scotland, the district council,] on such terms as may be specified in the agreement, of such functions for the purposes of the arrangements as may be so specified.

#### Textual Amendments

- F1** Words in s. 26(2)(a) substituted (1.4.2000) by 1999 c. 29, s. 288(1)(2)(a) (with Sch. 12 para 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F2** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(10)(b)**
- F3** S. 26(2)(c) substituted (1.4.2000) by 1999 c. 29, s. 288(1)(2)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F4** Words in s. 26(2) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 134(3)(a)** (with s. 179); S.I. 1996/323, **art. 3**
- F5** Word “a” in s. 26(4) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(b)(i), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F6** Words in s. 26(4) ceased to have effect (1.4.2000) by 1999 c. 29, s. 288(1)(3)(a) (with Sch. 12 para. 9(1)) and words repealed (3.7.2000) by 1999 c. 29, s. 423, **Sch. 34 Pt. VI** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F7** Words in s. 26(4) inserted (1.4.2000) by 1999 c. 29, s. 288(1)(3)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F8** s. 26(4)(b) and preceding word “and” repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(b)(ii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F9** S. 26(4A) inserted (1.4.2000) by 1999 c. 29, s. 288(1)(4) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F10** Word “a” in s. 26(5) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(i), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F11** Words in s. 26(5) inserted (1.4.2000) by 1999 c. 29, s. 288(1)(5) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F12** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(10)(c)**
- F13** s. 26(5)(b) and preceding word “or” repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(ii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F14** Words in s. 26(5) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(iii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**

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## 26 Arrangements for patrolling school crossings. **E+W+S**

- (1) Arrangements may be made by the appropriate authority for the patrolling of places where children cross roads on their way to or from school, or from one part of a school to another, during periods between the hours of eight in the morning and half-past five in the afternoon when children are so on their way, by persons appointed by or on behalf of the appropriate authority, other than constables.
- (2) For the purposes of this section, in its application to England and Wales, the appropriate authority—
  - (a) as respects places [<sup>F15</sup>outside Greater London] shall be the council of the county [<sup>F16</sup> or metropolitan district] in which the places in question are;
  - (b) as respects places in the City of London, shall be the Common Council of the City; and
  - [<sup>F17</sup>(c) as respects places in a London borough, shall be the council for the borough,] and for the purposes of this section, in its application to Scotland, the appropriate authority shall be the [<sup>F18</sup>council constituted under section 2 of the Local Government etc. (Scotland) Act 1994] .
- (3) The functions of the appropriate authority for the purposes of arrangements under subsection (1) above shall include the duty to satisfy themselves of the adequate qualifications of persons appointed to patrol, and to provide requisite training of persons to be appointed.
- (4) In taking decisions as to making arrangements under subsection (1) above—
  - [<sup>F19</sup>(a)] in England or Wales, the council of a county [<sup>F16</sup>or metropolitan district][<sup>F20</sup>, and the commissioner of police of the metropolis], shall have regard to any representations made to them [<sup>F20</sup>or him]by local authorities for localities in the county [<sup>F21</sup>or], [<sup>F16</sup> metropolitan district [<sup>F20</sup>or] metropolitan police district], as the case may be, [<sup>F22</sup>and
  - (b) in Scotland, the regional council shall have regard to any representations made to them by district councils for areas in the region.]
- [<sup>F23</sup>(4A) Before making arrangements under subsection (1) above for the patrolling of places where children cross GLA roads, a London borough council or the Common Council of the City of London must consult Transport for London and take account of any representations made by Transport for London.]
- (5) Any arrangements under subsection (1) above—
  - [<sup>F24</sup>(a)] if made in England or Wales by the council of the county [<sup>F25</sup>,London borough][<sup>F26</sup>or metropolitan district as respects places in the county [<sup>F25</sup>, London borough] or district], may include an agreement between that council and the police authority for the police area in which those places are, [<sup>F27</sup>or
  - (b) if made in Scotland by a regional council, may include an agreement between that council and any district council whose area comprises the place to which the arrangements relate,] for the performance by the police authority, [<sup>F28</sup>or, in Scotland, the district council,] on such terms as may be specified in the agreement, of such functions for the purposes of the arrangements as may be so specified.

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### Textual Amendments

- F15** Words in s. 26(2)(a) substituted (1.4.2000) by 1999 c. 29, s. 288(1)(2)(a), (with Sch. 12 para 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F16** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(10)(b)**
- F17** S. 26(2)(c) substituted (1.4.2000) by 1999 c. 29, s. 288(1)(2)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F18** Words in s. 26(2) substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 134(3)(a)** (with s. 179); S.I. 1996/323, **art. 3**
- F19** Word “a” in s. 26(4) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(b)(i), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F20** Words in s. 26(4) ceased to have effect (1.4.2000) by 1999 c. 29, s. 288(1)(3)(a) (with Sch. 12 para. 9(1))
- F21** Words in s. 26(4) inserted (1.4.2000) by 1999 c. 29, ss. 288(1)(3)(b) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F22** s. 26(4)(b) and preceding word “and” repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(b)(ii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F23** S. 26(4A) inserted (1.4.2000) by 1999 c. 29, ss. 288(1)(4) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch.**
- F24** Word “a” in s. 26(5) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(i), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F25** Words in s. 26(5) inserted (1.4.2000) by 1999 c. 29, ss. 288(1)(5), 423 (with Sch. 12 para. 9(1); S.I. 2000/801, art. 2, **Sch.**
- F26** Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(1), **Sch. 5 para. 4(10)(c)**
- F27** s. 26(5)(b) and preceding word “or” repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(ii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**
- F28** Words in s. 26(5) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 134(3)(c)(iii), **Sch. 14** (with s. 179); S.I. 1996/323, **art. 3**

## 27 Expenses under s. 26 in metropolitan police district.

- (1) The expenses incurred for the purposes of section 26 of this Act by the council of a county any part of which is for the time being comprised in the metropolitan police district shall not be chargeable on that part.
- (2) For the purposes of any arrangements made under section 26(1) of this Act by the commissioner of police of the metropolis, there shall be paid out of the metropolitan police fund such expenditure as the Secretary of State may direct to be so paid.

## 28 Stopping of vehicles at school crossings.

- (1) When between the hours of eight in the morning and half-past five in the afternoon a vehicle is approaching a place in a road where children on their way to or from school, or from one part of a school to another, are crossing or seeking to cross the road, a school crossing patrol wearing a uniform approved by the Secretary of State shall have power, by exhibiting a prescribed sign, to require the person driving or propelling the vehicle to stop it.
- (2) When a person has been required under subsection (1) above to stop a vehicle—

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- (a) he shall cause the vehicle to stop before reaching the place where the children are crossing or seeking to cross and so as not to stop or impede their crossing, and
  - (b) the vehicle shall not be put in motion again so as to reach the place in question so long as the sign continues to be exhibited.
- (3) A person who fails to comply with paragraph (a) of subsection (2) above, or who causes a vehicle to be put in motion in contravention of paragraph (b) of that subsection, shall be guilty of an offence.
- (4) In this section—
- (a) “prescribed sign” means a sign of a size, colour and type prescribed by regulations made by the Secretary of State or, if authorisation is given by the Secretary of State for the use of signs of a description not so prescribed, a sign of that description;
  - (b) “school crossing patrol” means a person authorised to patrol in accordance with arrangements under section 26 of this Act;
- and regulations under paragraph (a) above may provide for the attachment of reflectors to signs or for the illumination of signs.
- (5) For the purposes of this section—
- (a) where it is proved that a sign was exhibited by a school crossing patrol, it shall be presumed, unless the contrary is proved, to be of a size, colour and type prescribed, or of a description authorised, under subsection (4)(b) above, and, if it was exhibited in circumstances in which it was required by the regulations to be illuminated, to have been illuminated in the prescribed manner;
  - (b) where it is proved that a school crossing patrol was wearing a uniform, the uniform shall be presumed, unless the contrary is proved, to be a uniform approved by the Secretary of State; and
  - (c) where it is proved that a prescribed sign was exhibited by a school crossing patrol at a place in a road where children were crossing or seeking to cross the road, it shall be presumed, unless the contrary is proved, that those children were on their way to or from school or from one part of a school to another.

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**Modifications etc. (not altering text)**

**C1** S. 28(4)(a): certain functions transferred (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1**; S.I. 1998/3178, **art. 3**

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