

Report to:	EXECUTIVE CABINET
Date:	30 July 2025
Executive Member:	Councillor Stephen Homer, Executive Member (Towns, Transport and Connectivity)
Reporting Officer:	Julian Jackson, Director of Place
Subject:	THE INTRODUCTION OF PART 6 OF THE TRAFFIC MANAGEMENT ACT 2004, TO ALLOW ENFORCEMENT OF YELLOW BOX JUNCTIONS AT MARKET ST/GREENSIDE LN DROYLSDEN AND MANCHESTER RD/MOSS WAY ASHTON - UNDER-LYNE.
Report Summary:	The report provides an update on the outcome of the public consultation exercise completed in order to support the submission of an application to the Secretary of State for powers under Part 6 of the Traffic Management Act 2004. If the application is successful, this will enable the council to enforce the moving traffic contraventions within the borough.
Recommendations:	It be DETERMINED at Executive Cabinet: <ol style="list-style-type: none"> 1. That the comments received, during the public consultation, and proposed actions are noted. 2. That approval be given to submit an application, as prescribed by the Secretary of State, for powers under Part 6 of the Traffic Management Act 2004.
Corporate Plan:	Improvements to the highway network support the Council in delivering the Corporate Plan by investing in infrastructure and improving safety and the feeling of safety by reducing anti-social behaviour through prevention initiatives and safe street programmes.
Policy Implications:	If Secretary of State approval is secured, then the council will have new powers under Part 6 of the Traffic Management Act 2024.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There is currently no allocated Revenue budget in the General Fund to cover the additional cost of enforcement. If the Secretary of State approves the council's application a further report, setting out a recommended enforcement model and associated costs, will be presented. The estimated cost of the site works at the two locations proposed is £18,000. This is inclusive of lining, signage and site survey costs but excludes camera and back office costs which will be presented, at a later date when an enforcement delivery model has been identified.
Legal Implications: (Authorised by the Borough Solicitor)	This report provides an update on the outcome of the public consultation exercise undertaken to support the council's application for enforcement powers under Part 6 of the Traffic Management Act 2004. It outlines key findings, public feedback, and next steps in securing approval. The council must ensure all enforcement actions taken under Part

6 comply with statutory requirements, including adherence to procedural fairness and data protection laws. Failure to meet legal standards may result in legal challenges, including judicial review, and could raise disputes regarding the proportionality and fairness of enforcement measures.

Risk Management:

If approval from the Secretary of State is not granted, to enforce moving traffic contraventions under Part 6 of the Traffic Management Act 2004, this would result in the status quo in terms of enforcement, whereby the police are the only body with powers to enforce moving traffic contraventions. The additional resources allocated to the enforcement of such offences will help to improve congestion on the highway network and will contribute to improved road safety.

Access to Information:

Not Confidential

Background Information:

Appendix 1	Location Plan for Market Street / Greenside Lane, Droylsden.
Appendix 2	Location Plan for Manchester Road / Moss Way Ashton-under-Lyne
Appendix 3	List of comments received from the consultation exercise for Market Street / Greenside Lane, Droylsden. Existing yellow box junction enforcement.
Appendix 4	List of comments received from the consultation exercise for Manchester Road / Moss Way, Ashton-under-Lyne. Existing yellow box junction enforcement.

All documentation, including the comments received, can be viewed by contacting Deirdre Parsons, Traffic Services Manager:



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1. INTRODUCTION

- 1.1 An Executive Decision was made on 14 September 2023, giving approval to submit an application to the Secretary of State to take up the powers under Part 6 of the Traffic Management Act 2004 to allow enforcement of moving traffic contraventions within Tameside.
- 1.2 The following two locations have been identified due to the existence of issues caused by contraventions of traffic signs. These two locations have therefore been included in the application to the Secretary of State as the initial Moving Traffic Contraventions scheme:
- Market Street / Greenside Lane, Droylsden (yellow box junction) – **Appendix 1.**
 - Manchester Road / Moss Way, Ashton-under-Lyne (yellow box junction) – **Appendix 2.**
- 1.3 Once approval has been granted by the Secretary of State, and the initial scheme has proved to be successfully implemented, the scheme can be expanded to include additional locations without further Secretary of State approval.
- 1.4 The report provides an update on the outcome of the public consultation exercise completed in order to support the submission of an application to the Secretary of State for powers under Part 6 of the Traffic Management Act 2004. If the application is successful, this will enable the council to enforce the moving traffic contraventions within the borough.

2. PUBLIC CONSULTATION

- 2.1 A 6 week consultation exercise took place from 15 July 2024 to 27 September 2024 and included publication of the proposals in the form of:
- Social media promotions
 - Tameside Citizen newspaper delivered to every door in the borough
 - Online Survey Monkey questionnaire
 - Targeted emails as required by Secretary of State.
- 2.2 The Survey Monkey questionnaire was the most responded to format with 264 responses being received.
- 2.3 The online questionnaire asked 6 traffic related questions. These are listed in the table below with a summary of the responses:

Question No.	Question	Response	Number of Responses	Percentage of 264
Q1	Do you drive?	Yes	245	93%
		No	18	7%
Q2	Do you use public transport?	Yes	167	64%
		No	96	36%
Q3	Do you regularly sit in traffic whilst travelling in Tameside?	Yes	219	83%
		No	44	17%
Q4	Do you see drivers contravening the Highway Code?	Yes	216	84%
		No	24	9%
		Not Sure	19	7%
Q5	Do you have any comments relating to the Market Street / Greenside Lane Droylsden yellow box junction road markings?	Comments	192	N/A
		Skipped	72	N/A
Q6	Do you have any comments	Comments	155	N/A

	relating to the Manchester Road / Moss Way Ashton-under-Lyne yellow box junction road markings?	Skipped	109	N/A
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- 2.4 There are no rights for members of the public to formally object to the presence of the existing restrictions that are already in place on site i.e. both existing yellow box junctions. Any objection would be purely to the method of enforcement once powers are gained from the Secretary of State i.e. camera enforcement.
- 2.5 However, comments were requested, via the consultation exercise, and it is important that these are given due consideration as part of the scheme development process.
- 2.6 Comments received regarding the Market Street / Greenside Lane, Droylsden junction can be found at **Appendix 3** along with Engineering Service's responses.
- 2.7 Comments received regarding the Manchester Road / Moss Way, Ashton-under-Lyne junction can be found at **Appendix 4** along with Engineering Service's responses.

3. CONCLUSION

- 3.1 The council has a proven successful record of enforcement of Traffic Regulation Orders and especially that of remote enforcement of bus lanes. This is seen as a natural extension of those powers.
- 3.2 Presently, only Greater Manchester Police can enforce Moving Traffic Contraventions under Part 6 of the Traffic Management Act 2004. Only when approval is granted by the Secretary of State will the council be able to enforce moving traffic contraventions within the borough.
- 3.3 There are no changes required to the current limitations of the Traffic Regulation Orders currently in place.
- 3.4 Yellow box junctions do not require a traffic regulation order.
- 3.5 No responses to the scheme were specific in their objection to the method of the enforcement, only that the council should not enforce or that the council is incapable of enforcement, which is disproven by its audited track record on bus lane enforcement.
- 3.6 Congestion and safety are expected to improve once the powers have been formally granted by the Secretary of State to enforce moving traffic offences under Part 6 of the Traffic Management Act 2004. A further review of the signal timings at this junction will be explored as part of this process. The intention is to introduce further schemes, subject to approval, in the future once the powers have been granted by the Secretary of State.

4. FUNDING

- 4.1 Funding options for the enforcement of the scheme are yet to be finalised. This, however, does not need to delay the submission of the council's application for enforcement powers to the Secretary of State.
- 4.2 If the Secretary of State approves the council's application a further report, setting out a recommended enforcement model and associated costs, will be presented.

- 4.3 An outline of the estimated known costs, to support the submission of the application to the Secretary of State, are as follows. The costs exclude camera and back office costs which will be presented, at a later date when an enforcement delivery model has been identified:

Market Street / Greenside Lane, Droylsden - yellow box junction	
Estimated lining costs	£3,000
Estimated non-compliance site survey costs	£2,000
Estimated signing costs	£3,000
Total Estimated costs	£8,000
Manchester Road / Moss Way, Ashton-under-Lyne - yellow box junction.	
Estimated lining costs	£4,000
Estimated non-compliance site survey costs	£2,000
Estimated signing costs	£4,000
Total estimated costs	£10,000

- 4.4 The initial estimate of £18,000, summarised in the table above can be met from the council's Traffic Operations budget

5. RECOMMENDATION

- 5.1 As set out at the front of this report.