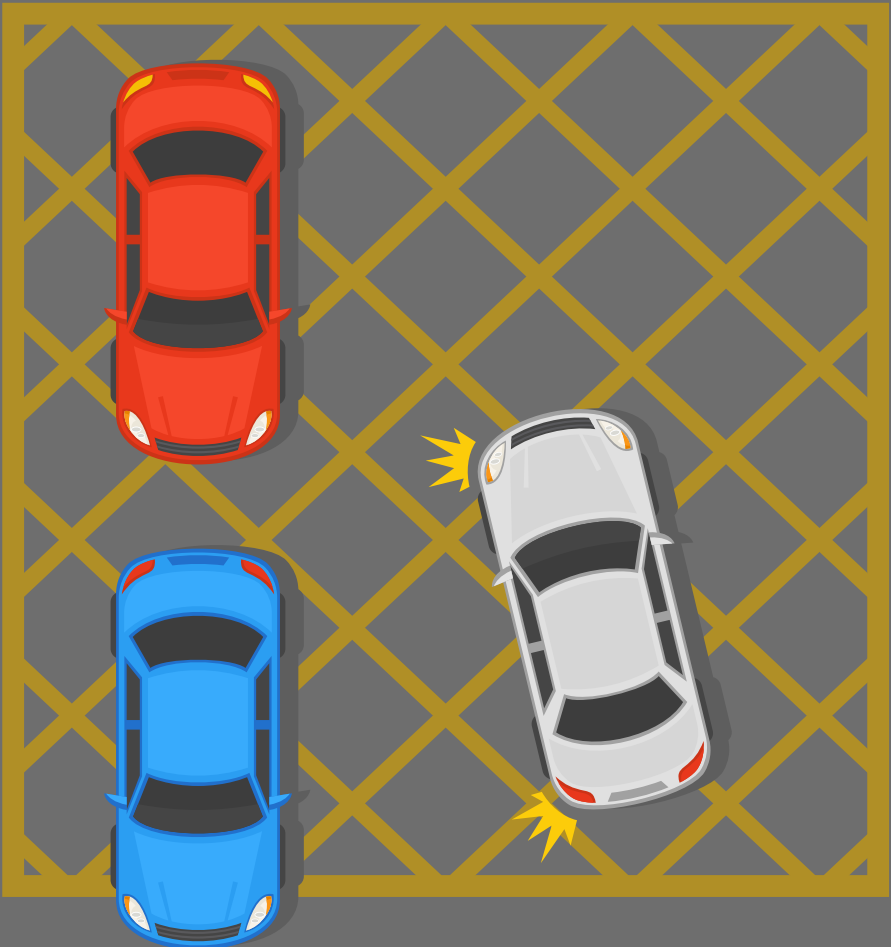


Frequently Asked Questions

Moving Traffic Contraventions



1. Why are the council doing this?

Government has changed legislation to allow local highway authorities outside London to enforce some Moving Traffic Contraventions, (referred to as Part 6 of the Traffic Management Act 2004). The highway authority can already enforce other contraventions such as double yellow lines on the road, and this is effectively just an expansion of that legislation.

2. What type of contraventions can be enforced?

Marking conveying the requirements in paragraph 11 of Part 7 of Schedule 9 (box junction)
Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited
No right/left turn for vehicular traffic
Entry to and waiting in a pedestrian zone restricted
Route for use by buses, pedal cycles and taxis only
One way traffic
No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement)
No U-turns for vehicular traffic
Motor vehicles prohibited
Entry to and waiting in a pedestrian and cycle zone restricted
Vehicular traffic must proceed in the direction indicated by the arrow
All vehicles prohibited except non-mechanically propelled vehicles being pushed by pedestrians
Route for use by pedal cycles only
Vehicular traffic must comply with the requirements described in paragraph 3 of Part 4 of Schedule 3
Vehicular traffic must turn ahead in the direction indicated by the arrow
Buses prohibited
Route for use by pedal cycles and by pedestrians only
With-flow cycle lane
Priority must be given to vehicles from the opposite direction
Route comprising two ways, for use by pedal cycles only and by pedestrians only
Other

3. Who will enforce these?

The council will enforce the contraventions.

4. How will they be enforced?

By camera, in the same way that the highway authority currently enforces some bus lanes.

5. Are you going to use cameras to enforce every location in the borough?

No. The areas put forward are where there is evidence of contravening the legislation, which leads to danger, congestion, or anti-social behaviour. Currently, there are only two locations that will be put forward for enforcement at this time. However, if this needs to be increased at a later date, this will be publicised as prescribed by legislation.

6. How will I know which sites are being enforced?

Publicity. To introduce this scheme, there must have been a period of at least six weeks notification to the public of the intention beforehand. This will include public notices and social media notifications amongst other methods. This will allow people to raise objections to the detail of the planned civil enforcement, rather than the principle of Moving Traffic Enforcement. HOWEVER, there are no changes to the legal orders in place as part of this scheme, so if it were, for example, a one-way street to be enforced, drivers should not be contravening this anyway, so they would not be affected by the camera.

7. What is the council going to do now?

Gather evidence to make an application for enforcement powers. To be able to apply for the powers to enforce Moving Traffic Contraventions, as highway authority, the council will have to make an application to the Secretary of State to outline how the proposed schemes has been communicated and to whom, prove they have the capability to manage the logistics of issuing fines in an open and honest manner and show backing from the Chief Constable. The sites that are to be part of the initial scheme will be part of the submission along with a statement that they are legally enforceable. The Secretary of State will then decide whether to grant the powers as they see fit.

8. Is this just another money-making scheme by the council?

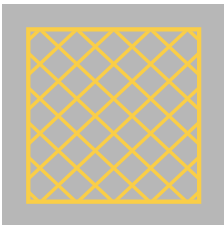
No. The delays caused to traffic travelling throughout the country has increased year on year (except for the lockdown period caused by the Covid pandemic) and this cannot be sustained indefinitely. Measures such as enforcing a yellow box across a busy main junction will allow traffic to clear the junction earlier and reduce congestion, air pollution from idling engines and improve journeys. The knock-on effect will be a safer environment for all. Deliberate contraventions of legislation should be tackled to help the remaining, law-abiding drivers get on with their journeys.

Should there be any money left over once the operational costs have been met, this will be used for highway improvement projects in line with strict government guidance.

- improve road safety
- tackle network congestion
- increase public transport reliability
- improve air quality
- increase lifespan of highway assets

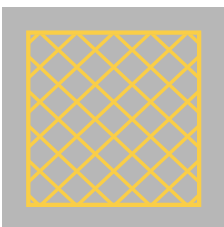
9. Where are you putting the cameras?

a. Market Street / Greenside Lane junction, Droylsden Moving traffic restrictions - yellow box



View the location and restrictions on google maps:
<https://www.surveymonkey.com/r/tamesidemovingtrafficcontraventions>

b. Manchester Road / Moss Way junction, Ashton-under-Lyne Moving traffic restrictions - yellow box



View the location and restrictions on google maps:
<https://www.surveymonkey.com/r/tamesidemovingtrafficcontraventions>

10. What happens if I get caught offending on camera?

In the initial six months of the new camera being in position, warning letters will be issued to offenders outlining the scheme and their potential for receiving a fine if there is a reoccurrence. However, an offender may be fined within the initial six month period if they have already received a warning letter for the same offence at the same location. A Penalty Charge Notice will be issued in the post outlining where and when the offence took place.

11. How will you enforce these offences?

The government have issued guidelines that regulate how Councils must enforce moving traffic offences. Automatic Number Plate Recognition (ANPR) cameras will be installed at the sites to be enforced and Penalty Charge Notices (PCN's) will be issued via post to the Registered Keeper of the vehicle (in the same way bus lane cameras currently operate).

12. Will the images on the camera be used for any other purpose?

No. The council cannot use the cameras for any other purpose.

13. Will drivers be able to challenge the penalty charge notices for these offences?

Any Penalty Charge Notice (PCN) issued to the Registered Keeper will include details on how a challenge can be made if the keeper believes their PCN has been unfairly served. As with parking PCN's this must be in writing and within the timescales set out on the PCN. For the first six months of operation PCN Warning Notices will be sent for first time offences.

14. When will this begin?

If the application to the Secretary of State is successful, the scheme would "go live" as soon as possible once plans were in place. The scheme would be publicised widely up to and beyond the introduction stage.

15. Where do I find out more?

There is an online survey being carried out prior to the application to the Secretary of State. You will be able to access the online survey from **Friday, 27 September 2024** via the council's dedicated web page <https://www.surveymonkey.com/r/tamesidemovingtrafficcontraventions>