

**HERTFORDSHIRE COUNTY COUNCIL**

**HIGHWAYS AND ENVIRONMENT CABINET PANEL  
3 FEBRUARY 2020 AT 10:00AM**

Agenda Item  
No.

**4**

**UNATTENDED CAMERA ENFORCEMENT**

*Report of the Director of Environment & Infrastructure*

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Executive Member: - Phil Bibby, Highways and Environment

**1. Purpose of report**

- 1.1 The report proposes the use of unattended enforcement cameras on the highway network and seeks the Panel's comments prior to presentation to Cabinet.

**2. Summary**

- 2.1 Camera enforcement will be needed for the proposed Clean Air Zone in Broxbourne. If it was used at other places in the County, it could support sustainable modes of transport by improving bus reliability and improve traffic management on the highway network. At the moment there is no unattended camera enforcement of highway contraventions in Hertfordshire (other than speed cameras used by the police).
- 2.2 A decision to approve the use of camera enforcement will enable officers to identify potential sites, and to provide a costed option. An option would need to include the procurement and testing of back-office systems along with the procurement and use of the camera technology. Systems are used in other highway authorities and it will be important to focus on both the camera technology and a good back-office system to provide confidence that contraventions are being correctly identified, and to provide a system for motorists to appeal penalties that they receive.
- 2.3 Camera enforcement is designed to improve traffic management, promote sustainable modes of transport, and to change the behaviour of motorists. It is not designed to raise revenue and any surplus revenue received over and above the operating costs would be used to improve the highway.

### **3. Recommendations**

- 3.1 The panel is asked to comment on the proposals in this paper and to recommend to Cabinet that Cabinet gives approval for officers to work up a short list of potential sites and a costed option for the introduction of unattended camera enforcement.

### **4. Background**

- 4.1 Legislation exists to allow the enforcement of some traffic contraventions. Authorities in London have different powers and enforce by camera a range of traffic contraventions that cannot be enforced by authorities outside of London. These relate to Part 6 of the Traffic Management Act 2004, which has not been commenced. Without Part 6 powers, the County Council is limited to the camera enforcement of Bus Gates and Bus Lanes.
- 4.2 Local Authorities can and are enforcing bus lanes and gates under the Traffic Management Act 2004 and the Transport Act 2000 (s 144). Only camera technologies that are registered as approved devices may be used, and an authority must be approved by the Secretary of State before it can use the technology to enforce. These safeguards are part of the process that officers will work through to ensure compliance with legislation and regulations.
- 4.3 DEFRA and the Joint Air Quality Unit (JAQU) are likely to request / require the Enforcement of a Clean Air Zone in Hertfordshire under the Clean Air Zone Framework Principles for setting up Clean Air Zones in England May 2017. This would require Hertfordshire County Council and its partners to use unattended cameras for enforcement.

### **5. Considerations**

- 5.1 The Clean Air Zone will introduce unattended camera enforcement to Hertfordshire Highways. There may be opportunities from introducing camera enforcement elsewhere in the County as an effective way of improving traffic management, network reliability and promoting the use of sustainable modes of transport by enhancing bus reliability. Introducing camera technology can be unpopular with motorists and can be seen by some as a means to raise revenue. Raising revenue is not the intention, and an appropriate appeals process would be used to provide confidence that motorists are treated fairly.
- 5.2 Some initial sites would test the camera technology and back-office systems. Highways officers will identify a short-list of sites, considering those where there are known issues with existing bus gates or rising bollards that are frequently damaged. A costed proposal would be produced as part of a subsequent panel paper, along with a

consideration of the process that would be needed to introduce camera enforcement to a site, and how penalties would be issued and appealed. At this stage, approval is being sought for officers to work up a short list of potential sites and a costed option for the introduction of unattended camera enforcement.

## 6. Financial implications

- 6.1 It is anticipated that all Penalty Charge Notice (PCN) income would be used to help fund the design, deployment, set up and operating costs. Any additional funds, or subsequent income from other sites if camera enforcement was extended, as required by legislation would be allocated to highways projects.
- 6.2 Any imposed Clean Air Zone activity in support of Hertfordshire's District or Borough Councils would be funded by the Joint Air Quality Unit (JAQU). Hertfordshire County Council is currently working on an operating agreement which will set out how income from Air Quality Zones promoted by the JAQU will operate.
- 6.3 To provide the panel with an indication of the scale of set-up and running costs some soft market testing has been undertaken. As such the figures below need to be treated with a degree of caution, but are provided as an early indication of the scale of finances that may be involved:

Activity	Estimated Costs	Capital/Revenue
<b>ANPR camera</b>	Between £16k and £22k per camera depending on volume. Does not include civils or signing/lining	Capital
<b>Reviewing footage</b>	Between £0.25 and £1.50 per review depending on volume.	Revenue
<b>Processing of contravention</b>	Between £5 and £8 per contravention depending on volume.	Revenue
<b>Maintenance for cameras (per camera)</b>	£2.5k and £5.5 depending on level of cover required. The is mandatory for Vehicle Certification Agency approval.	Revenue

<b>Estimated single site set up costs (single lane two-way street)</b>		
<b>Communications</b>	Comms/Officer	£10k

	time	
<b>HCC</b>	Additional HCC FTE 1	£25K
<b>Associated Civils</b>	Signing /Lines	£30k
<b>Camera Technology</b>	ANPR Cameras times 2	£44k
<b>Estimated single site set up costs (single lane) £109k</b>		
<b>Estimated Annual Operating Costs (based upon 10 Contraventions a day) 1 Site</b>		
<b>PCN Management. Outsourced Specialist Costs</b>	Review Processing. Appeals (15%)	£450 £2400 £45
<b>HCC Overhead operating costs</b>	HCC FTE	£25k
<b>Outsourced Maintenance</b>	Camera Maintenance	£11k
<b>Estimated Annual Operating Costs (based upon 10 Contraventions a day) 1 Site £38,895</b>		

<b>Estimated Income generated #</b>	
<b>Single Bus Lane.@ 10 Contraventions a day.</b>	@£300 Per day * 365 days
<b>Estimated annual income from 1 site £109,500</b>	

# It must be noted that these figures are based upon an estimate of PCNS of 10 per 24 Hr. During Development of any site HCC will establish the volume of likely contraventions and therefore the income and cost model.

6.4 A fully costed proposal will be presented in a later paper for approval

## 7. Equality Implications

- 7.1 When considering proposals placed before Members it is important that they are fully aware of and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 7.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 7.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender

reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.

7.4 An EqIA will be undertaken for each individual scheme

### **Background Information**

Transport Act 2000

<http://www.legislation.gov.uk/ukpga/2000/38/contents>

Traffic Management Act 2004

<http://www.legislation.gov.uk/ukpga/2004/18/contents>

Clean Air Zones Framework principles for setting Up Clean Air Zones in England May 2017

<https://www.gov.uk/government/publications/air-quality-clean-air-zone-framework-for-england>