

From: **Michael Payne, Cabinet Member for Highways & Transport**

Phil Lightowler – Head of Public Transport

To: **Environment and Transport Cabinet Committee 19 January 2021**

Decision Number: 20/00118

Subject: **Dover Fastrack – ANPR Enforcement of Bus Gates**

Classification: **Confidential**

Past Pathway of Paper: **N/A**

Future Pathway of Paper: **For Cabinet Member Decision**

Electoral Divisions Affected: **All**

Summary:

The purpose of this paper is to seek approval for the use of Automatic Number Plate Recognition (ANPR) to enforce bus priority measures, specifically bus gates. The policy is initially intended for Dover and Kent Thameside Fastrack Services but with the intention that county-wide approval for enforcement is also considered.

Recommendation

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision for

- (i) the use of ANPR enforcement of bus priority measures for Dover and Kent Thameside Fastrack services and
- (ii) to support the wider use of ANPR enforcement of bus priority measures county wide, allowing officers to approve enforcement of new schemes

As shown at Appendix A,

1. Background

- 1.1 The Transport Act 2000, with the introduction of new statutory instruments in 2005, allows the enforcement of bus infrastructure through camera technology by approved Local Authorities outside the Greater London area.
- 1.2 The primary objective of a camera enforcement system is to ensure the safe and efficient operation of the network by deterring motorists from contravening restrictions, which may or may not require traffic regulation orders, and detecting those who do. Any surplus money will be reinvested in improvements to roads and transport in the County.

- 1.3 Bus infrastructure should only be used by buses, cyclists, hackney cabs, and emergency services can also be permitted use. Bus gates are there to make buses quicker and reduce journey times. The Police can already prosecute people who illegally use bus infrastructure but are unable to monitor bus this all the time. Though such activity is low on the Police's priority list, cameras can operate 24/7 automating the process of identifying offending vehicles and providing evidence of each offence.
- 1.4 A bus gate is an on-highway entry point or exit for buses. Usually a short section of street in which only buses and other authorised vehicles can traverse. These are accompanied by warning signs of the restriction ahead, and again, at the point where the restriction starts. Typically, bus gates have their own junction and a conscious decision is required to pass a marked entry point.

2 Dover Fastrack

- 2.1 An urban expansion masterplan for Whitfield was adopted in April 2011 and development work has already commenced. The masterplan includes a fast bus link to the town centre and rail station as integral to the development. Work has been carried out investigating the creation of a bus rapid transit system to serve the expanded Whitfield. This is envisaged as being on similar lines and quality standards to the successful Fastrack service introduced in Kent Thameside in 2006 with bus priority measures, segregated busways and the intention of camera enforced sections of route, including a new bridge over the A2.
- 2.2 The vision is for a high-quality bus link that competes well with the private car on speed and cost which is attractive enough to produce significant modal shift. It would also be designed to avoid overwhelming the Whitfield roundabout on the A2 with traffic congestion, as well as other local routes.
- 2.3 To support the bus priority measures it is proposed that ANPR cameras will be used for enforcement and will act as a spearhead for ANPR in the County. Dover District Council will take on the responsibility for the camera enforcement under an agency agreement, providing back office support and sourcing the necessary software. It is envisaged that any surplus revenue from fines, after costs have been met, will be passed back to KCC for reinvestment. The cost of the cameras will be funded through the Dover Fastrack project.

3. Fastrack Kent Thameside

- 3.1 Introduced in 2006 with bus priority measures, Fastrack Thameside is intended to act as a viable alternative to the car. The trial of cameras was introduced to catch the high-level abuse of the bus priority measures. Contravening the bus priority measures is a safety concern with drivers increasing speed to get through them as quickly as possible. Such behaviour also has an operational impact on the Fastrack bus service. Buses are regularly unable to use the transponder equipment at traffic lights that provide priority Green lights due to waiting behind vehicles that have used the bus priority measures. During the trial, hundreds of would be contraventions were recorded monthly

4. Enforcement Model

- 4.1 The preferred model for enforcement involves Borough and District Councils carrying out the back-office function of issuing penalty charge notices (PCN's) and taking the necessary payment. The Borough and District Councils will keep enough of the fines received to cover their costs, with any surplus being passed to KCC for reinvestment into the bus service. The fines will be in line with the National standards for contravening bus priority measures.
- 4.2 Currently, under a 2018 Kent County Council order (Appendix C), there is an indefinite ANPR Bus Infrastructure Enforcement pilot scheme in Royal Tunbridge Wells. The scheme covers both bus gates and bus only streets on Mount Pleasant Road and Grosvenor Road. In the financial years 2018-19 and 2019-20 a total of 10,389 Penalty Charge Notices were issued with 85.1 per cent of these resulting in a contravention payment. Whilst the level of misuse locally remains high, 2019-20 saw a year-on-year contravention reduction of 22.6 per cent, indicating that the presence of the ANPR systems was successfully acting as a deterrent.

5. Financial Implications

- 5.1 There are no significant financial implication to KCC for the Dover and Kent Thameside Fastrack services. The Dover Fastrack scheme equipment will be funded by Homes England funding. Dover District Council will undertake the enforcement using current staff.-Ongoing maintenance and management will be funded primarily through fines with monies from the service departure fee (paid by the operator for exclusive access to Fastrack making up any shortfall. Surplus revenues will also be placed in a reserve and made available when required for public transport and related general highway improvements
- 5.2 The Fastrack Kent Thameside scheme will be capital funded through existing service revenue and the ongoing management costs will be reclaimed primarily through fines, with Fastrack departure fees also making up any shortfall. Again, a reserve specific to enforcement will be implemented for transport improvements by KCC.
- 5.3 Other than Fastrack, no other bus services generate a direct income for the authority. Subject to relevant strategies, future ANPR schemes elsewhere could therefore have a monetary cost to KCC. In this light, such installations would only be explored if a wider strategic goal was achievable and proven by a cost/benefit model. Equally, it must be considered that ANPR has the potential to generate significant income from contraventions.
- 5.4 There is a longstanding view that bus infrastructure in major new developments should be protected by ANPR and funded through initial s106 monies, with ongoing site management contributions making up any annual shortfall. Due to a lack of enforcement making them unviable, there are currently numerous dormant bus priority measures around the county within recent development sites. It is therefore suggested that existing and future enforcement opportunities are agreed and implemented by existing Quality Bus Partnerships across the county, with KCC, the local bus operator(s) and the relevant district responsible for ensuring that such schemes are self-sustaining.

6. Legal, Equality and Data Protection Implications

- 6.1 There are no legal implications arising from this decision.
- 6.2 An Equalities Impact Assessment has been completed. This is attached at Appendix B. The EqlA did not identify any impacts on Protected Characteristics.
- 6.3 There are no data protection implications arising from this decision.

7. Recommendation

- 7.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways & Transport on the proposed decision for:
- (i) the use of ANPR enforcement of bus gates for Dover and Kent Thameside Fastrack services and
 - (ii) to support the wider use of ANPR enforcement of bus priority measures county wide, allowing officers to approve enforcement of new schemes.

As shown at Appendix A.

8. Appendices and Background Documents

- Appendix A – Proposed Record of Decision
- Appendix B – Equality Impact Assessment
- <https://democracy.kent.gov.uk/ecCatDisplay.aspx?sch=doc&cat=14886>
 - UKSI Bus Lanes
 - Tunbridge Wells Bus gate Order

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