
**MOVING TRAFFIC ENFORCEMENT UPDATE
FOR INFORMATION**

To: **Chair of Joint Transportation Board**

By: **Lorna Day, Parking and Enforcement Manager, Kent County Council**

Classification: **Unrestricted**

Ward: **Various**

Summary: **This report will update the board on the progress of Moving Traffic Enforcement in the County of Kent by District/Borough/City Authority**

For Information

1. Introduction

- 1.1 Kent County Council (KCC) are responsible for highways and transportation services that are used by most, if not all, residents in Kent and those who travel through the county.
- 1.2 As the Local Transport & Highway Authority, KCC has a statutory duty to ensure the effective discharge of the Traffic Management Act (2004)
- 1.3 The introduction of the Traffic Management Act (2004) Part 6 (TMA P6) by the national Government allows Highway Authorities to enforce a variety of moving traffic offences (MTOs) to improve road safety, pollution levels and journey time reliability.
- 1.4 The TMA allows more effective management of the highway network at a local level whilst maintaining national standards and enables the police to direct their limited resources elsewhere.
- 1.5 The Secretary of State granted Kent County Council powers to enforce moving traffic restrictions on 15 July 2022. These powers will assist the County Council to meet its network management duty by enabling improved enforcement with consequential benefits to road safety, congestion, quality of place and air quality.

2. Key objectives

- 2.1 Through the enforcement of moving traffic contraventions KCC will:
 - a) Improve road safety.
 - b) Reduce network congestion.
 - c) Increase public transport reliability.
 - d) Improve Air Quality
 - e) Increase the lifespan of highway assets.
- 2.2 Moving traffic enforcement will only be applied where action is needed to meet one of these objectives.

- 2.3 Local authorities are not duty-bound to enforce every sign or marking; instead, enforcement shall only be used to target problem locations. At any location where it is considered that contraventions could be avoided by reasonable improvements to the highway or to traffic signing, such improvements should be made, and appropriate monitoring carried out before enforcement action is considered. Improvements to signing may include removal of redundant or poorly maintained signs and posts, which have the potential to confuse drivers.

All deployment of moving traffic enforcement requires local highway authorities to undertake extensive due diligence for every installation. KCC are duty bound to ensure that the following has been undertaken:

- Collection of supporting evidenced data detailing the issues at the site. Social media posts and subjective views do not constitute supporting evidence.
- Identification of a clear purpose and objective for enforcement, relating this to one of the 'TMA Key Objectives'.
- Ensuring that Traffic Regulation Orders (TROs) and traffic signs are accurate, meaningful and lawful.
- Engagement with Kent Police.
- Carrying out a public consultation on the detail of planned civil enforcement of moving traffic contraventions.
- Consider, address and mitigate any concerns raised as a result of the consultation, making sure reasonable steps have been considered to resolve any concerns.
- Carrying out effective public communication and engagement as the council considers appropriate, for example using local press and social media, and that this will continue up to the start of enforcement and for a reasonable period thereafter.
- Ensuring funding is available for all the relevant equipment and design works and on street modifications.

3. The Challenge of Enforcement

The Traffic Management Act Part 6 gives KCC further tools to manage and improve the local road networks. The underlying principles for this legislation have been laid down by the DfT to Local Highway Authorities. These powers are to be used as a last resort to deliver a network improvement that supports the key objectives.

The legislation is not intended to resolve subjective matters that cannot be evidenced, perceived amenity matters relating to the quality of life, or matters that restrict the legitimate use of the highway network: rat running for example.

The realities of enforcing the prescribed signs needs to be recognised, as unfortunately this still leaves local highway authorities with some limitations as to what can be achieved on street.

3. Existing Site Updates

All live sites are listed on our webpage ***Enforcing moving traffic offences - Kent County Council***

Every new Moving Traffic Enforcement Site has a legislative period of 6 months, during which time a Warning Notice is issued on the first offence. Any further offences by the same vehicle are issued with a Penalty Charge Notice.

Beaver Road six-month warning period commenced in September 2024

Sackville Crescent/Carlton Road six-month warning period commenced in January 2025.

WARNING NOTICES ISSUED BY MONTH

Date	Beaver Road (Northbound)	Beaver Road (Southbound)	Carlton Road	Sackville Crescent
Sept 24	264	260		
Oct 24	525	620		
Nov 24	430	451		
Dec 24	315	347		
Jan 25	200	868	9	11
Feb 25	240	318	22	19
March 25	253	323	21	18
April 25		227	12	16
May 25			4	22
June 25			5	12
July 25			3	11
TOTAL	2227	2546	76	109

PENALTY CHARGE NOTICES ISSUED BY MONTH

Date	Beaver Road (Northbound)	Beaver Road (Southbound)	Carlton Road	Sackville Crescent
Oct 24	84	67		
Nov 24	44	54		
Dec 24	56	47		
Jan 25	30	54	2	4
Feb 25	54	72	1	2
March 25	138	199	3	4
April 25	341	546	4	1
May 25	284	343	2	
June 25	309	315	1	1
July 25	269	255	10	11
Aug 25	228	201	15	13
Sept 25	296	287	35	8
Oct 25	162	107	5	9
TOTAL	2295	2547	78	53

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