

Notice of Key Executive Decision

Subject Heading:	Moving Traffic Contravention Recommendations
Cabinet Member:	Cllr Osman Dervish
SLT Lead:	Barry Francis Director of Neighbourhoods
Report Author and contact details:	Halina Baranowska Project Manager schemes@havering.gov.uk 01708 434449
Policy context:	Havering Local Development Framework (2008)
Financial summary:	Estimated cost of £0.309m to be funded from the Environment Moving Traffic Contravention Capital budget C38000.
Reason decision is Key	Significant effect on two or more Wards
Date notice given of intended decision:	
Relevant OSC:	Environment
Is it an urgent decision?	No
Is this decision exempt from being called-in?	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

That the Highways Advisory Committee having considered this report on 14th December 2021, recommends to the Cabinet Member for Public Realm in consultation with the Leader of the Council approves the content of this Executive Decision report to:

- (a) relocate the 3 existing Closed Circuit Television (CCTV) enforcement cameras at the below locations to 3 alternative sites to be agreed as detailed in Appendix A.
 - i. URN102 Birkbeck Road Romford.
 - ii. URN107 Dagenham Road Norwood Avenue.
 - iii. URN112 Mildmay Road Palm Road
- (b) Implement CCTV at the 13 proposed sites to support the enforcement of existing restrictions as detailed on the plans in Appendix B
- (c) Note:
 - i. the estimated cost of the trial scheme implementations is £0.309m.
 - ii. that these types of measures are implemented for enforcement of existing restrictions only; and are expected to have no appreciable bearing on existing traffic flows; which are unlikely to increase as a result of this process;
 - iii. that enforcement by Havering would only apply to Borough roads and not to roads on the Transport for London Road Network (TLRN), which are enforced by Transport for London (TfL).
 - iv. Note there is no requirement to informally or formally consult because the implementation of CCTV in the proposed locations is intended to support the existing restrictions already in situ. To comply with government legislation advance signage would be installed making motorists aware that a CCTV camera is in operation in the area.

AUTHORITY UNDER WHICH DECISION IS MADE

Council's Constitution

Part 3, Section 2.5, paragraph (q) To agree minor matters and urgent or routine policy matters

Part 3, Section 2.6, paragraph (y) Portfolios to be assigned to individual Cabinet Members - Highways & Traffic Schemes

STATEMENT OF THE REASONS FOR THE DECISION

(1) Background

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- 1.1 Concerns have been raised in relation to non-compliance especially in locations where there are high levels of accidents which are reported as either Killed or Seriously Injured (KSIs) and due to resource issues, low levels of enforcement by the Police.
- 1.2 Havering wanted a cost-effective solution to reduce the instances of non-compliance of moving traffic restrictions, causing serious road safety issues and impacts on traffic flow at a number of locations.
- 1.3 The use of CCTV allows unattended enforcement without requiring operator resources and minimises infrastructure costs. It delivers effective and reliable enforcement by combining Automatic Number Plate Recognition (ANPR) with video analytics in real-time to track moving objects and capture only the vehicles that commit an offence.
- 1.4 Adopting the powers granted to the council CCTV could be used to address non-compliance of the contraventions where there is greatest danger to vulnerable road users, and potential to smoothing traffic flow. The programme aims to:
 - a) reduce the potential for accidents at locations where restrictions on movements are in place through increased compliance.
 - b) ensure priority is given to the enforcement of banned movements to reduce delays and smooth traffic flow.
 - c) increase compliance with traffic regulations.
 - d) improve road safety, to reduce the number of collisions and improve road users' perception of road dangers.
 - e) improve air quality at locations where MTC issues cause congestion; and
 - f) help to change the behaviour and culture of drivers disobeying the restrictions.
- 1.5 Although the council currently undertakes limited CCTV enforcement of existing one-ways, banned-turns, no-entry and banned areas for vehicles; it is not practical to enforce all contraventions to the same level or uniformly across the Borough. Therefore, detailed analysis has been undertaken to prioritise the locations where existing restrictions are in place, where there is a history of road traffic accidents and where non compliance is observed and make recommendations for CCTV enforcement to help improve compliance .
- 1.6 There are a number of locations within Havering where there is non-compliance or where cameras are no longer suitable for use in a particular location and officers have undertaken surveys to identify new locations where cameras could be used.
- 1.7 Following an assessment of the non-compliance in locations where MTCs have been implemented, officers have identified and prioritised 13 locations where the number of moving traffic contraventions and accidents in the borough are highest.
- 1.8 Traffic collision data (KSIs) for the entire borough covering a period from 1 January 2017 to 30 April 2021 was obtained from Transport for London and traffic surveys were undertaken to identify if existing MTC locations are still warranted.
- 1.9 The results of the surveys and accident data for the proposed sites are shown in Appendix B and this report makes recommendations to:

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- a) relocate 3 of the existing fixed cameras as detailed in Appendix A; and to
- b) from the 18 locations studied, introduce 13 new CCTV sites which are deemed suitable for enforcement, as detailed in Appendix B.

1.10 If agreed the enforcement of the recommended MTC locations as listed as Appendix B using CCTV in Havering would be implemented as a rolling programme over a period of up to 3 years. There would also be a need to purchase additional cameras as detailed in Appendix C of this report. The costs for this scheme would be met by the Environment Moving Traffic Contravention Capital budget C38000.

(2) Existing MTCs locations

- 2.1 Following an assessment of the non-compliance of existing MTC sites where enforcement using CCTV has already been implemented a safety priority list was developed which awarded a score based on whether they are on a primary route, traffic sensitive and have a history of traffic collisions, with 1 being the lowest and 5 representing locations with the highest priority as detailed in Appendix A.
- 2.2 It is considered that the 3 existing cameras where a safety priority of 2 or less has been identified could be redeployed to other sites with a higher priority. The reason for the low score could be because motorists are now complying with the MTC and the camera is therefore no longer required.

(3) Proposed New Locations for MTCs

- 3.1 Havering Council was made aware by its residents, members, police officers and other stakeholders of moving traffic contraventions at a number of locations across the borough. Following an assessment of the non-compliance of existing MTC sites where enforcement is not undertaken using CCTV a safety priority list was developed which awarded a score based on whether they are on a primary route, traffic sensitive and have a history of traffic collisions, with 1 being the lowest and 5 representing locations with the highest priority as detailed in Appendix B.
- 3.2 As a result of the surveys officers have also made a recommendation for the relocation of the 3 existing cameras identified in Appendix A or if there is a need to erect additional cameras as identified in Appendix B.

OTHER OPTIONS CONSIDERED AND REJECTED

- 4.1 The Road Traffic Regulation Act 1984 (RTA 1984), places a duty on the council to secure the expeditious, convenient, and safe movement of vehicular and other traffic (including cyclists and pedestrians), on Havering roads.
- 4.2 The Traffic Management Act 2004, as amended places a duty on Local Authorities to ensure the free flow of traffic on the roads they manage, and provides the process for issuing,

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processing and dealing with challenges related to Penalty Charge Notices issued for parking, bus lane and moving traffic contraventions.

- 4.3 The London Local Authorities and Transport for London Act 2003 (LLATFLA) enables a London authority to take on the civil enforcement of certain moving traffic contraventions (MTCs) by decriminalising the offences, thereby transferring the enforcement responsibility from the Police to the Council. In 2008 the Traffic Management Act 2004 (TMA2004) consolidated this legislation.
- 4.4 Some London Local Authorities agreed to take on the civil enforcement of a number of vehicle contraventions and to transfer of enforcement responsibility from the Police to the traffic authority. Most London Authorities now carry out this type of enforcement.
- 4.5 Havering Council was granted the powers to use Closed Circuit Television (CCTV) to enforce Moving Traffic Contraventions (MTCs) from the London Councils' Technical Environment Committee 18th September 2015. These powers can be used to enforce traffic regulation violations at any location without any further approval needed from London Councils, meaning we can enforce any of the restrictions outlined in the LLA and TfL Act 2003, including goods vehicles exceeding a maximum gross weight.
- 4.6 No other options have been considered.

PRE-DECISION CONSULTATION

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

Name: Halina Baranowska

Designation: Project Manager, Traffic and Parking

Signature: .

Date: 06th December 2021

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

- 1.1 The London Local Authorities and Transport for London Act 2003 (LLATFLA) enables a London authority to take on the civil enforcement of certain moving traffic contraventions (MTCs) by decriminalising the offences, thereby transferring the enforcement responsibility from the Police to the Council. In 2008 the Traffic Management Act 2004 (TMA2004) consolidated this legislation.
- 1.2 The TMA 2004 which was enacted in 2008 places a duty on Local Authorities to ensure the free flow of traffic on the roads they manage, and provides the process for issuing, processing and dealing with challenges related to Penalty Charge Notices issued for parking, bus lane and moving traffic contraventions.
- 1.3 Traffic Management Act 2008, Part 2 Network management by local traffic authorities and strategic highways companies.

The network management duty:

(1) It is the duty of a local traffic authority or a strategic highways company ("the network management authority") to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives:

(a) securing the expeditious movement of traffic on the authority's road network;
and

(b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.

(2) The action which the authority may take in performing that duty includes, in particular, any action which they consider will contribute to securing:

(a) the more efficient use of their road network; or

(b) the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network or a road network for which another authority is the traffic authority.

FINANCIAL IMPLICATIONS AND RISKS

- 2.1 This Executive Decision report seeks approval to accept the recommendations made by officers and to proceed with the implementation process for the above scheme.
- 2.2 The estimated cost of £0.309m will be met from Environment Moving Traffic Contravention budget C38000 as shown in Appendix C. Should all proposals be implemented.
- 2.3 The council currently has two contracts with suppliers Videalert LTD and Chipside LTD to aid with the implementation of both School Street and Moving Traffic Contravention (MTCs) schemes using CCTV. Both contracts are prescriptive in their requirements and allow little flexibility for future growth or expansion of the infrastructure for MTC cameras. This means that we must deliver current requirements within the parameters of the existing contracts.
- 2.4 The Council is looking to procure a new MTC camera contract that will provide future proofing for the service and new contract arrangements are anticipated to be in place within the next few weeks.
- 2.5 Due to the fact enforcement would be undertaken using cameras, there will be an associated PCN income generated by these schemes, although the value of this revenue cannot be estimated in advance. Ideally, the council wants full compliance which will mean income will be negligible.
- 2.6 This is a standard project for Public Realm and there is no expectation that the works cannot be contained within the cost estimate. There is an element of contingency built into the financial estimate. In the unlikely event of an overspend, the balance would need to be contained within the overall Public Realm budget

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

- 3.1 The proposal can be delivered within the standard resourcing within Street Management, and has no specific impact on staffing/HR issues.
- 3.2 The enforcement of MTCs is an automated process using CCTV. Reviewing of moving traffic footage for all existing cameras throughout the borough is administered by Highways, Traffic and Parking Control's Operations team who review 37 enforcement cameras.
- 3.3 The Operations team has the current capacity for the additional reviewing. This is not a change to their job description needing evaluation and will not require recruitment to cover the work.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

- 4.1 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.
- 4.2 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.
- 4.3 Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.
- 4.4 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.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

- 5.1 The introduction of cameras along the public highway has been shown to reduce the number of accidents and injuries. Bringing in further Cameras will deliver improved road safety levels and reduce the number of accidents on the Havering road network.

BACKGROUND PAPERS

None.

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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

Proposals agreed as below:

Details of decision maker

Signed **x**

Name: Councillor Osman Dervish, Cabinet Member for Environment

Date: **x**

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 – Moving Traffic Contraventions – Existing locations with CCTV enforcement

	Description	Contravention Type	PCN volume (for the last year)	Safety priority (1 = low, 5 = high)	Recommendation
1	URN101 Angel Way Romford	One Way	1024	5	to remain
2	URN102 Birkbeck Road Romford	One Way	7	1	to relocate
3	URN103 Champion Road Upminster	Banned Right Turn	134	3	to remain
4	URN104 Cowper Road	One Way	344	3	to remain
5	URN105 Dagenham Road Eastbound	Bus Lane	2030	5	to remain
6	URN107 Dagenham Road Norwood Ave	No Entry	34	1	to relocate
7	URN108 East Dene Dr Harold Hill	One Way	1954	5	to remain
8	URN109 Howard Road Upminster	Banned Right Turn	894	4	to remain
9	URN110 London Road	Bus Lane	1142	5	to remain
10	URN111 Main Road Romford	Banned Right Turn	90	3	to remain
11	URN112 Mildmay Road Palm Road	One Way	46	2	to relocate
12	URN113/114/115 North Road	Banned Right Turn, Bus Lane	2378	5	to remain
13	URN117 Straight Road	Bus Lane	4921	5	to remain
14	URN118 Straight Road	Bus Lane			
15	URN120 Tangent Link	Banned Right Turn	13024	5	to remain
16	URN121 Western Road Romford	Banned Right Turn	5190	5	to remain
17	URN122 Western Road Romford	Banned Right Turn			
18	URN123 Branfill Primary South View Dr	Vehicle Restriction (School Streets)	1082	5	To remain
19	URN124 Branfill Primary Gaynes Pk Cedar Ave	Vehicle Restriction (School Streets)	1106	5	to remain

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Appendix A Con – Moving Traffic Contraventions – Existing locations with CCTV enforcement

	Description	Contravention Type	PCN volume (for the last year)	Safety priority (1 = low, 5 = high)	Recommendation
20	URN126 Squirrels Heath Brentwood Rd	Vehicle Restriction (School Streets)	827	4	to remain
21	URN127 Squirrels Heath Salisbury Rd	Vehicle Restriction (School Streets)	1921	5	to remain
22	URN130 Albert Road Junction with Brentwood Road	One Way	2615	5	to remain
23	URN129 Ingrave Road Junction with A125 North Street2	Banned Right Turn	1314	5	to remain
24	URN128 Angel Way	No Entry	1024	5	to remain
25	URN133 A1306 New Road junction with Spencer Road	No U-Turn(s)	42 from 04.2021	4	to remain
26	URN131 A1306 New Road junction with Cherry Tree Lane	No U-Turn(s)	371 from 04.2021	4	to remain
27	URN132 A1306 New Road junction with Lower Mardyke A	No U-Turn(s)	256 from 04.2021	4	to remain
28	URN135 Minster Way & Wingletye Lane	2 Banned Turns	205 from 07.2021	4	to remain
29	URN134 Bridge Road, Rainham	Weight Restriction	557 from 07.2021	5	to remain
30	A1245 Waterloo Road junction with Exchange street Ahead only	One Way	no data	5	to remain
31	A124 Hornchurch Road junction with Rainsford Way / Rainsford Way junction with A124 Hornchurch Road	No U-Turn(s)	no data	5	to remain
32	Viking Way Upminster Road South	One Way	no data	3	to remain
33	Old Station Lane Junction with Celtic Farm Road	No Entry	no data	4	to remain

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Appendix B – Proposed additional MTC locations for CCTV Enforcement

	Description	Contravention Type	Accidents from last 3 years	Turning Counts Survey (24h) - Contraventions	Safety priority (1 = low, 5 = high)	Recommendation
1	A1306 New Road junction with Marsh / Marsh Way junction with A1306 New Road	Banned Turns	20	2	4	In discussions with TfL for a signal review at the junction
2	Crow Lane junction with Whalebone Lane South	One Way	4	1	3	Not recommended for camera enforcement due to
3	Cherry Tree Lane junction with Rainham Road and South End Road	No right turns	6	14	5	2 cameras relocated unattended
4	Howard Road junction with Station Road	No right turn	5	14	4	1 camera relocated unattended
5	South Street junction with Victoria Road	Prohibited access	11	954	5	2 additional unattended cameras required
6	Waterloo Road junction with Exchange Street	Ahead Only	4	15	4	1 additional unattended camera required
7	Junction Road junction with Main Road	No right turn	4	7	4	1 additional unattended camera required
8	London Road, close to the junction with Cotleigh Road	Bus Lane	11	78	5	1 additional unattended camera required
9	New Road (west of Anderson Way)	Bus Lane	7	16	5	1 additional unattended camera required
10	New Road (east of Thames Avenue)	Bus Lane	6	2	5	Not recommended for camera enforcement due to

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Appendix B Con – Proposed additional MTC locations for CCTV Enforcement

	Description	Contravention Type	Accidents from last 3 years	Turning Counts Survey (24h) - Contraventions	Safety priority (1 = low, 5 = high)	Recommendation
11	New Road (Spencer Road junction to Marsh Way junction)	Bus Lane	5	46	5	1 additional unattended camera required
12	Dagenham Road (west of York Road junction)	Bus Lane	5	21	5	1 additional unattended camera required
13	New Road (Spencer Road junction to Philip Road junction)	Bus Lane	4	43	5	1 additional unattended camera required
14	Victoria Road junction with Albert Road	One Way	2	4	3	1 additional unattended camera required
15	Grimshaw Way junction with Stanley Road	No Entry	3	1	3	Not recommended for camera enforcement due to low number of contraventions
16	North Street junction with Hainault Road	No Entry	2	6	3	1 additional unattended camera required
17	Western Road junction with Chandlers Way	One Way	5	35	4	1 additional unattended camera required
18	Northumberland Avenue	Speeding issue, not suitable for MTC	3	Not undertaken at this stage	3	not suitable for MTC
19	A12 into Heath Drive	Speeding issue	3	Not undertaken at this stage	3	further discussions with TFL required

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Appendix C – Cost of implementation

Scheme	Requirements	Cost	Notes
CCTV Relocation	Relocate 3 cameras already in use	£9,000.00	An estimate of £3,000.00 per site
CCTV New locations	Purchase 12 cameras to enforce 11 new sites	£300,000.00	An estimate of £25,000.00 per camera
Total		£309,000.00	