

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	<b>7.5t Weight Limit Proposal and Enforcement by CCTV camera – Junction of Lower Bedfords Road and Havering Road</b>
<b>Cabinet Member:</b>	Cllr Osman Dervish
<b>SLT Lead:</b>	Barry Francis Director of Neighbourhoods
<b>Report Author and contact details:</b>	Gareth Nunn Engineering Technician <a href="mailto:Gareth.Nunn@havering.gov.uk">Gareth.Nunn@havering.gov.uk</a> <b>01708 433139</b>
<b>Policy context:</b>	Havering Local Development Framework (2008)
<b>Financial summary:</b>	There are 3 potential options to obtain CCTV cameras for this proposal. Depending on what option is used, the estimated cost of this scheme is between £0.033m and £0.055m to be funded from C30010
<b>Relevant OSC:</b>	Environment
<b>Is this decision exempt from being called-in?</b>	No

### The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[X]
Connections making Havering	[X]

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1. This Executive Decision approves the informal consultation for an experimental scheme of traffic control under section 9 of the Road Traffic Regulation Act 1984 to introduce a 7.5t weight restriction enforced by CCTV cameras at the following locations:

- a. **Lower Bedfords Road** from its junction with Havering Road to its junction with Risebridge Chase;(plan attached to this report as appendix A) and
- b. **Havering Road** from its junction with Lower Bedfords Road to its junction with Hyde Close (plan attached to this report as appendix A)

and if at the close of informal consultation no objections are received to the proposals the experimental traffic scheme shall proceed to implementation.

2. It is noted that:

(b) prior to installation of CCTV cameras advance warning signs will be placed in the vicinity of the cameras location with prior notification given to local residents and businesses.

(c) Should objections be received during the course of informal consultation a further report will be brought back to the Assistant Director of Environment for consideration of the objections and a decision on implementation of the experimental traffic scheme.

### AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3 3.8.3 of the Councils Constitution delegates to the Assistant Director of Environment to:

- (a) To exercise the Council's powers and duties arising under the New Roads and Street works Act 1991 and Traffic Management Act 2004
- (k) To authorise the issue of temporary traffic orders, temporary traffic notices and temporary prohibitions of waiting and loading; and
- (t) To amend or suspend any experimental traffic management order.

## Non-key Executive Decision

### **STATEMENT OF THE REASONS FOR THE DECISION**

The introduction of a 7.5t weight restriction and the subsequent enforcement by static CCTV cameras has been proposed as a resolution to complaints received regarding the speed and frequency of HGV's travelling on Havering Road, Chase Cross Road, Collier Row Lane and Pettits Lane North (hereinafter referenced to as 'the problem roads'). It is understood the majority of these vehicles are travelling to Lower Bedfords Road

It is understood that the majority of the HGV's travelling to Lower Bedfords Road and are accessing it at its western entrance at the junction with Havering Road and in turn using the problem roads on their way to this point.

The preferred route for these vehicles would be for them to enter Lower Bedfords Road is at its eastern entrance at the junction of Straight Road.

The introduction of a 7.5t weight restriction as per the attached plan, will restrict vehicles exceeding this weight limit from entering Lower Bedfords Road at its western entrance and in turn ending any viable route for HGV's to Lower Bedfords Road via the problem roads.

The small restricted area proposed on Havering Road (starting north of its junction with Lower Bedfords Road) ensures that when vehicles reach this point, they are unable to divert north through Havering atte Bower and must return to The Eastern Avenue (A12) and follow the preferred route of Straight Road for a compliant journey.

In order to achieve an acceptable level of compliance with the restrictions, a high level of enforcement will be required. For this reason it is considered appropriate for enforcement by static camera to be used for such a scheme.

The proposal would see CCTV cameras installed on existing lamp columns (subject to structural testing) which would capture the vehicle registrations of each vehicle entering or exiting the restricted zone at the junction of Havering Road, Chase Cross Road and Lower Bedfords Road. This data would be processed and confirmation of the weight of each vehicle would be requested from the DVLA. If a vehicle is found to exceed the weight limit, a Penalty Charge Notice (PCN) would be issued.

Should high levels of compliance be achieved, these cameras could be moved to a different location to enforce an alternative existing or newly implemented restriction. The cameras would effectively be added to our pool of cameras for the enforcement of moving traffic contraventions.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

The option to not progress the scheme was considered but rejected. The primary purpose of this proposal is to re-direct HGV's to alternative routes to Lower Bedfords Road away from Havering Road, Chase Cross Road, Collier Row Lane and Pettits Lane North, alleviating the vibration and noise issues residents are having.

### **PRE-DECISION CONSULTATION**

No consultation or residential engagement has yet taken place. Councillor Dervish of Pettits ward has been liaised with regarding this proposal.

## Non-key Executive Decision

### NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Gareth Nunn

Designation: Engineering Technician

Signature:



Date: 15/10/20

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

Here Officers seek approval to informally consult on a 7.5t weight restriction that if implemented would initially be an experimental traffic scheme that pursuant to the Council's Constitution requires an executive decision by the Assistant Director of Environment.

The Council has powers under Section 9(1) of the Road Traffic Regulation Act 1984 ("RTRA 1984") to impose an experimental traffic order to charge for parking places on the highway (s45 RTRA 1984) and/or regulate or control vehicular traffic on roads as set out in Part 1 of the RTRA 1984.

Before an experimental order is made the Council should ensure that the statutory procedures set out in section 22 of the Local Authorities Traffic Orders (Procedure) (England & Wales) Regulations 1996 (SI 1996/2489) are complied with.

If the experimental order is to be made permanent, Section 23 of the Regulations must be considered. The Traffic Signs Regulations & General Directions 2016 govern road traffic signs and road markings.

The Council must allow a 6-months objections period to lapse before a decision can be taken on whether or not the order is made permanent and such a decision must be taken within 18-months of the order coming into force. Section 9 RTRA 1984 (3) provides that an experimental order shall not continue in force for longer than 18 months.

Section 122 RTRA 1984 imposes a general duty on local authorities when exercising functions under the RTRA. It provides, insofar as is material, to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. This statutory duty must be balanced with any concerns received over the implementation of the proposals.

Although there is currently no specific legislation governing CCTV equipment used for the enforcement of moving traffic contraventions Officers should be mindful of the requirements of CCTV systems used for parking enforcement and should consider their features as an indication of the requirements of systems that would be considered fit for purpose.

CCTV can be used for parking enforcement provided that the device used are approved by the Secretary of State (Statutory guidance under section 87 of the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 (as amended). Public space CCTV systems must be operated in accordance with the Data Protection Act 2018 and the principles as set out in the Human Rights Act 1998.

The primary objective of any camera enforcement system is to ensure the safe and efficient operation of the road network by deterring motorists from breaking road traffic restrictions and

## Non-key Executive Decision

detecting those that do. To do this, the system needs to be well publicised and indicated with lawful traffic signs. The report indicates that this will be done.

The procurement of CCTV equipment or the appointment of a contractor to install or operate the CCTV equipment will form the basis of a separate decision.

## **FINANCIAL IMPLICATIONS AND RISKS**

This report seeks authority to progress with the consultation estimated to cost £0.001m

Pending no objections there are three options to implement of the scheme, the relative estimated costs of these are detailed below.

There are 3 potential ways that CCTV cameras may be obtained for this proposal, dependant on how the CCTV cameras are obtained the estimated costs are between £0.033m and £0.055m which would be met from the C30010 budget which at the time of this report has sufficient available budget.

The 3 options for obtaining CCTV cameras are as followed:

- Use of existing cameras that would require reconfiguration, re-programming and relocating. The feasibility of this requires further investigation but should it be feasible the estimated cost is £0.002m.
- Should the above not be feasible, the option to purchase new cameras from our existing approved supplier (P Ducker Systems) can be investigated. The estimated cost of this is £0.024m.
- If our existing approved supplier is unable to provide the CCTV cameras and technology required for this scheme, alternative camera providers will be sought using a 3 quote process. The estimated cost of this would again be in the region of £0.024m. This would also require a further decision paper to award a contract.

At this stage the expected costs are very much estimates, upon a signage order being completed with quotes and further investigation in CCTV camera options has happened, a more accurate estimate can be made. The estimated cost for the installation and year 1 cost of this scheme has considered the following expected costs:

- DVLA data look up (flat rate option) (£0.007m )
- Signage (including posts, installation and illumination) (£0.021m)
- Consultation (leaflet drop) (£0.001m)
- Safety Audit should any amendments to existing scheme be required (£0.002m)

## Non-key Executive Decision

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

The proposal can be delivered within the standard resourcing within Street Management, and has no specific impact on staffing / HR issues.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

## **Part C - Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

### **Decision**

Proposal agreed


The informal consultation for an experimental scheme of traffic control under section 9 of the Road Traffic Regulation Act 1984 to:

- 3. Introduce a 7.5t weight restriction at:
  - c. Lower Bedfords Road (from its junction with Havering Road to its junction with Risebridge Chase.
  - d. Havering Road (from its junction with Lower Bedfords Road to its junction with Hyde Close)

The authorisation to appoint a camera provider and subsequent installation of CCTV cameras to enforce this proposal should it be implemented

**Non-key Executive Decision**

**Details of decision maker**

Signed: 

Name: Sue Harper (Interim Assistant Director for Environment)

Date: 22/10/2020

**Lodging this notice**

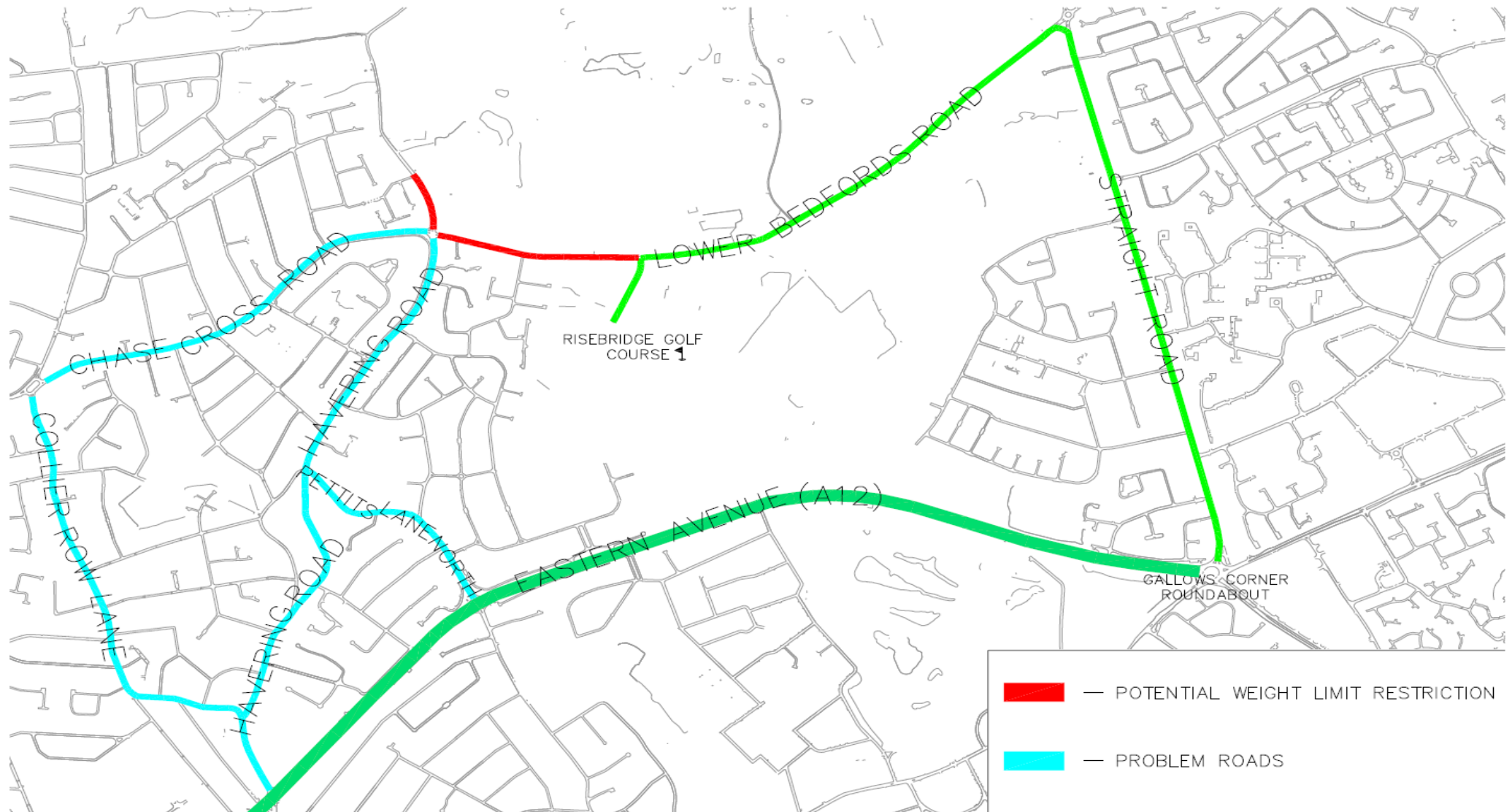
The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_

# Appendix A – Existing 7.5t weight restriction zone and location of proposed enforcement



- POTENTIAL WEIGHT LIMIT RESTRICTION
- PROBLEM ROADS
- PREFERRED ROUTE

**Having**  
THE LONDON BOROUGH OF  
**STRATEGIC CULTURE & COMMUNITY**  
TRAFFIC & PARKING CONTROL  
 10th FLOOR MERCURY HOUSE  
 MERCURY GARDENS, ROMFORD, RM1 3XW  
 TELEPHONE: 020708 42227 FAX: 020708 42228  
 EMAIL: [enquiries@having.ac.uk](mailto:enquiries@having.ac.uk)

JOB TITLE  
**PETTITS-RISEBRIDGE**

DRAWING TITLE  
**POTENTIAL-WEIGHT-RESTRICTION**

DRAWN BY GN	CHECKED BY	APPROVED BY		
DATE: 14/0/2020	SCALE: SCALE			
PURPOSE:	<input type="checkbox"/> DRAFT			
DWG No:	<input checked="" type="checkbox"/> ISSUE			
REVISION:	REF:REV:V	AMENDMENT		DATE:

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