

**Written statement of a key decision**  
**Cabinet member Infrastructure and transport**

<b>Title</b>	<b>Implementation of Moving Traffic Enforcement</b>
Decision maker	Cabinet member Infrastructure and transport Information about cabinet, including the names and contact details of the cabinet members, can be found here: <a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a>
Date of decision	22 July 2022
Report exemption class	Open
Reason for being a key decision	This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To consider and approve the business case for the council to take on powers for moving traffic enforcement (MTE), noting that the business case is informed by statutory consultation and traffic surveys which provide an indication of the current scale of moving traffic offences locally.  And,  To approve an application to the Department for Transport for enforcement powers, in relation to Part 6 of the Traffic Management Act 2004 ("TMA04") which will enable the council to enforce specified moving traffic offences and help address concerns around congestion, highway safety and general amenity.
<b>Decision</b>	<b>That:</b>  <b>a) Approval is given to the business case (Appendix 1) for taking on part 6 (Traffic Management Act 2004) powers and the preferred service delivery model (Scenario 2)</b>

	<p><b>agreed for implementation with associated budgets;</b></p> <p><b>b) To approve, subject to approval of recommendation (a), the submission of an application to the Department for Transport (DfT) for making a Designation Order for the County of Herefordshire to enforce Moving Traffic Contraventions by camera under part 6 of the Traffic Management Act 2004;</b></p> <p><b>c) To approve the Parking and Moving Traffic Enforcement Policy as an amendment to the existing overarching Enforcement Policy, as provided in appendix 2; and</b></p> <p><b>d) To approve the delegation of all operational decisions, in relation to the recommendations set out in paragraphs (a),(b) and (c) above to the Interim Service Director for Highways and Transport in consultation with the Cabinet Member for Infrastructure and Transport and Chief finance officer</b></p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at</p> <p><a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50040690">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50040690</a></p>
Options considered	<p>Not to approve the business case for the submission of an application to the Department of Transport for Enforcement Powers under Part 6 of the TMA 2004 and the submission of an application for the making of the Designation Order to take on powers to enforce Moving Traffic Enforcement (MTE). This is not recommended as the current level of enforcement of these types of offences, as carried out by the West Mercia Constabulary, is minimal and does not effectively address high numbers of vehicles currently contravening these restrictions impacting traffic flow, road safety and general environmental amenity.</p> <p>Not to approve the Moving Traffic Enforcement Policy and limit the number of sites which enforcement is provided through cameras by only applying for a Designation Order for specific sites. This is not recommended, for transparency and agility, powers should be obtained for countywide coverage where statutory processes can then be undertaken in order to extend enforcement to new sites. If powers were only obtained for specific sites, this would constrain the council in the future to expand its enforcement operations to meet any complaints, traffic flow or road safety concerns.</p> <p>For the reasons outlined in this report and included in the business case at appendix 1, a range of alternative delivery options have been considered and are not being recommended</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in)	28 July 2022

where special urgency provisions apply)	
---	--

Councillor: .....	Date 22 July 2022
Cabinet member Infrastructure and transport (Councillor John Harrington)	

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted.