

**To:** Maidstone Joint Transportation Board  
**By:** KCC Highways and Transportation  
**Date:** 18 October 2023  
**Subject:** King Street - Moving Traffic Enforcement Update  
**Classification:** Information Only

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Summary: This report updates Members on KCC's Moving Traffic Enforcement project

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## 1. Context

- 1.1 As the Local Transport & Highway Authority, Kent County Council has a statutory duty to ensure the effective discharge of the 2004 Traffic Management Act to help ensure safe passage for all road users and secure the provision of public passenger transport services within the county which would not be met without financial input from KCC.
- 1.2 Part 6 of the Traffic Management Act allows the highway network to be more effectively managed by the Highway Authority, allowing the civil enforcement of a variety of moving traffic contraventions whilst maintaining national standards to improve road safety, pollution levels, journey time reliability and public realms in locations with low compliance.

## 2. Moving Traffic Enforcement - Background

- 2.1 In September 2020, the Department for Transport announced that they would be fully enacting the elements of the Traffic Management Act which transfer moving traffic offences from criminal law to civil law, which can be granted to Local Highway Authorities.
- 2.2 This came into force on 15<sup>th</sup> July 2022, with the passing of ['The Civil Enforcement of Moving Traffic Contraventions Designations and Miscellaneous Amendments Order 2022'](#).
- 2.3 As these powers have not previously been available to KCC, there is no existing contract in place that gives KCC access to the necessary hardware and processing infrastructure to enforce moving traffic offences and issue Penalty Charge Notices. A new service provision is therefore being procured to deliver the requirements of the Traffic Management Act.
- 2.4 Moving traffic contraventions relate to traffic controls through signing and lining in the Highway Code and include the following:
- Driving through a 'No Entry' sign
  - Turning left or right when instructed not to do so
  - Entering yellow box junctions when your exit is not clear
  - Driving where motor vehicles are prohibited
  - Driving a private vehicle on a route for buses only
- 2.5 Assessing whether a contravention has occurred will be achieved using the latest Automatic Number Plate Recognition (ANPR) camera technology. KCC will then be in a stronger position to manage and improve the road network, being able to deliver the key objectives of:
- Improving road safety
  - Reducing network congestion

- Increasing public transport reliability
- Improving air quality
- Increasing the lifespan of highway assets

**2.6** Moving Traffic Enforcement will only be applied where action is needed to meet one of these objectives.

**2.7** After some delay whilst the project was scrutinised internally for financial viability, the tender process has now begun. The contract is expected to be up and running in November 2023.

### **3. Bus gate on King Street, Maidstone**

**3.1** Several schemes across Kent have been identified with KCC officers, Borough Council Officers and bus operators for delivery in the first tranche roll out. The bus gate on King Street, Maidstone has been highlighted as a site where unauthorised vehicles are driving through the restricted area, causing delays to the bus network and affecting the punctuality of the buses which in turn makes the service less attractive to passengers.

**3.2** The bus gate begins at the King Street/Wyke Manor Road junction from the east, and the High Street/Mill Street junction from the west. A third entrance to the bus gate is located on Pudding Lane.

**3.3** Site assessments are being undertaken by the KCC officers to assess whether the site would be suitable for ANPR camera enforcement. A potential obstacle to camera enforcement is the legitimate requirement to allow access to 4 disabled parking bays outside NatWest Bank. Disabled badge holders will be able to access these spaces, but camera enforcement would not be able to identify whether a vehicle travelling through the bus gate is carrying a disabled badge holder. This could result in the registered holder of the vehicle being issued with a Penalty Charge Notice (PCN).

**3.4** KCC Network Management officers have discussed this issue with colleagues in the Blue Badge Management team. A permit system will be required to ensure blue badge holders are not penalised for using this route to access the disabled parking bays. This requires the expertise of KCC's Moving Traffic Enforcement supplier, which will happen when the procurement process has completed in late 2023.

**3.5** Taxis are also permitted to use the bus gate. This is more straightforward to enforce, as a list of taxi registration plates can be added to the system to ensure a PCN is not issued to authorised vehicles. There will also be a human-eye check of every image prior to a PCN being issued: it is not purely a machine-generated process.

### **4. Next Steps**

**4.1** Work will continue internally on investigating this site for moving traffic enforcement. KCC officers will continue to liaise with MBC officers, bus operators and the Blue Badge enforcement team in preparation for discussions with KCC's supplier later this year regarding the implementation of a permit scheme to enable enforcement of this bus gate. As and when a way forward is agreed, a 6-week consultation on the principal of KCC enforcing this site will be required in line with government guidance.