

April 2014	ITEM:
Delegated Decision Report	
CCTV Enforcement Vehicle Trial Extension	
Report of: Jeremy Clark, Implementation and Parking Manager	
Wards and communities affected: All	Key Decision: Key
Accountable Head of Service: Ann Osola, Head of Transportation and Highways	
Accountable Director: David Bull, Director of Planning and Transportation	
This report is Public.	
Purpose of Report: to seek approval for a further extension to the CCTV enforcement vehicle trial of up to 2 months	

EXECUTIVE SUMMARY

On 11th December 2013, Cabinet approved a 6-month extension to the original 6-month CCTV enforcement vehicle trial through a lease arrangement. This extension was required to enable more robust data to be obtained and provide a more representative assessment of whether a business case could be made for purchasing the CCTV enforcement vehicle currently being leased, or a new vehicle.

The extended trial is due to finish at end of May 2014, which is close to a local election being held on 22nd May 2014. Consequently, it will not be possible for a decision on the future of mobile enforcement in Thurrock to be made until the Council's Cabinet is reformed after the election, which can take a few weeks to complete.

Although there are no financial implications to terminating the trial at the end of May, there are a number of reasons why it would be preferable to continue it, which are explained in this report.

It is therefore recommended that a further extension of the trial of up to 2 months be approved. A short extension would enable the trial to continue until Cabinet has been reformed after the election, when a decision can be made on the future of mobile enforcement.

1. RECOMMENDATIONS:

- 1.1 It is recommended that approval be given to a further extension of the CCTV enforcement vehicle trial of up to 2 months.**

2. INTRODUCTION AND BACKGROUND:

- 2.1 Thurrock Council commenced a 6-month trial of a CCTV enforcement vehicle in June 2013 through a lease arrangement. The main purpose of the trial was to enable an assessment to be made of whether a business case could be made for CCTV enforcement in Thurrock.
- 2.2 On 11th December 2013, Cabinet approved a 6-month extension to the original 6-month CCTV enforcement vehicle trial. This extension was required to enable more robust financial data to be obtained and provide a more representative assessment of whether a business case could be made for the continuation of mobile enforcement in Thurrock, taking into account seasonal variations in the number of identified parking contraventions that may exist, and any changes in PCN levels due to increased compliance of parking restrictions.
- 2.3 However, the extended trial is due to finish at end of May 2014, which is close to a local election being held on 22nd May 2014, and because of this, it will not be possible for a decision on the future of mobile enforcement in Thurrock to be made until the Council's Cabinet is reformed after the election. This process can take a few weeks to complete.
- 2.4 Whilst the lease arrangement allows for the extended trial to terminate at the end of May 2014 without any financial implications, there are a number of reasons why it would be preferable not to terminate the trial.
- 2.5 For example, if the vehicle currently being leased was to be returned to the supplier when the trial ends, there is no guarantee that it would be available should the decision be taken by Cabinet to purchase it when it has been reformed several weeks later.
- 2.6 This in turn could reduce the options available to the Council, and could mean that if the decision was taken to continue mobile enforcement, the purchase of a new CCTV enforcement vehicle may have to be considered, which could affect the viability of the business case.
- 2.7 In addition, terminating the trial would mean that CCTV enforcement would discontinue at the end of May, which could have safety implications, particularly outside of the Borough's schools.

3. ISSUES, OPTIONS AND ANALYSIS OF OPTIONS:

- 3.1 The CCTV enforcement vehicle trial is due to end in May 2014, shortly after a local election, and hence a decision on future of the mobile enforcement in Thurrock cannot be made until the Council's Cabinet has been reformed after the local election.
- 3.2 The options available are:
- (a) to terminate the trial in May 2014 at the end of the latest 6 month extension and return the CCTV enforcement vehicle to the supplier
 - (b) to extend the trial at the end of the latest 6 month extension by up to 2 months, to enable it to continue until Cabinet has been reformed after the election, when a decision can be made on the future of mobile enforcement.
- 3.3 Terminating the trial in May 2014 at the end of the latest 6 month extension is not recommended, as it would mean returning the leased CCTV enforcement vehicle to the supplier and there is no guarantee that it would be available for purchase when Cabinet is reformed after the local election, should the decision be taken to keep the vehicle currently being leased. It would also mean that CCTV enforcement in Thurrock is ceased, which could have a detrimental affect the safety and efficient movement of traffic, especially in the vicinity of the Borough's schools.
- 3.4 Extending the trial at the end of the latest 6 month extension by up to 2 months is therefore recommended.

4. REASONS FOR RECOMMENDATION:

- 4.1 The reason for the recommendation is that CCTV enforcement in Thurrock would continue, thereby improving the safety and efficient movement of traffic, especially in the vicinity of the Borough's schools, and it is more likely that the vehicle would be available should Cabinet decide to continue using the CCTV enforcement vehicle in Thurrock when it is reformed.

5. CONSULTATION (including Overview and Scrutiny, if applicable)

- 5.1 A communications strategy for the trial has already been developed and implemented, in liaison with the School Safety Working Group.
- 5.2 This included press releases, engagement with key stakeholders, including schools, and a competition to name the enforcement vehicle with local school children.

6. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 6.1 The CCTV enforcement vehicle trial relates directly to the corporate priority of providing a safe, clean and green environment.

6.2 Thurrock Council's Parking Strategy 2007 contains policies relating to the enforcement of heavy goods vehicle parking hotspots (Policy TPS05) and bus lanes/taxi ranks (TPS12a), and school parking (TPS12b).

7. IMPLICATIONS

7.1 Financial

Implications verified by: **Mike Jones**
Telephone and email: **01375 652772**
mxjones@thurrock.gov.uk

The estimated revenue cost implication of the extending the CCTV enforcement vehicle trial for a further 2 months is £22,600.

It is anticipated that the income generated by penalty charge notices issued on the back of evidence generated by the vehicle will offset a large proportion if not all of this cost.

Any shortfall would need to be financed from within the Planning and Transportation overall budget.

The various elements of the project have been procured in accordance with the Council's Contract and Procurement Rules.

7.2 Legal

Implications verified by: **Alison Stuart**
Telephone and email: **01375 652040**
alison.stuart@bdtlegal.org.uk

Broadly, the enforcement of traffic regulations using CCTV cameras is regulated under the following legislation:

- Road Traffic Regulation Act 1984
- Road Traffic Act 1991
- Traffic Management Act 2004

Together these Acts allow Thurrock Council to install structures and equipment on or near a highway for the detection of contraventions of the Traffic Regulation Orders. They will be able 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.

In order to enable PCNs to be issued for contraventions detected with a camera and associated recording equipment, it was necessary to obtain certification from the Secretary of State to use this device to detect these contraventions as an 'approved device'.

In accordance with the Operational Guidance to Local Authorities (in relation to the Traffic Management Act 2004) a Code of Practice, which sets out the objectives of the system and the rules it will follow, was produced. The code ensures that staff deals properly with issues such as privacy, integrity and fairness. It sets minimum standards to help ensure public confidence in the scheme. A communications strategy was also put in place before actual CCTV enforcement commences.

Procedures were also put in place to preserve the integrity of evidence from CCTV cameras and handle and store it securely. The procedures should satisfy the community over the competence and honesty of the system and its operators. They should also reassure the community over the privacy of private areas and domestic buildings and comply with the requirements of the Data Protection Act 1998.

The operation of the equipment accords with the Human Rights Act 1998, and the Regulation of Investigatory Powers Act 2000.

7.3 **Diversity and Equality**

Implications verified by: **Rebecca Price**
Telephone and email: **01375 652930**
reprice@thurrock.gov.uk

A communications strategy for the trial has been developed and implemented incorporating both consultation and engagement in conjunction with the CCTV enforcement vehicle trial.

Whilst there are no direct diversity and equality implications associated with the procurement of the CCTV enforcement vehicle trial alone, the trial is being operated in accordance with the requirements and principles of the Human Rights Act 1998. The Information Commissioners Office notification has also been updated.

The internally managed IT systems, including data, personal information or otherwise held on network equally comply with the Data Protection Act 1998.

7.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

If the penalty charge notice income from the CCTV enforcement vehicle during the extended trial is lower than the set up and operating costs, the shortfall would have to be financed from within the Planning and Transportation overall budget.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT (include their location and identify whether any are exempt or protected by copyright):

- Estimate from the Strategic Services Partner

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

Name: Jeremy Clark

Telephone: 01375 652968

E-mail: jeclark@thurrock.gov.uk