

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

David Brazier, Cabinet Member for Highways & Transport

**DECISION NO:**

22/00085

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision: Moving Traffic Enforcement Contract (Traffic Management Act 2004: Part 6)**

**Decision:**

As Cabinet Member for Highways and Transport, I agree to provide the Corporate Director of Growth, Environment and Transport with the delegated authority to enter into appropriate contractual arrangements for the provision of the Traffic Management Act 2004 Part 6 - Moving Traffic Enforcement contract, including any possible future extensions.

**Reason(s) for decision:**

As the Local Transport & Highway Authority, Kent County Council has a statutory duty to ensure the effective discharge of the 2004 Traffic Management Act (TMA), which entails a duty of care 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. 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 in line with national standards. Enforcing these regulations aims to improve road safety, pollution levels, journey time reliability and public realms in locations with low compliance.

**Cabinet Committee recommendations and other consultation:**

Previously reported to ETCC 7<sup>th</sup> July 2022 (verbal update by Cabinet Member for Highways & Transport)

KCC has undertaken public engagement through the Let's Talk Kent consultation website over an 8-week period between 15th March and 9th May 2022.

The proposed decision was discussed and endorsed by members of the Environment and Transport Cabinet Committee on 8<sup>th</sup> September 2022.

**Any alternatives considered and rejected:****o Do nothing**

If KCC do not undertake the procurement exercise to enter a contractual arrangement with a CCTV supplier and enforcement partner, it will not be fulfilling the statutory obligations of the 2004 Traffic Management Act to better manage vehicles on its road network. Doing nothing would vastly reduce the tools available to KCC to improve safety, tackle congestion, improve public transport etc.

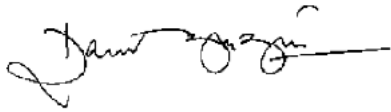
**o Do minimum**

This scenario would mean KCC undertaking a procurement exercise to enter into a contractual arrangement with a CCTV supplier and enforcement partner for only the 7 sites submitted in the DfT application process, and not expanding the number of sites enforced beyond that. It is felt that this option does not conform with the DfT's rationale for the implementation of Part 6 of the TMA. It would not meet KCC's strategic aims to drive improvements across the whole of the Kent road network. KCC would not be making good use of all available tools to manage the network effectively. The impact of this would be an ongoing back-office system which may not be financially sustainable.

**Any interest declared when the decision was taken and any dispensation granted by the**

**Proper Officer:**

None

A handwritten signature in black ink, appearing to read "James O'Connell", written over a horizontal line.

30 September 2022

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signed

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date