

Merton Parking Service

CCTV Enforcement Manual



Version 2.2
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Introduction

Since 1999 the London Boroughs and Transport for London have been using Closed Circuit Television (CCTV) cameras to enforce traffic regulations. The introduction of enforcement of traffic regulations by CCTV cameras is one part of a wide-ranging programme of measures to improve the reliability and punctuality of public transport, reduce congestion and pollution. The aim of most traffic measures, such as bus lanes and parking regulations is to give priority to certain groups of users by excluding others during prescribed hours. The introduction of CCTV monitoring of traffic regulations is intended to reduce the level of the contraventions and so reduce delays on the highway network.

The London Borough of Merton first introduced CCTV cameras to enforce traffic regulations in March 2004 with the advent of Bus Lane enforcement. The enforcement of Parking (Static) contraventions followed in September 2010 with the introduction of Moving Traffic enforcement starting on 7th May 2012. Enforcement of Bus lanes, Parking (Static) and Moving Traffic offences is carried out using both static CCTV cameras and marked mobile CCTV vehicles.

Publishing this document is part of the Council's drive to be open and transparent about how it enforces The Highway Code. The Council has also published a Parking Charter at:

www.merton.gov.uk/parkingcharter

It is a two-way promise between the Council and road users, balancing the necessity of enforcing the rules of the road in Merton with the needs of drivers who want to get around the borough with ease.

The Council is committed to addressing a top concern for residents, that congestion is kept to a minimum and that Merton's highways are kept safe for all road users.



Legislation

The enforcement of traffic regulations by CCTV cameras is regulated under the following legislation:

- Road Traffic Regulation Act 1984
- Road Traffic Offenders Act 1988
- Road Traffic Act 1991
- London Local Authorities Act 1996
- The Road Traffic Offenders (Additional Offences and Prescribed Devices) Order 1997
- London Local Authorities Act 2000
- London Local Authorities and Transport for London Act 2003
- Traffic Management Act 2004
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
- The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
- The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007
- The Data Protection Act 1998

Legislation

Together, the Acts and Orders listed on the previous page provide the legal framework that allows a Local London Authority to install structures and equipment on or near a highway, or by use of a mobile unit, for the detection of contraventions of the Traffic Regulation Orders and 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.

Legislation governing the operation of CCTV systems.

- The Data Protection Act 1998
- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- The Freedom of Information Act 2000



Data Protection

The Data Protection Act 1998 sets out the rules for processing personal information which includes data obtained whilst carrying out CCTV enforcement

Your responsibilities under the DPA

You must ensure that:

- You do not release or disclose data to unauthorised persons.
- You keep personal data securely.
- You keep personal data confidentially.
- You use data fairly and only for the purpose it was originally gathered .
- Data is current, accurate and factual.

It is your responsibility to ensure that you comply with the Data Protection Act

Do not give information about individuals to third parties. This includes information such as keeper details, previous keeper details, registration marks of vehicles, names of recipients of PCNs, names of enforcement officers or other staff members.

Use of the data for any other purpose is a criminal offence under the Data Protection Act

If you are not sure whether to disclose information, you must always speak to your line manager for advice.

Remember that any information processed regarding an individual (including opinions), must be accurate. Any notes made and stored in the system in written or typed form, could be made available to the individual under the DPA.

Health and Safety

All employees are covered by the Councils H&S policy and the Health and Safety at Work Act 1974 and should be aware of their responsibilities whilst at work.

Below is further guidance to ensure you maintain a safe and healthy environment.

Mobile

Only staff who have passed the councils' driving assessment may drive council Vehicles.

When driving a CCTV vehicle ensure you are aware of its height.

Ensure all written operating procedures regarding CCTV equipment are adhered to.

Check equipment is in safe working order before leaving on patrol.

Do not sit in the same position for long periods of time, if you need to stretch your legs do not leave the vehicle unattended

Do not park with the windows fully open to prevent physical assaults.

In hot weather ensure you take a drink with you



CCTV Camera Equipment

The equipment used for the enforcement of traffic regulations by CCTV cameras is subject to the following specifications

Parking enforcement

Equipment that can be used for the enforcement of parking contraventions, otherwise known as Static Enforcement, via CCTV is regulated by the Traffic Management Act 2004 and the associated legislation. The 2004 Act provides a system approval scheme for CCTV systems used for parking enforcement known as "Approved Device Certification". Only mobile vehicles certified for the purpose may be used to enforce parking restrictions.

Bus Lanes

There is no requirement for an 'approved device' under London Local Authorities Act 1996. The 1996 Act requires that the equipment be a prescribed device, described in the Road Traffic Offenders Act 1988 as:

"a camera designed or adapted to record the presence of a vehicle on an area of road which is a bus lane or route for use by buses only."

All static cameras adjacent to Merton's Bus lanes are 'prescribed devices' as are the mobile units.

Moving Traffic

There is currently no specific legislation governing CCTV equipment that can be used for the enforcement of moving traffic contraventions. All Merton's Bus lane and mobile cameras are therefore suitable for moving traffic enforcement.

Mobile CCTV vehicles

Only locations with restrictions approved for enforcement may be enforced as moving traffic contraventions.

Only certified systems may enforce parking contraventions.

Merton Traffic orders contain the following exemption:

vehicles when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting

This permits vehicles to park on yellow lines, loading restrictions, motorcycle bays or any other location whilst carrying out statutory duties,

Vehicles must not park on:

Bus stop clearways

Red routes – Bus lanes – Cycle lanes (during operating hours)

Disabled bays

School and pedestrian crossing Zig Zags

Periscope equipped vehicles **MUST** not be driven into any public car parks due to height restrictions.

Vehicles may only 'wait' on yellow line restrictions to enforce yellow line contraventions if a vehicle is seen contravening whilst on mobile patrol. Waiting on a yellow line for another vehicle to park in contravention is not permitted. This does not apply to moving traffic and 'no stopping' contraventions where enforcement is only possible by waiting on yellow lines.

All mobile CCTV vehicles are branded and can be identified as mobile CCTV enforcement vehicles..



CCTV evidence

Signs and lines should be done before filming at each location.

Wherever possible signs should always be filmed from the front, filming signs from the rear as a time saving practice is not permitted. With static cameras some signs are not visible and stock photos have to be relied upon, these photographs will be updated regularly. If a sign cannot be filmed safely with a mobile unit due to traffic a side on view is acceptable.

Vehicle registration marks must be clear and distinguishable on the footage, regardless of the correct VRM being noted on a log sheet.

Log sheets should be clear, legible and in pen.

If a VRM is not seen whilst committing the contravention the camera can be used to follow the vehicle until a clear VRM is obtained. However this footage **MUST** be continuous and on the same camera to ensure it is of the same vehicle. If the vehicle goes out of view before the VRM is obtained the vehicle should not be entered onto your log sheet.

If any signs and lines are incorrect or missing the restriction should not be filmed and the fault reported to a team leader.

Do not constantly zoom in and out or remain zoomed in on VRM, you may miss activity being carried out by the driver.

Do not move the camera away from the vehicle to film the signs and lines until the observation period has elapsed.

CEO's filming with mobile CCTV enforcement cameras are required to record all possible offences. An independent team of Officers then review the evidence and decide whether or not a contravention has occurred.

Parking Enforcement by CCTV

This section should be used in conjunction with the Merton Parking CEO Enforcement Manual which provides descriptions and exemptions for each parking restriction.

The Secretary of State recommends that approved devices are used only where enforcement is difficult or sensitive and CEO enforcement is not practical. CCTV should therefore only be used :

- For situations impractical to serve a PCN on foot eg. No stopping restrictions
- In areas patrolling on foot may endanger the H&S of staff

Examples:

- Drivers stopping on restricted Bus stops
- Drivers stopping on school zig zags

CCTV should only be used when a regulation 9 PCN cannot be safely or practically served, not out of convenience.

CCTV must NOT be used in permit or Pay and Display bays

The evidence of the contravention MUST be captured by the device, the contravention should be apparent to any competent person viewing the footage. Unlike a regulation 9 PCN the observation of the contravention by the CCTV operator is not sufficient proof of contravention.

Whilst parked filming at a location the system should be recording for the entire duration and not just when a vehicle is observed, this will ensure that if the vehicle arrives or departs whilst you are enforcing it will be captured on film.



Parking Contravention evidence collection

Evidence of the contravention should be clear and the footage must show the vehicle wheels clearly parked within the restricted area.

Where required, the best possible footage of signs and/or lines should be recorded.

Close up of VRM is required for each contravention,

Observation periods

Stopping restrictions

Instant PCN may be issued however sufficient footage should be recorded to ascertain that a contravention has taken place..

Moving Traffic & Bus lane Enforcement



Since May 2012 the London Borough of Merton has been enforcing Moving Traffic Contraventions . Moving traffic contraventions include no entry, banned left, right and 'U' turns, failure to comply with a directional sign, yellow box junctions and travelling the wrong direction in a one way street.

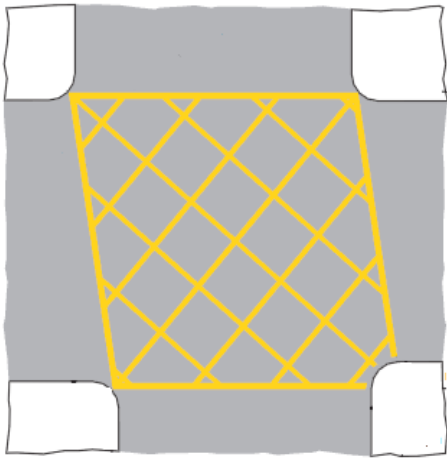
Since June 2016 Moving Traffic Contraventions have been filmed using both Automatic Number Plate Recognition (ANPR) cameras and mobile CCTV enforcement vehicles.

These contraventions have been put place to improve road safety , reduce congestion and curb so called 'rat runs' . The enforcement of moving traffic will lead to greater compliance, improving the roads for safe drivers, residents and visitors to the borough.

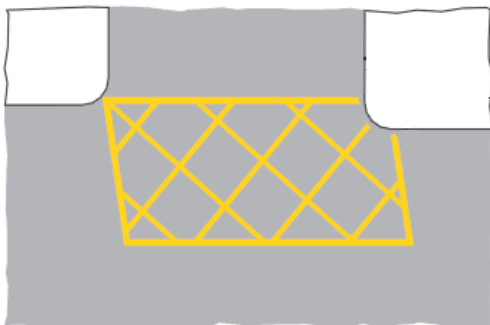
Entering and stopping in a box junction when prohibited

31

The contravention occurs when a vehicle enters and stops in a box junction due to the presence of a stationary vehicle.



Cross roads



T Junction

Footage to be recorded:

- Camera zoomed out to give overview of vehicle entering box when the exit is blocked.
- Vehicle stopped in the box clearly showing the wheels on the road markings.
- Close up of the VRM.
- Zoomed out view to show why vehicle is stopped

Observation:

- Sufficient observation to have recorded all required evidence on tape. Footage of vehicle entering the box, stopped within it. A vehicle just shown stopped is NOT evidence of the contravention.

Exemptions:

- Emergency service vehicles
- Vehicles turning right and stopped due to oncoming traffic or other vehicles turning right.
- Vehicles directed by a Police Officer in uniform.

Notes:

- Buses are NOT exempt

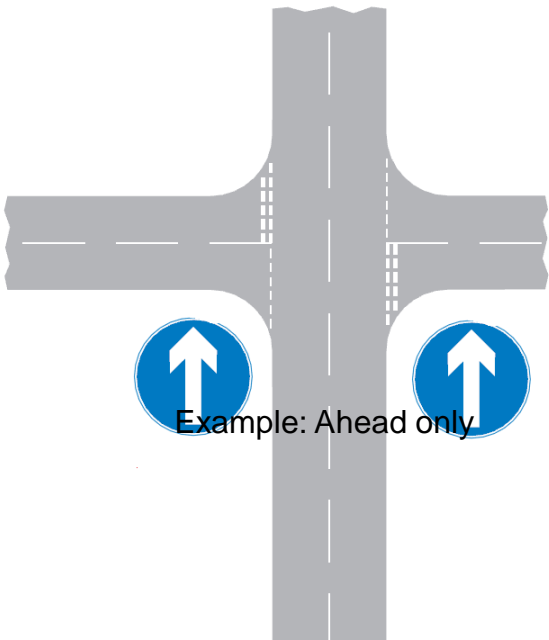
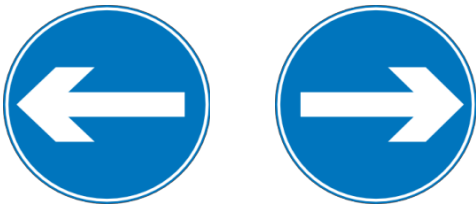
Suffixes:

j = camera enforcement

Failing to drive in the direction shown by the arrow on a blue sign

32d

The contravention occurs when a vehicle travels in a direction other than that indicated by the white arrow on the sign.



Example: Ahead only

Footage to be recorded:

- Close up of VRM.
- Vehicle continuing in wrong direction if possible

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police Officer in uniform.

Notes:

- A vehicle cannot reverse against the direction of the arrow to avoid the contravention

Suffixes:

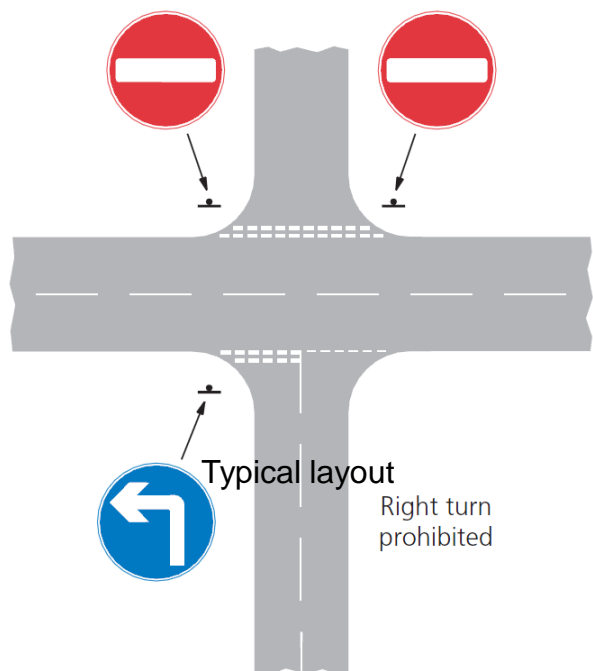
j = camera enforcement

d = failing to drive in the direction shown.

Failing to drive in the direction shown by the arrow on a blue sign

32t

The contravention occurs when a vehicle turns in a direction other than that indicated by the white arrow on the sign.



Footage to be recorded:

- Close up of VRM.
- Vehicle continuing in wrong direction if possible

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Suffixes:

j = camera enforcement

t = failing to turn in the direction shown.

Failing to drive in the direction shown by the arrow on a blue sign

32w

The contravention occurs when a vehicle travels in the wrong direction in a one way street



Footage to be recorded:

- Close up of VRM.
- Vehicle continuing in wrong direction if possible

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police Officer in uniform.

Notes:

- A vehicle cannot reverse against the direction of the arrow to avoid the contravention

Suffixes:

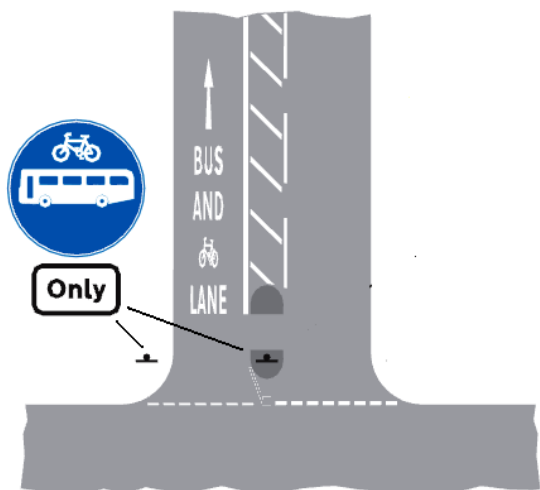
j = camera enforcement

w = wrong direction in a one way street.

Using a route restricted to certain vehicles

33

The contravention occurs when a vehicle travels in a road or section of road when not of the class of vehicle displayed on the sign.



Footage to be recorded:

- Close up of VRM

Observations:

- Evidence should show the vehicle is of the wrong class and be shown travelling on the restriction.

Exemptions:

- Vehicle classes permitted by sign.
- Emergency service vehicles.
The following if carrying out statutory duties on the route.
- Vehicles directed by a Police Officer in uniform.

The following if carrying out statutory duties in the bus lane:

- Royal Mail..
- Council vehicles

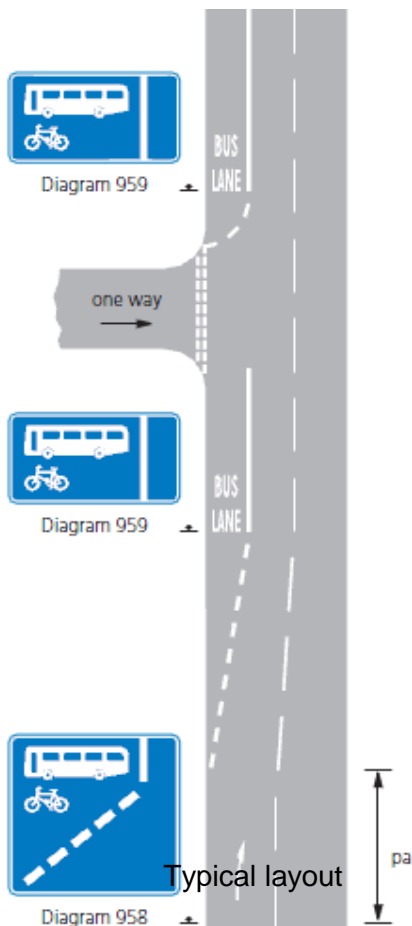
Suffixes:

j = camera enforcement.

Being in a bus lane

34

The contravention occurs when a vehicle enters a bus lane during operational hours



The bus lane should be marked with a solid white line along the outside.

Signage should consist of a warning sign at the start, repeater signs and an 'end of bus lane' sign,

Footage to be recorded:

- Close up of VRM
- First time vehicle seen in bus lane
- Vehicle seen waiting/travelling
- Last time vehicle seen in bus lane

Observations:

- Evidence should show the vehicle parked or travelling wholly or partly in the bus lane.

Exemptions:

- Vehicle classes permitted by sign.
Vehicles accessing adjacent properties, you must not enter the bus lane for more than 8ms before the turning.
- Vehicles unloading unless prohibited by a loading restriction.
- Boarding and alighting within a reasonable time span. Vehicles cannot wait for passengers to arrive.
- Emergency service vehicles.
The following if carrying out statutory duties in the bus lane:
- Royal Mail
- Council vehicles.

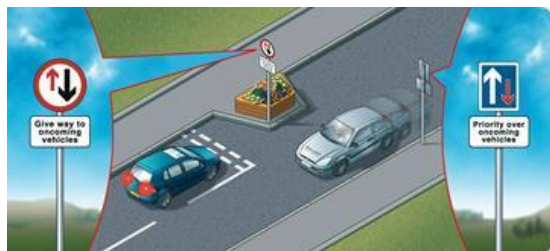
Failing to give way to oncoming vehicles

37

The contravention occurs when a vehicle fails to comply with the sign. Priority must be given to vehicles from the opposite direction..



**Give way to
oncoming
vehicles**



Footage to be recorded:

- Close up of VRM.
- Vehicle travelling through the restriction.
- Actions of impeded vehicle.

Observations:

- Vehicle arriving, failing to comply and causing an oncoming vehicle to take evasive action.
- Evidence has to show the entire event showing the actions of ALL vehicles involved.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police Officer in uniform.

Suffixes:

j = camera enforcement

Failing to comply with a sign indicating vehicles must pass to the specified side of the sign

38

The contravention occurs when a vehicle travels in a direction other than that indicated by the white arrow on the sign.



Footage to be recorded:

- Close up of VRM.

Observations:

- Vehicle must be observed approaching restriction, passing on the wrong side and continuing. Restriction usually occurs on traffic islands.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

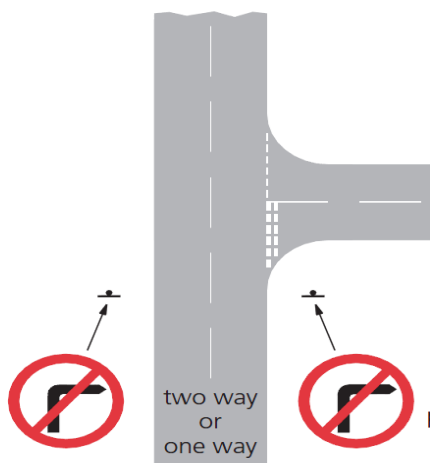
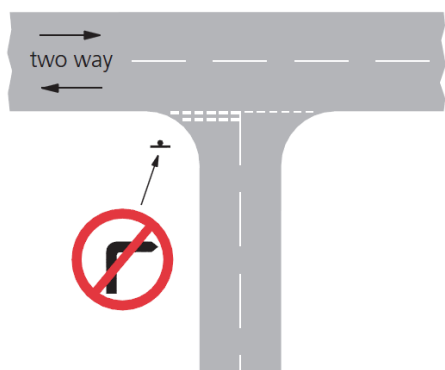
Suffixes:

j = camera enforcement

Performing a prohibited turn

50

The contravention occurs when a vehicle fails to comply with a sign indicating a prohibited turn.



Footage to be recorded:

- Close up of VRM.
- Vehicle making the turn
- Continuing after turn

Observations:

- Vehicle must be observed approaching restriction, making prohibited turn and continuing.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Suffixes:

j = camera enforcement

l = Left turn prohibited

r = Right turn prohibited

Failing to comply with a sign indicating a prohibited 'U' turn

50u

The contravention occurs when a vehicle 'u' turns after the sign and travels in the opposite direction to that before the turn.



400 yds

End

Footage to be recorded:

- Close up of VRM.
- Vehicle making the U turn
- Continuing after turn

Observations:

- Vehicle must be observed approaching restriction, making prohibited turn and continuing..

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Note:

Unless a supplementary plate is attached (see diagrams) stating a distance, only the first gap directly beyond the sign is enforceable.

Suffixes:

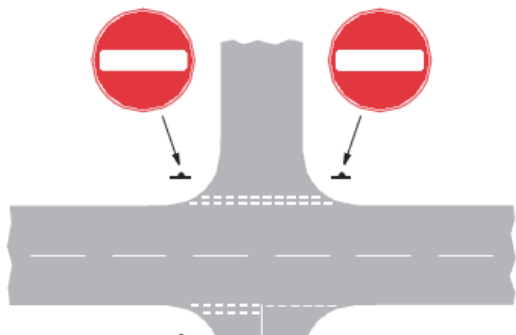
j = camera enforcement

u = Vehicles performing a banned 'U' turn.

Failing to comply with a no entry sign

51

The contravention occurs when a vehicle enters a street marked with 'no entry' signs.



**Except
buses**

Footage to be recorded:

- Close up of VRM.
- Vehicle continuing after sign

Observations:

- Vehicle must be observed approaching restriction, passing and continuing..

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.
- Vehicles exempted by supplementary plate. eg. 'no entry except buses'

Note:

Vehicles reversing past sign are NOT exempt.

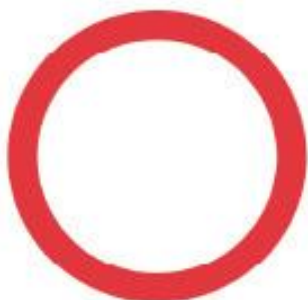
Suffixes:

j = camera enforcement

Failing to comply with a sign indicating a restriction of certain types of vehicle

52

The contravention occurs when a vehicle travels past a sign prohibiting certain classes of vehicle as depicted by sign.



V = all motor vehicles



g = goods vehicles over 7.5t



m = motor vehicles

Footage to be recorded:

- Close up of VRM.
- Continuing after sign

Observations:

- Vehicle must be observed approaching restriction, and passing sign. Evidence should show vehicle is of the prohibited type.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Note:

Weight limit only applies to goods vehicles not buses/coaches.

Suffixes:

j = camera enforcement

g = goods vehicle of certain weight

m = motor vehicles

v = all motor vehicles

x = motor vehicles except motor cycles

Failing to comply with a sign indicating a restriction on vehicles entering a pedestrian zone

The contravention occurs when a vehicle passes the signage and enters a pedestrian zone during restricted hours.



Zone operates at all times



Zone operates for part of the day at the same times on certain days of the week

Footage to be recorded:

- Close up of VRM.
- Continuing after sign

Observations:

- Vehicle must be observed approaching restriction
- Evidence should show vehicle is of the prohibited type.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Note:

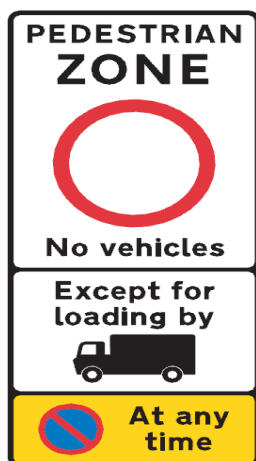
Contravention cannot be used if access for loading is permitted during the enforcement period at these times 54 should be used if no loading is observed.

Suffixes:

j = camera enforcement

Failing to comply with a sign indicating a restriction on vehicles entering and waiting in a pedestrian zone

The contravention occurs when a vehicle passes the signage and enters a pedestrian zone during restricted hours and waits without loading'



Examples of entry sign variations



Example repeater sign for use within zone

Footage to be recorded:

- Close up of VRM.
- Vehicle within the zone
- 2 minutes footage of no exempt activity

Observations:

- Vehicle must be observed within the restriction. Evidence should show vehicle is of the prohibited type, and that no exempt activity is taking place.

Exemptions:

- Emergency service vehicles
- Vehicles directed by a Police officer in uniform.

Note:

This contravention should only be used during periods that loading is permitted at other times 53 should be used.

Suffixes:

j = camera enforcement