



From the Parliamentary
Under Secretary of State

Department for
Transport

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Our Ref: NB/029245/10

15 December 2010

**Implementation of Part 6 of the Traffic Management Act 2004 (TMA) –
Remaining powers for local authorities to enforce bus lanes and certain
moving traffic matters (e.g. yellow box junctions)**

I am writing to seek your views on whether the powers referred to above should be enacted, and if they were, whether your council is likely to want to use them.

Before I make any decision on the implementation, or otherwise, of these powers, I would be grateful if you would provide me with clear evidence of the intentions your local authority in the context of:

- how local authorities will ensure these enforcement activities are carried out in a way that is fair and proportionate, and targeted on the most selfish and disruptive behaviours;
- how local authorities intend to communicate their enforcement plans and policies to road users - both local road users and visitors;
- what priority local authorities intend to give to the enforcement activities enabled by these proposals;

- when these enforcement powers would be needed in order to support wider local transport plans, targets and policies - and to help authorities meet the requirements of the Network Management Duty introduced by the Traffic Management Act; and
- how local authority elected members intend to ensure their officers take account of public concerns in developing and implementing enforcement policies and what enforcement tools they would use.

Please address your response to Marilyn Waldron at Zone 2/6 Great Minster House, 76 Marsham Street, London, SW1P 4DR or via email to marilyn.waldron@dft.gsi.gov.uk before 31 January 2011.

Annexed to this letter is a brief summary of Part 6 of the Traffic Management Act 2004 (TMA). I also attach a document which lists the traffic signs subject to civil enforcement under the provisions of part 4 of schedule 7 to the TMA.

Your assistance in this matter is much appreciated.

Yours sincerely



NORMAN BAKER

Annex

Part 6 of the Traffic Management Act 2004 gives the Government the power to make regulations and publish guidance related to the civil enforcement of road traffic contraventions. The powers cover the enforcement of contraventions of locally made regulations for parking, bus lanes, the London lorry ban and certain moving traffic matters (such as banned turns, prohibitions on certain classes of vehicles, pedestrian zones, one way traffic and yellow box junctions).

The powers relating to parking were brought into force on 31 March 2008 and local authorities outside London with parking enforcement power have the power to enforce bus lanes using regulations made under section 144 of the Transport Act 2000. The main powers, therefore, that local authorities outside London do not have that local authorities in London have under locally made legislation is to enforce some moving traffic matters that are there either to give priority to certain road users or to smooth traffic flows and help manage localised congestion and road safety hot spots.