



Highways Committee
20 October 2014

**Report from the Head of Parking and
Lighting**

For Action

Wards Affected:
Willesden

Petition – CCTV parking and traffic enforcement at Willesden Green

1.0 Summary

1.1 This report informs the Committee of two petitions, in respect of the use of CCTV cameras for the purpose of enforcing parking regulations.

2.0 Recommendations

2.1 That the Committee note the content of the petitions, set out in paragraphs 3.2 and 3.4, and the issues raised within.

2.2 That the Committee note that the use of CCTV for the purpose of enforcing parking contraventions in High Road, Willesden Green is appropriate, and that cameras are not being misused, as established through the investigations within this report.

2.3 That the main petitioner be informed of the outcome of the Highways Committee report in respect of this matter.

3.0 Details of Petition

3.1 A petition has been received by the Council from the 'Willesden Green Traders Association', and signed by local businesses, their suppliers; residents and customers of businesses located in High Road Willesden those at the junction of High Road and Dudden Hill. The petition has been verified in accordance with the Council's procedures and has 146 signatures.

3.2 The full wording of the petition is:

“we are extremely concerned about CCTV Cameras based by the scout house on the High Road Willesden and on the junction of High Road Dudden Hill are being misused. Initially the cameras were installed for crime prevention but now are used for parking offences. The businesses on the Willesden High Road is already badly suffering due to recession and are finding it difficult to trade please avoid the cameras for parking offences”

3.3 A further petition raising similar issues has been received by the Council from the “Willesden Green Residents and Traders Association”. The petition has been verified in accordance with the Council’s procedures and has 68 signatures.

3.4 The wording of this petition is

“We the residents of Willesden Green are opposing the use of our CCTV to be used as parking cameras and would like them to be put back for crime prevention only”

3.5 A copy of both petitions is available for inspection by Members of the Highways Committee.

4.0 Background

4.1 The Council own CCTV (Closed Circuit Television) cameras along the stretch of highway which includes High Road, Willesden Green, and Dudden Hill Lane. The cameras are used for a variety of purposes, although principally for crime prevention purposes.

4.2 The roads specifically affected by camera enforcement referred to in the petition are located within Controlled Parking Zone (CPZ) zone GH. The section of road reviewed is adjacent to the Scout Centre, on High Road Willesden to it’s junction with Dudden Hill. The cameras in question are camera assets 219 & 220.

4.3 Traders have recently expressed concerns to the Council that their suppliers and customers are receiving an increased volume of Penalty Charge Notices when parking as a direct consequence of the CCTV cameras located in the immediate area.

4.4 The petitioners have requested that the CCTV cameras are not used for the purpose of enforcing parking regulations.

4.5 Officers have reviewed the parking restrictions in place on the affected stretch of highway and how the cameras are specifically being used from an enforcement perspective. Details of that investigation are set out below.

5.0 Investigation

Enforcement Methods

5.1 The Council uses a variety of methods to bring about parking and traffic compliance in the borough, including Civil Enforcement Officer (CEO) deployment, Removal Truck deployment, Mobile CCTV deployment, and CCTV officer deployment (located in the Council's CCTV Enforcement Room in the Civic Centre).

5.2 The different methods of enforcement have different advantages / disadvantages over one another. By using all methods the Council ensure that they offer the best response to parking/traffic compliance issues whilst being cost effective. The advantages/disadvantages of each method are broadly outlined below:

5.3 Comparison of enforcement methods:

Method	Description	Advantages	Disadvantages
Civil Enforcement Officer Enforcement	Officers deployed throughout the borough, with Hand Held Computers.	Officers may enforce restrictions where permits or disabled badges are displayed; Officers may provide advice to motorists; Officers are a visible enforcement presence	Identification of offences is difficult; Officers are often in confrontational situations; Officers encounter difficulties in enforcing 'no stopping' contraventions and contraventions where the driver is close or at the wheel of the vehicle; the enforcement process is slower (inefficient) and therefore more costly by comparison
Mobile CCTV/ANPR Enforcement	Officers deployed in cars which are fitted with CCTV/ANPR Equipment	Effective enforcement of 'no-stopping' restrictions such as School Keep Clear markings; Able to be deployed to areas inappropriate for foot enforcement and out of view of static cameras; Able to identify some offences for other officers to enforce.	CCTV vehicles often have problems parking in order to carry out enforcement (particularly at busy junctions). Enforcement may be unproductive (the vehicles cameras are limited to one field of view)
Static CTV Enforcement	Officers deployed in the Councils control room, monitoring approximately 70 cameras located across the borough	Effective enforcement loading and waiting restrictions (yellow lines), stopping restrictions (zig-zags) and bus stops; very productive use of officer time (officers may switch views to over 70 camera sites across the borough).	Cameras are static (they can only enforce the areas within their field of view).

Removal Enforcement	Officers deployed in two Removal (Tow) Trucks, which patrol the borough	Instant relief of obstructive parking (which may create an obstacle to traffic, or present a hazard to other motorists/pedestrians)	Removal enforcement is only suitable for certain contraventions.
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- 5.4 The site in question, High Road Willesden Green (and surrounding) is enforced by a blend of all enforcement methods, although the most prevalent method is static CCTV enforcement. This is simply due to camera locations and the types of parking restrictions within the cameras' field of view.
- 5.5 Consultation was undertaken at the time of the introduction of the CPZ, but specific consultation was not undertaken prior to the use of CCTV enforcement in this location. There is no statutory expectation that the council will consult over which of the enforcement methods available to it will be used in each location. Nor is there any statutory requirement for specific signage drawing attention to the use of CCTV enforcement at any specific location. The offences being enforced against are significant offences causing safety problems, congestion and inconvenience to other road users, and the clear signage warning of the restrictions is sufficient for motorists to be aware that they are committing an offence, and are at risk of receiving a PCN.

Detailed regulations

- 5.6 The junction of Dudden Hill Lane and Willesden High Road is one of the busiest roads in the borough and is part of the major route network. As part of its Network Management Duty, the London Borough of Brent are obliged (under the Traffic Management Act 2004) to secure the expeditious movement of traffic on the authority's road network.
- 5.7 The volume of vehicle flow in the area means that there is a need for continual parking enforcement activity. Constant enforcement activity may be achieved through the use of camera enforcement but is not possible with foot based patrols. The level vehicle throughput at this stretch of highway makes CEO patrol based enforcement largely ineffective making it difficult for the borough to deliver upon its statutory obligations.
- 5.8 The junction needs to be clear of obstruction during hours of peak flow to help reduce congestion during these times. Waiting and loading restrictions are in place to maximise capacity at the location.
- 5.9 Waiting (parking) and loading is not permitted on the junction of Willesden High Road and Dudden Hill Lane. Restrictions are in place here to ensure obstructive parking does not impede the flow of traffic, and as a general road safety measure. Parking on these restrictions may create congestion.

- 5.10 On the westbound section of Dudden Hill Lane, waiting and loading are forbidden at all times. Parking in this location would impede the flow of traffic.
- 5.11 The restrictions adjacent to the properties between 296 and 304 High Road Willesden, prohibits loading and unloading at peak traffic hours (8 - 9am and 4.30 - 6.30pm Monday to Friday) and also prohibits waiting (parking) at all times. The Council consider that parking in this stretch of road will impede the flow of traffic; however, also recognise that businesses require a place to load/unload outside of peak traffic hours).
- 5.12 The same loading prohibition applies between 321 High Road Willesden and the bus cage outside 335 – 339 High Road Willesden, and with waiting restrictions applying between 8am and 6pm.
- 5.13 Outside 305, 307, 309, and 321 High Road Willesden, loading/unloading is prohibited between the 8 - 9am and 4.30 – 6:30pm Monday to Friday. Waiting is prohibited at all times. Again, the Council are attempting to facilitate the needs of local businesses by providing an area to load/unload outside of peak traffic hours.
- 5.14 From the bus cage opposite 19 Dudden Hill Lane to the junction with the High Road, Willesden, waiting and loading are prohibited at all times. Parking in this area may be dangerous, and will certainly affect the movement of traffic.
- 5.15 From 19 and 21 Dudden Hill Lane to the junction with the High Road, Willesden, loading/unloading is prohibited between 7am to 10am and 4pm to 7pm.
- 5.16 From the junction of Dudden Hill Lane to the property boundary of 276 and 278 High Road, Willesden, no loading/unloading is permitted between 8am to 9.30am and 4:30pm to 6:30pm, Monday to Friday, and waiting is forbidden at all times.

Issuance

- 5.17 The below tables demonstrate the level of enforcement activity from Cameras 219 & 220 for the calendar year to date.

Camera 219

	Yellow Line	Double Parking	Bus Stop	Footway Parking	Pedestrian Crossing	Total	PCNs per day
January	179	0	1	74	2	256	8.26
February	143	0	0	78	2	223	7.96
March	207	2	2	104	1	316	10.19
April	156	0	0	68	11	235	7.83

May	122	0	1	54	2	179	5.77
June	81	0	2	77	1	161	5.37
July	133	1	2	52	3	191	6.16
August	39	0	2	36	6	83	2.68
Average	133	0	1	68	4	206	7

Camera 220

	Yellow Line	Double Parking	Bus Stop	Footway Parking	Pedestrian Crossing	Total	PCNs per day
January	13	0	0	6	0	19	0.61
February	2	0	2	7	0	11	0.39
March	0	2	0	2	0	2	0.06
April	0	0	0	10	0	10	0.33
May	1	0	1	21	0	23	0.74
June	0	0	0	16	0	16	0.53
July	1	1	2	11	0	14	0.45
August	5	0	0	13	1	19	0.61
Average	2.75	0	0.625	10.75	0.125	14.25	0.47

5.18 Issuance is limited to the most serious types of parking contraventions; that is to say that it is limited to yellow line enforcement, double parking, bus stop enforcement and footway parking.

5.19 All of these offences are problematic for Civil Enforcement Officers to effectively enforce. That is to say that for these types of contravention, unlike parking bay offences, the motorist is likely to be close to the contravening vehicle. The combination of the Civil Enforcement Officers proximity to the vehicle and the speed in which they can note vehicle particulars means that motorists are afforded enough time to drive away before the officer is able to issue a Penalty Charge Notice. Clearly, this process is ineffective as motorist compliance will not be achieved; there is no discouragement to the driver to dissuade him/her from committing future contraventions.

Footway Parking

5.20 As demonstrated in the above tables (5.16), the highest volume contravention enforced by CCTV Camera 220, and the second highest volume enforced by camera 219 is footway (pavement) parking. The Council takes a serious view of parking on the footway; there is a London-wide ban of footway parking under the Section 15 Greater London Council (General Powers) Act 1974.

5.21 There are several reasons for a zero tolerance approach to footway parking:

- Pedestrians are directly inconvenienced;
- Some pedestrians are hindered, in particular: those who are visually impaired; parents pushing prams/pushchairs; and those who are restricted to wheelchairs;

- Footway parking breaks paving stones, and may lift stones from the footway. This in turn not only presents the Council with maintenance costs, but also generates trip hazards for pedestrians;
- Footway parking may also damage utilities running beneath the surface of the footway. That is to say that those carriageways are built to withstand the weight of vehicles; footways are only built to withstand the weight of pedestrians. This may indirectly create longer term problems for network management if utilities are required to repair damages.

5.22 Footway exemptions are present in some parts of the borough, although this is restricted to residential streets, where the demand for parking exceeds supply (parking capacity is restricted by carriageway width). Exemptions are only made following officer assessment.

Crime Prevention

5.23 The camera infrastructure in Brent determines that parking enforcement is a secondary use of the camera. That is to say that the identification and prevention of crime is the principal purpose of most cameras.

5.24 Officers working in crime prevention view cameras from a separate camera suite within the Civic Centre. Parking and traffic enforcement officers are contained within their own purpose built facility.

5.25 Should a crime (or a potential crime) be detected in the local area, officers working towards the purpose of preventing crime always have priority in taking control of the device. This is the case even if an enforcement officer is in the process of recording a parking contravention. By default, this ensures the camera is being used for its principal purpose, and the process of parking and traffic enforcement is secondary.

5.26 However, using the camera for parking/traffic enforcement as a secondary purpose ensures that officers are actively viewing activity within the cameras field of view. Should any suspicious activity be observed, the increased level of focus on the boroughs camera network increases the probability of crime being detected.

Support for Local Trade

5.27 There are a number bays set aside for the use of visitors to High Road Willesden Green, which may be used by visitors to local shops. Details of where these bays are may be found, and their proximity to camera assets 219/220, may be found in the maps attached as appendices A & B. These bays are included in those which now have a low cost short-stay tariff (20 pence for 15 minutes); a tariff implemented in October 2013 aimed at supporting local trade.

- 5.28 Enforcement of these visitor parking bays is not undertaken by static CCTV cameras, but the aim of the restrictions in these bays and of enforcement of them is to encourage high take up and frequent turnover of the bays to ensure that parking is available for shoppers.
- 5.29 There is no evidence or strong links to support statements which make links between parking/traffic enforcement and a downturn in local trade. There are a number of factors which may be considered here: demand for goods sold locally; presence of competitors in other areas; a lowered spending power resulting from recent recession.
- 5.30 The enforcement of yellow lines and bus stops undertaken by static CCTV tackles inconsiderate and dangerous parking which obstructs traffic flows and endangers or inconveniences other road users and pedestrians. This type of enforcement should not impact on trade. The problems it addresses tackle behaviour prohibited by local Traffic Management Orders which were created following a statutory consultation process.

Other Considerations

- 5.31 The Government is proposing to ban some aspects of parking enforcement in the near future. The implications for the Council are not yet clear, as the extent of the ban has not yet been established, and nor has the implementation date for a ban. Government proposals currently sit within the Deregulation Bill currently with the upper house.

6.0 Report Findings

- 6.1 The investigation concludes that enforcement from camera assets 219 & 220, at the junction of High Road Willesden Green, and Dudden Hill Lane are not being misused on the basis that:
- Officers investigating matters relating to crime prevention ultimately have control of the assets.
 - Assets 219 & 220 have been certified by the Vehicle Certification Agency (on behalf of the Department for Transport) as Approved Devices; meaning that the asset may be used for the purpose of parking enforcement.
 - The volume of contraventions identified by the cameras are typical when compared with other key camera enforced sites in the borough.
 - The types of contraventions enforced via the camera are appropriate, and will assist the council in promoting motorist compliance with:
 - Yellow lines. Thereby improving the flow of traffic.
 - Bus Stops. Thereby improving journey times and promoting sustainable forms of transport.
 - Footways. Thereby improving the condition of the pavement for pedestrians, and removing obstructive parking.

7.0 Financial Implications

7.1 Officers recommend that no changes are implemented as a result of this petition, and as such no financial implications arise.

7.2 Should the camera be turned-off it is likely that there would be a number of financial consequences for the authority:

- In order to ensure compliance additional Civil Enforcement Officers would need to be deployed in order to enforce parking regulations and achieve compliance with Traffic Management Orders. This method is less efficient than the use of static cameras and therefore the Parking Account would require additional financial resources in order to sustain its current performance.
- The footway could deteriorate through increased non-compliance; requiring the Council to fund repair work from its limited budget available for the purposes of footway maintenance.

8.0 Legal Implications

8.1 The Council enforce parking regulations under the provisions of the Traffic Management Act 2004.

8.2 Cameras used for parking enforcement are certificated as 'Approved Devices' under the provisions of the Traffic Management Act 2004 part 6.

9.0 Diversity Implications

9.1 There are no diversity implications arising from this report.

9.2 Officers would note that many parking infringements identified by cameras 219 and 220 are footway parking issues. Officers are working hard to bring about footway parking compliance throughout the borough. Footway parking can limit the width of the footway; this adversely impacts upon disabled and visually impaired residents and visitors.

10.0 Contact Officer:

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