

DECISION-MAKER:	Cabinet
SUBJECT:	ANPR Camera Enforcement Contract
DATE OF DECISION:	16 April 2024
REPORT OF:	COUNCILLOR KEOGH CABINET MEMBER FOR ENVIRONMENT & TRANSPORT

<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

Not applicable

BRIEF SUMMARY

This paper details the current maintenance and repair provisions of Automatic Number Plate Recognition ('ANPR') camera enforcement for traffic contraventions and seeks authorisation to enter into direct contract with the supplier in order to create a more efficient arrangement for the Council.

RECOMMENDATIONS:

- (i) To authorise the direct award using Crown Commercial Service Framework agreement RM6099 of a contract to Marston Holdings ('Marston') for a 5-year period for ANPR installation, maintenance and repair starting from 01/04/2024.
- (ii) To authorise spend up to £570,000 in relation to the above from the Traffic Enforcement (AT9010) budget over a five year period.

REASONS FOR REPORT RECOMMENDATIONS

- 1.
 - i. The recommended provision enables the Council to continue to deliver accurate and reliable enforcement through an expert partner achieving financial best value without compromising the required service specification.
 - ii. The recommended provision enables the Council to continue to deliver efficient operations by reducing resource requirements and equipment costs, maintaining effective compliance, and ensuring best value. This enables the council to procure directly ANPR camera enforcement operations 24/7, instead of procuring via an additional service (with add on fees) through the Highway Services Partnership ('HSP') contract.
 - iii. The use of thee Crown Commercial Service Framework is free of charge and has previously been approved by the Council's Legal team and the Head of Supplier Management. It also enables the Council to shorten the procurement timelines by using a government approved supplier as certain new contract procurement exercises

- are already delivered, and the potential suppliers have demonstrated their fulfilment of service specifications.
- iv. To achieve an estimated cost reduction of £62,000 during a 5-year contract period when compared to the existing route to procurement for the use of enforcement cameras for moving contraventions.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Implement no changes deliver all services required under existing arrangements – This would mean that the Council continues to procure ANPR camera enforcement services through HSP as Additional Services and would not achieve the estimated cost reduction detailed in paragraph 2, iv of this report.
3. Implement changes to associated administration activities as part of the same award to Marston.
There are additional significant estimated cost reductions in the region of £125k per year to be found within the administration activities associated with this area of work. However, there are ongoing Service Redesign activities currently taking place that will be implemented in 2024/25 as part of a wider programme of Traffic Management Transformation. It is expected that should the Council enter into contract with Marston for the delivery and maintenance there will be provision to use the Administration Support also offered through this contract in the future should that be the SCC preferred method following service redesign.

DETAILS

4. **TRAFFIC ENFORCEMENT CAMERAS**
The Government has given local authorities moving traffic enforcement powers under Part 6 of the Traffic Management Act 2004. In 2023, new powers were granted to Local Authorities to enforce laws against Moving Traffic Contraventions. These enforcement powers enable the Council to better manage locations where motorists perform dangerous and/or illegal moves, commonly referred to as moving traffic contraventions.
- The objectives of the ANPR camera enforcement are as follows:
- Only to be used when other options have not resulted in compliance such as engineering treatments, signage and communications;
 - To reduce congestion and idling traffic contributing to poor air quality;
 - To improve road safety;
 - To support more people to walk, cycle, and scoot throughout the city;
 - To keep traffic moving, making journey times more reliable; and
 - To reduce public transport service delays.

5. Currently there are ten ANPR live camera enforcement sites across the city, and a mobile enforcement vehicle;

Location	Enforcement
Shirley Rd	Bus Lane
Northam Rd	Bus Lane
New Rd	Bus Lane
Vincents Walk	Bus Gate
St Monica Primary School,	Zigzag

	Ludlow Infants & Junior School	Zigzag
	Foundry Lane Primary School	Zigzag
	Cantell - Violet Rd East	Zigzag
	Cantell - Violet Rd West	Zigzag
	Mobile Enforcement Vehicle (MEV)	Parking restriction
	Portland Terrace	Bus Gate
	Proposed - Above Bar South (2024)	Pedestrian Zone with time restriction

6. To date all ANPR camera enforcement assets have been procured via Balfour Beatty Living Places (BBLP) under the HSP contract. The recommended procurement method will not have any significant implications for the HSP contract, and will not result in any savings from the CityWatch contract as the current costs are 'absorbed'.

RESOURCE IMPLICATIONS

7. The recommended ANPR camera enforcement contract will enable delivery of Moving Traffic Enforcement in a more efficient way. This is an enabling part of the Service Redesign across the Service Centre Penalty Charge Notice ('PCN') processing and representations team and alongside a programme of Traffic Management Transformation projects led by the Highways and Infrastructure service. The wider service redesign work will identify the efficiencies in terms of FTE resource with this contract being part of the enabling factors.

Revenue

8. Traffic Enforcement income and expenditure is held in a non-General Fund account. The expenditure associated with managing the enforcement process, maintaining the equipment and other operational expenditure is funded by the PCN income generated. A contribution to the General Fund is ultimately made from any surpluses to part fund transport related services.

9. The intention is that all enforcement cameras will be self-funding, and when compliance at a specific site has been achieved the cameras will be relocated. The recommendation within this paper relating to the maintenance involves dealing directly with Marston as the maintenance company, thereby removing the uplift in costs of procuring ANPR enforcement through HSP as Additional Services. Over the 5-year period of the contract this will relate in an estimated reduction in costs to the council as detailed in the table below:

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
	£000	£000	£000	£000	£000	£000
Current contracting arrangements	114	120	126	132	139	632
Proposed contract	103	108	114	119	125	570
Reduction	11	12	12	13	14	62

10. The proposed contract spend will be funded by the PCN income generated each year. Over the duration of the contract this is forecast to be £0.55M in 2024/25 rising to £0.68M by 2028/29, assuming the number of enforcement locations stay the same. There is the possibility of increasing the number of locations which would potentially result in an increase in income as detailed in Appendix 1.

11.	The cost of managing the enforcement process is also required to be met from the income generated; it is expected to be at a level that enables all expenditure incurred in operating the service to be covered by the income. If this is not possible it would be possible to scale down the cost of the maintenance contract to enable it to be met from available resources.
12.	The spend within this report is to provide a discretionary service the Council is not legally obliged (does not have a 'duty' to provide) over and above essential levels and Cabinet are therefore asked to carefully consider such a commitment.
13.	Appendix 1 contains tables of financial information showing the breakdown of estimated maintenance cost under the current and proposed arrangements, along with income forecasts based on current sites and potential future increases in sites.
<u>Property/Other</u>	
13.	Not applicable
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
14.	The Government has given local authorities moving traffic enforcement powers under Part 6 of the Traffic Management Act 2004. In 2022, new powers were granted to Local Authorities to enforce laws against Moving Traffic Contraventions. The Council was awarded these powers in 2023 under a Designation Order.
<u>Other Legal Implications:</u>	
15.	In line with the Procurement Contracts Regulations 2015, the Local Authority can consider and implement a new contract using Crown Commercial Services Framework Agreements.
16.	The enforcement of moving traffic contraventions is subject to having appropriate appeal processes in place and undertaking action in accordance with the relevant statutory frameworks and enforcement codes and policies. These processes and policies are specifically designed to ensure the enforcement process complies with the requirements of the Human Rights Act 1998, s.17 Crime & Disorder Act 1998 and Equalities Act 2010.
RISK MANAGEMENT IMPLICATIONS	
17.	<ul style="list-style-type: none"> i. Risk - Long procurement timelines. Mitigation - The recommendation allows shortening long procurement timelines whilst fulfilling the expected "Cost vs Service Quality" balance. ii. Risk - Councils budget constraints. Mitigation - During the term of the recommended contract, there will be a revenue stream as a result of issuing Penalty Notice Charge (PCN) for contraventions.
POLICY FRAMEWORK IMPLICATIONS	
18.	Moving Traffic Enforcement supports Policy C3 Investing in Road and Rail Connections of the Local Transport Plan and Ambition 2 of the Southampton Bus Service Improvement Plan (BSIP) to make bus services fast & reliable.

<p>It is also clear within the government document 'Bus Back Better' that there is an expectation for Local Authorities to use moving traffic powers granted under Part 6 of the Traffic Management Act 2004 to support bus movements as an integral part of the BSIP.</p>
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KEY DECISION?	Yes	
WARDS/COMMUNITIES AFFECTED:	All wards	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Appendix 1 – Supporting Financial Tables	
Documents In Members' Rooms		
1.	None.	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)	
1.		
2.		