

	<p>Environment Committee</p> <p>24 SEPTEMBER 2015</p>
<p style="text-align: right;">Title</p>	<p>Moving Traffic Contraventions</p>
<p style="text-align: right;">Report of</p>	<p>Commissioning Director – Environment</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1 –Location ranking based on video traffic surveys</p>
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<p>Summary</p>
<p>The Environment Committee received a report on 15 July 2015 regarding CCTV enforcement and requested an update on progress made. This report lists the locations of Moving Traffic Contraventions and Schools where enforcement could be carried out using CCTV cameras. Since then, full Council on 28 July agreed to adopt the powers to carry out moving traffic contravention enforcement.</p>

<p>Recommendations</p>
<p>1. That the Environment Committee note the contents of this report and the implementation timescale.</p>

1. WHY THIS REPORT IS NEEDED

- 1.1 The Environment Committee on 11 June 2015 received an update on potential locations for the deployment of CCTV to undertake traffic and parking enforcement was requested.

2. REASONS FOR RECOMMENDATIONS

- 2.1 There are approximately 100 locations where moving traffic enforcement could be potentially undertaken. All these locations were however reviewed as a desk top exercise, based on local knowledge, to determine the most problematic sites in terms of compliance, which resulted in 58 locations being identified where further traffic surveys were undertaken to determine the level of contraventions at these locations..
- 2.2 A further 32 locations outside schools were identified by the Council's Schools Travel Coordinators where CCTV parking enforcement would be undertaken to improve the safety of school children and increase compliance to parking controls at these sites.
- 2.3 In total, a first phase of 52 locations (32 schools and up to 20 Moving traffic locations) have been selected for the enforcement of traffic and parking violations with CCTV. These Cameras will be deployed until compliance increases after which the cameras will be moved to a different location.
- 2.4 It is anticipated that cameras will initially be deployed at between 20 and 40 sites dependent on the number of cameras required to enforce any given location and available funding.
- 2.5 **SCHOOLS LOCATIONS** were based on the local knowledge of the school travel coordinators who are familiar with the parking problems experienced during the school drop-off and pick-up times and regular complaints and queries from local residents, parents or the schools themselves. The list of schools are as follows:

1	Ayesha Community Education, Montagu Road, NW4 3ES	17	St Paul's CofE Primary School The Ridgeway, NW7 1QU
2	Wessex Gardens Primary school Wessex Gardens, NW11 9RR	18	Our Lady of Lords RC School Bow Lane, N12 0JP
3	Deansbrook Infant and junior Hale Drive, NW7 3ED	19	Brookland Inf/Jnr Hill Top, NW11 6EJ
4	St Paul's C of E Primary School The Avenue, N11 1NQ	20	Christ's College Finchley East End Road, N2 0SE
5	St Agnes' RC School Thorverton Road, NW2 1RG	21	St Mary & St John CofE Primary Prothero Gardens, NW4 3SL
6	Fairway and Northway Primary School The Fairway, NW7 3HS	22	Cromer Road Primary School Cromer Road, EN5 5HT
7	Queenswell Infant and Junior	23	Colindale Primary School

	Schools Sweets Way, N20 0NQ		30 Poolsford Road, NW9 6HP
8	St Margaret's Nursery School Margaret Road, EN4 9NT	24	St Catherine's RC School Vale Drive, EN5 2ED
9	Summerside Primary School Crossway, N12 0QU	25	Holly Park Primary School Bellevue Road, N11 3HG
10	Manorside Primary School – Squires Lane, N3 2AB	26	Monken Hadley CofE Primary School Camlet Way, EN4 0NJ
11	Garden Suburb Jnr/Inf Childs Way, NW11 6XU	27	St Joseph's RC Primary School Watford Way, NW4 4TY
12	East Barnet School Chestnut Grove, EN4 8PU	28	Whitings Hill Primary School Whitings Road, EN5 2QY
13	St James' Catholic High School Great Strand, NW9 5PE	29	Tudor Primary School Queen's Road, N3 2AG
14	Ashmole Academy Cecil Road, N14 5RJ	30	Woodridge Primary School Southover, N12 7HE
15	Parkfield Primary School St David's Place, NW4 3UB	31	Lyonsdown School 3 Richmond Road, N5 1SA
16	Mill Hill Foundation (Mill Hill School, Belmont and Grimsdell) The Ridgeway, NW7 1QS	32	Hendon Prep School 20 Tenterden Grove, NW4 2HP

2.6 **MOVING TRAFFIC CONTRAVENTION LOCATIONS** have been prioritised from recent video traffic surveys undertaken on 3 week days (Monday , Wednesday and Saturday) between 7am and 7pm at all 58 locations to identify the level of compliance and any road safety and traffic congestion issues. The traffic survey results were used to identify the sites with the highest level of contraventions which adversely impact on road safety, congestion and journey time. Effective CCTV enforcement at these locations will contribute to delivering the Council's Parking Policy's aims, which are to:

- Keep Traffic Moving
- Makes Road Safer
- Reduce Air Pollution

2.7 Based on the traffic survey results, 20 locations have been selected where the Council will initially roll out enforcement of traffic and parking contraventions using Automatic Number Plate Recognition (ANPR) CCTV cameras.. The number of sites may be increased or decreased dependent on the outcome of the procurement exercise and available budget.

2.8 The location of the first twenty sites is given in appendix 1 of this report.

2.9 The timescale for implementation is 1st February 2016. The number of sites where enforcement will be undertaken on day one will depend on the work needed to ensure the road markings and signs are compliant and the winning bidder's approach and ability to mobilise and install the cameras.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not Applicable

4. POST DECISION IMPLEMENTATION

4.1 Approval to fund and introduce Moving Traffic Contravention (MTC) enforcement with CCTV cameras in Barnet was obtained at the 24th January 2014 Environment Committee and subsequently ratified by the Policy and Resources committee. An application will now be made to London Councils' Transport and Environment Committee (TEC) seeking approval to operate MTC within the scheme of enforcement that they administer for London. The application will include confirmation that we will operate in full compliance with the CCTV enforcement Code of Practice. Barnet's application will be considered at the meeting of TEC on 16th October 2015.

4.2 Further survey work will now be carried out on the initial locations to determine what additional measures are required to make these sites compliant.

4.3 The Procurement timetable is shown below:

Task	Completed By
Invitation to Tender Closes	18 th September
Evaluation of Bidders	29 th September
Procurement Board Approval	15 th October
Winning Bidder Announced	16 th October
London TEC Approval	15 th October
Alcatel Period finished	30 th October
Mobilisation starts	1 st November

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.2 The Council will work with local, regional and national partners and will strive to ensure that Barnet is the place:

- Of opportunity, where people can further their quality of life
- Where people are helped to help themselves
- Where responsibility is shared, fairly
- Where services are delivered efficiently to get value for money for the taxpayer

- 5.3 The introduction of Moving Traffic Contraventions across the borough will assist with making roads safer and improving traffic flow and will provide value for money for the tax payer as the scheme will be self-funding for which any surplus will be reinvested in to traffic development and management. This will also protect the tax payer by ensuring that the general fund does not have to subsidise cost towards parking and traffic management.

6. Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 6.1 At this stage there are no resource implications in gaining the necessary approvals. Any future resource implications will be reported at appropriate future stages of implementation.
- 6.2 The cost of procuring and installing the CCTV cameras will be met from a Capital allocation of £1.4million approved by the Policy and Resources Committee.
- 6.3 The Parking Enforcement Contractor will review the contraventions captured by CCTV and issue Penalty Charge Notices (PCN's) when valid. The representation process (which consists of challenges to issued PCNs) will be administered by Barnet Council's Parking Client Team.
- 6.4 The Client Team will grow to support this process and additional associated work. A new structure reflecting this growth was approved under Officer Delegated Power in June 2015. It is expected that the additional staff cost will be offset by savings arising from the improved performance that these roles are expected to achieve within the SPA and also the savings identified as part of the NSL re-alignment and associated contract changes.
- 6.5 There will also be other minor costs in configuring existing IT systems to accommodate the new CCTV installation. However these will also be offset against the income derived from the PCN's.

7. Legal and Constitutional References

- 7.1 The London Local Authorities and Transport for London Act 2003 introduced provisions for civil enforcement of certain moving traffic contraventions by decriminalising the offences, thereby transferring the enforcement responsibility from the Police to the Council.
- 7.2 The London Councils Transport and Environment Committee are responsible for regulating the scheme in London and its approval is required to commence MTC enforcement. It also administers the Code of

Practice, which sets out the operational procedures that must be adhered to by any Borough included in the scheme.

- 7.3 A formal resolution now needs to be taken to make legal the transfer of powers. The necessary preliminary work has been reviewed and programmed by officers and this identifies, assuming authorisation is granted, that commencement of enforcement will be on or shortly after 1 January 2016 and this is known as the 'Appointed Day'
- 7.4 Some of the sites identified for enforcement will be on boundary roads within neighbouring boroughs. It will therefore be necessary to formally agree with these boroughs that enforcement on the road network that falls within their areas will be exercised by Barnet. Such arrangements are contained under the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000. In approving this report officers will need to be given authority to enter into necessary agreements/arrangements with neighbouring boroughs as necessary.
- 7.5 **Legislation governing the enforcement of traffic regulations using CCTV includes:**
- Road Traffic Regulation Act 1984
 - Road Traffic Offenders Act 1988
 - Road Traffic Act 1991
 - London Local Authorities Act 1996
 - The Road Traffic Offenders (Additional Offences and Prescribed Devices) Order 1997
 - London Local Authorities Act 2000
 - London Local Authorities and Transport for London Act 2003
 - Traffic Management Act 2004
 - The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
 - The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
 - The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007
- 7.6 **Legislation governing the operation of CCTV systems includes:**
- The data Protection Act 1998
 - The Human Rights Act 1998
 - The Regulation of Investigatory Powers Act 2000
 - The Freedom of Information Act 2000
- 7.7 Together these Acts allow a London Local Authority to install structures and CCTV equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders and to use the information provided by them, to serve a Penalty Charge Notice (PCN) on the registered keeper of a vehicle which contravenes the Traffic Regulations.

- 7.8 All relevant Traffic Regulation Orders must be made available on request.
- 7.9 Records of the keepers of vehicles that contravene traffic regulation orders will be obtained in accordance with the Driver and Vehicle Licensing Agency (DVLA) enquiry procedure rules and data obtained will be kept confidential in accordance with the Data Protection Act 1998
- 7.10 It is a requirement of the London Councils scheme that the Council should undertake a publicity campaign to inform the public of the start date for enforcement and to explain the objectives underlying the scheme.
- 7.11 It is a further requirement that the Council should issue warning notices during the first two weeks of enforcement to allow adjustments in behaviour.

8. Risk Management

- 8.1 A key benefit in using CCTV for enforcement of parking restrictions is that it will take any potential confrontation out of enforcing certain prohibitions, unlike using Civil Enforcement Officers who are often faced with verbal and physical abuse when issuing Penalty Charge Notices.
- 8.2 All data that is collected in regard to CCTV and enforcement processing will be processed fairly and lawfully and the operators of the systems deployed will ensure that appropriate security measures shall be taken against unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.
- 8.3 An essential and integral part of any CCTV system is a Code of Practice, which sets out the objectives of the system and the rules by which it will be operated. This Code of Practice ensures that issues such as privacy, integrity and fairness are properly dealt with. It sets a minimum standard which must be adhered to by all those authorities in London enforcing traffic regulations using CCTV cameras to ensure public confidence in the scheme.
- 8.4 The Code of Practice is designed to operate within the framework of the relevant pieces of legislation as identified in this report and to complement the Statutory and Operational Guidance produced by the Department of Transport.
- 8.5 The London Councils Transport and Environment Committee support this Code of Practice and CCTV monitoring scheme, which it regulates. Permission to operate the scheme will be granted only to London local authorities, which commit to and take responsibility for its fair, legal and widespread implementation and its maintenance, review and improvement as appropriate within this Code of Practice.
- 8.6 Appropriate process and procedures will be put in place to ensure compliance with the above requirements, including the need for regular

monitoring and reviews to ensure continuity of compliance. This recognises that there is a risk that any failures to meet these standards would lead to a potential exclusion from the scheme and hence the termination of enforcement powers.

- 8.7 It is likely that there will be public concern related to the introduction of such enforcement, including the lack of knowledge or understanding of why it is necessary.
- 8.8 It is a requirement of the London Councils scheme that the Council should undertake a publicity campaign to inform the public of the start date for enforcement and to explain the objectives underlying the scheme.
- 8.9 It is a further requirement that the Council should issue warning notices during the first two weeks of enforcement to allow adjustments in behaviour.

9. Equalities and Diversity

- 9.1 The 2010 Equality Act outlines the provisions of the Public Sector Equality duty which requires public authorities to have due regard to the need to
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 9.2 The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent. A full Equalities Impact Assessment will be carried out if the scheme is successful in proceeding.
- 9.3 Enforcement action will only be undertaken when sufficient evidence has been gathered to confirm that a contravention has occurred. All recipients of a Penalty Charge Notice have the right to make representations to the issuing authority and all representations received by the authority must be considered and a response issued. Should the representation lead to a rejection by the authority the registered keeper of the vehicle has the option to appeal to the Parking and Traffic Appeals Service PATAS and have their appeal considered by an independent adjudicator.

10. Consultation and Engagement

- 10.1 The Parking Policy consultation included the proposal to introduce CCTV enforcement for moving traffic contraventions and this was well received

by those who responded to the consultation.

- 10.2 It is a requirement of the London Councils scheme that the Council should undertake a publicity campaign to inform the public of the start date for enforcement and to explain the objectives underlying the scheme.
- 10.3 The Council will issue warning notices during the first two weeks of enforcement to allow adjustments in behaviour.

11. BACKGROUND PAPERS

- 11.1 Implementation of New Parking Policy – 24th January 2014 Environment Policy Report
 - 11.2 Policy and Resources Budget report 2015
 - 11.3 The Environment Committee - 15 July 2015
 - 11.2 Report to Full Council – 28 June 2015
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APPENDIX 1

Street Name	Effect	Restriction	Priority of non-
Ravensdale Avenue	Box Junction at High road and Ravensdale Avenue	Box Junction	1
A5 West Hendon	Introduce box junctions with Cool Oak Lane and Station Road/ Perryfield Way	Box Junction	2
Brent View Road	Compulsory left turn into West Hendon Broadway	Compulsory left	3
West Hendon Broadway	Box junction at junction with Brent View Road	Box Junction	4
Tilling Road	Banned left turn into Brentfield Gardens	Banned left turn	5
A5 Cricklewood	Box junction marking at junction with Kara Way	Box Junction	6
A5 Cricklewood	box junction marking at junction with Depot Approach and Ashford Road	Box Junction	7
Ballards Lane, N3	Introduce box junction marking at Ballards Lane/ Nether Street/ Regents Park Road junction	Box Junction	8
The Hyde	Introduce box junction marking at junction with Kingsbury Road	Box Junction	9
Station Road, Edgware	Introduce box junction marking outside entrance to Broadwalk Shopping Centre	Box Junction	10
Ravensdale Avenue	Banned right turn out of Sainsbury's car park into Ravensdale Avenue	Banned Right Turn	11
High Street, Barnet	Introduce box junction with St Albans Road and Wood	Box Junction	12
Cricklewood Lane	Banned right turn out of superstore into Cricklewood	Banned Right Turn	13
Finchley Road	No right turn into Rodborough Road from Finchley Road	Banned Right Turn	14
Rodborough Road, NW11	Banned right turn into Finchley Road	Banned Right Turn	15
The Grove, N3	Banned right turn into Ballards Lane	Banned Right Turn	16
High Road, N2	No right turn into Baronsmere Road when proceeding north in High Road, N2	Banned Right Turn	17
High Street, Edgware	Banned u-turns through various gaps in central	Banned U-Turn	18
Myddleton Park	Banned left turn into Oakleigh Road North	Banned left turn	19
East Barnet Road	Box junction marking at Margaret Road	Box Junction	20
Bow Lane, N3	Compulsory Left turn into Squires Lane	Compulsory left	21
A5 Edgware Road flyover	Various banned turns and banned u-turns on either side of flyover	Banned U-Turn	22
Edgware Road	Banned right turn into Oxgate Lane	Banned Right Turn	23
Grahame Park Way	Banned right turn into Lanacre Avenue	Banned Right Turn	24
Station Road, Edgware	Banned right turn onto West Hendon Broadway	Banned Right Turn	25
Albert Place, N3	One way working and bans right turn into Ballards Lane	Banned Right Turn	26
Station Road, Edgware	Banned right turn into High Street	Banned Right Turn	27
Station Road, Edgware	Banned right turn into High Street	Banned Right Turn	28
Colindale Avenue	Compulsory left turn into the Hyde	Compulsory left	29
Heathview	Compulsory left turn into service road fronting Park Farm Close	Compulsory left	30
Forumside, Edgware	Introduce banned right turn out of Forumside into High Street, Edgware	Banned Right Turn	31
High Street, Edgware	Bans entry onto gap in High Street Edgware.	Banned Right Turn	32
Deansway	No entry on west side of island in Deansway at East End Road junction	No Entry	33
Dollis Road, N3	Banned right turn into Crescent Road	Banned Right Turn	34
Nether Street	Banned left turn into Crescent Road	Banned left turn	35
Cromwell Road	No entry into Cromwell Road from Colney Hatch Lane	No Entry	36
Colindeep Lane	Box Junction	Box junctions	37
Oakleigh Road North	Introduce a one way traffic system in the service road fronting 1260 to 1268 High Road, Whetstone	one way	38
A5 West Hendon	Introduce banned U-turn at central reservation near Cool Oak Lane	Banned U-Turn	39
The Broadway, N7	Banned right turn into Marks and Spencers Car Park	Banned Right Turn	40
Park Road, NW9	Banned right turn from Edgware Road and banned right turn into Edgware Road from Park Road	Banned Right Turn	41
Park Road, NW9	No right turn into West Hendon Broadway from Park	Banned Right Turn	42
Finchley Road	Banned turns into and out of Hermitage Lane and around island site	Banned Right Turn	43
Colney Hatch Lane	Introduce compulsory turn into Woodhouse	Banned left turn	44
Baronsmere Road	No entry into High Road from Baronsmere Road	No entry	45

Highwood Hill	No entry on south side of island site at Marsh Lane	No Entry	46
Spur Road	Banned right turn into London Academy	Banned Right Turn	47
Spur Road	Banned U-turns in both directions	Banned U-Turn	48
Spur Road	Compulsory left turn from London Academy into Spur	Compulsory left	49
East Barnet Road	Banned right turn into Margaret Road	Banned Right Turn	50
Margaret Road	Banned right turn into East Barnet Road	Banned Right Turn	51
The Hyde	Compulsory turns at junction with Capitol Way	Compulsory turns	52
Finchley Road	Compulsory right turn into Finchley Road from Service	Banned Right Turn	53
Mowbray Parade	Compulsory left turn into Broadfield Avenue	Compulsory left	54
Hendon Lane	No entry into Gravel Hill	No Entry	55
The Broadway	No right turn into M&S car park	Banned Right Turn	56
Longmore Avenue	No entry on north-east side of island site at junction with Lyonsdown Road	No Entry	57