



## London Borough of Enfield

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<b>Report Title</b>	<b>Supply of ANPR cameras through the Transport &amp; Technology &amp; Associated Services (TTAS) Framework Agreement</b>
<b>Report to</b>	<b>Cllr Rick Jewell, Cabinet Member for Environment</b>
<b>Date of Report</b>	15 December 2023
<b>Cabinet Member</b>	Cllr Rick Jewell
<b>Executive Director / Director</b>	Doug Wilkinson
<b>Report Author</b>	Anthony Jones <a href="mailto:Anthony.Jones@enfield.gov.uk">Anthony.Jones@enfield.gov.uk</a>
<b>Ward(s) affected</b>	All Wards
<b>Key Decision Number</b>	KD5689
<b>Classification</b>	Part I
<b>Reason for exemption</b>	N/A

### Purpose of Report

1. For the Cabinet Member for Environment to agree to the use of the TTAS Framework Agreement as a mechanism to purchase ANPR cameras.

### Recommendations

- I. To agree a Direct Award Contract via the Crown Commercial Services (CCS) Transport and Technology and Associated Services (TTAS) Framework Agreement RM6099 to SEA (Systems Engineering and Assessment) for purchase of ANPR cameras.

## **Background and Options**

2. SEA have provided camera enforcement products and services to the Council since 2012. They are integrated operationally with our existing enforcement contractor and systems.
3. The choices available for the current situation are limited to the following options:

### *Do Nothing*

4. There is currently no formal contract for ANPR cameras by the Council in place. The purchasing volumes have been low; however, the value of the proposed contract brings this procurement within the Public Contracts Regulations regime.
5. If the procurement does not go ahead, the council will not be able to purchase the required number of cameras and the relevant objectives and service needs will not be met.

### *Contract award as set out in this report.*

6. The Council could award the proposed contract to SEA via the TTAS Framework direct award procedure. This will enable Parking Services & Journey and Places to continue with their current camera operations and projects without having to factor hardware and software compatibility issues from a different supplier.

### *Full Tender exercise for 23/24 Period*

7. A full open tender exercise could be undertaken to the wider market and ensure the fullest range of potential suppliers are able to bid. This is option is not favourable at present due to the following:
  - Tight time constraints
  - Financial costs for implementing and maintaining a dual operating system.
  - Financial costs for officer(s) managing two systems.
  - Risk of service continuity running two separate systems.
  - Budget savings for purchasing, servicing, and maintaining current camera assets if we keep camera provider.
  - Additional costs for servicing and maintaining current camera assets using SEA, as third-party contractors are not permitted to do so.

## **Considerations**

8. Given the number of SEA cameras already in operation within the borough, if a different supplier were unable to repair a damaged SEA camera, the cost to setup a compatible network and replace each damaged camera would detrimentally impact the number of new School Street and Quieter Neighbourhood locations that can be implemented during the contract period.
9. The TTAS Framework Agreement provides a compliant route under the Public Contracts Regulations (PCR 2015) to procuring the cameras for the required services. There is no minimum spend required under the Call Off terms and conditions, but the contract will allow the Council to place orders as and when a need arises, and funding is secured.

10. Entering into a contract with SEA via the TTAS Framework Agreement does not preclude Enfield Council from entering into additional contracts with other camera suppliers.

#### **Risks that may arise if the proposed decision is not taken**

11. The agreement enables cameras to be procured with bulk rates, leading to cost savings. If the proposal is not taken the Council will not be able to benefit from the financial savings or guarantee a service standard made under a contract agreement.
12. Efficient budgeting under a contract enables more cameras to be acquired on the current budget. Additional costs accumulated outside of a contract can result in less new School Streets schemes implemented and in turn impact the Council's Clean Air and Climate Action goals.
13. Award the contract as per the proposals set out in this report avoids under-delivering on schemes that require cameras, such as the manifesto pledge for delivering 50 school streets.

#### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

14. The implementation of additional ANPR cameras allows for them to be subject to vandalism. This however would be true of any cameras being installed and preventative measures have been produced to make the current SEA cameras more robust against the creative means used to disrupt the cameras.

#### **Preferred Option and Reasons For Preferred Option**

15. SEA have been providing Traffic Enforcement Cameras for over 10 years and the Council have purchased access to the cloud and back-office equipment. If another supplier is used, the staff would have to run two separate computer systems which would have additional financial and operational logistics implications. In view of the existing working relationship with SEA and the availability of a compliant framework, it is recommended to work with SEA for another 4 years.
16. Entering into a contract with SEA via TTAS does not preclude Enfield Council from entering into further contracts with additional camera suppliers.

#### **Relevance to Council Plans and Strategies**

17. Purchase of ANPR cameras and repairs/service provided as part of the contract support the cross-cutting themes of a modern council and a fairer Enfield.
18. **Clean and green places:** The need for urgent action to address climate change has been recognised, with Enfield declaring a Climate Change Emergency in July 2019 and adopting a Climate Action Plan in September 2020. Given that transport contributes around 39% of the Enfield's borough wide energy emissions, taking action in this area must be part of the Council's response.

The plan sets out a number of actions including:

- Limit the provision of access to various roads to lower vehicular traffic and emissions in school and residential roads.

The ANPR cameras that can be purchased via the TTAS Framework Agreement proposed in this report directly supports this objective through their utilisation supporting the enforcement of Quieter Neighbourhoods and School Streets.

- 19. Strong, healthy and safe communities:** The ANPR cameras are to enforce driving restrictions and reduce vehicular traffic at Schools Streets during pick up and drop off times, creating a safer pedestrian environment. This will facilitate a space for parents to commune and interact while encouraging active travel and outdoor play. The reduction of emissions by less vehicles in school streets benefits the students of the school and the immediate residents residing in the street. ANPR cameras are also used to create safer communities through their use in enforcing Bus Gates.
- 20. Thriving children and young people:** Parking Services and Journeys and Places will continue to enforce Schools Streets using ANPR cameras to ensure the safety of children. Any surplus revenue made from the issuing of Penalty Charge Notices (PCNs) contributes to funding of freedom passes for young children and the elderly to travel for free on public transport. Other projects using ANPR cameras include Quieter Neighbourhoods. Quieter Neighbourhoods will help improve the borough for future generations and individual project consultations will actively seek the input of young people to help shape their design. The project will also help children have the best start in life by providing opportunities to be active, improving their health.
- 21. More and better homes:** Residential driveways have been subject to being blocked by parents dropping off/collecting their children from school. The reduction of vehicles accessing School Streets during pick up and drop off times could result in a decline of resident complaints regarding vehicles blocking access to their driveway.
- 22. An economy that works for everyone:** Acquiring the cameras through the TTAS Framework Agreement enables for more efficient budgeting for ANPR camera purchasing and servicing/repairs. A more efficient purchasing system which enables the options to bulk buy reduces the cost per unit for schemes and better value in terms of officer time allowing the council to better serve the community. It also reduces the risk of non-compliance which could lead to financial implications for the council.

## **Financial Implications**

- 23.** This report seeks to agree a Direct Award Contract via the Crown Commercial Services (CCS) Transport and Technology and Associated Services (TTAS) Framework Agreement RM6099 to SEA (Systems Engineering and Assessment) for purchase of ANPR cameras. The total estimated cost of the contract is £1.5m 4-year contract (£375k per annum), which is met from existing Parking Services budget and any grants that might be awarded to fund school street schemes.

## Legal Implications

24. Section 122 of the Road Traffic Regulation Act (RTRA) 1984 places a duty on the Council to exercise its functions, so far as practicable having regard to certain specified matters, to secure, as far as reasonably practicable, 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'.
25. Under section 16 of the Traffic Management Act 2004 ("the 2004 Act"), the Council has a duty "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".
26. The London Local Authorities Act 1996 allows London authorities to take on the powers for civil enforcement of bus lane contraventions.
27. Further enforcement powers in relation to a range of highway enforcement offences and parking and moving traffic contraventions, including powers to use fixed penalty notices, are set out in the London Local Authorities and Transport for London Act 2003.
28. Section 111 Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its function.
29. The ANPR cameras will be used across the Council to enforce driving contraventions, e.g. in relation to bus lanes, LTN roads and School Safer Streets. The proposals in this report will assist the Council in exercising the powers and complying with the duties set out above. The Council must ensure that the cameras are used in accordance with all the relevant legislations.
30. The contract will be funded in part by external grants some of which have not yet been secured. Legal advice should be sought by the officers; all legal agreements entered into in consequence of the approval of the proposals set out in this report must be approved by Legal Services on behalf of the Director of Law and Governance.
31. Officers must also ensure continued compliance with obligations and conditions in any grant agreements relating to the delivery of the proposals in this report.
32. The value of the contract exceeds the relevant threshold and the Public Contracts Regulations 2015 (PCR 2015) apply to the procurement. The use of a framework is a compliant route to award, provided that the procurement process complies with the PCRs 2015, the Council's Contract Procedure Rules (CPR), and the terms of the framework itself.
33. The Council will need to ensure that it obtains Best Value for the services as required under the Local Government Act 1999.

## **Equalities Implications**

34. This key decision is to enter into a four year agreement with SEA via the TTAS Framework Agreement for the procurement of cameras. The agreement enables cameras to be procured, repaired and replaced without the need for a competitive tender. The cameras are used by a range of services such as the enforcement of School Streets, Quieter Neighbourhoods, Bus Gates and parking. The agreement also enables cameras to be procured with bulk rates, leading to cost savings.
35. The TTAS agreement itself does not impact/have an impact on any protected characteristics and therefore an EQIA has not been prepared.
36. The projects that the cameras are used on may have an impact. Equality impact assessments for the schemes that use cameras, such as School Streets and Quieter Neighbourhoods, would be prepared separately on a scheme by scheme basis.

## **HR and Workforce Implications**

37. None

## **Environmental and Climate Change Implications**

38. In terms of the proposals, the need for urgent action to address climate change has been recognised, with Enfield declaring a Climate Change Emergency in July 2019 and adopting a Climate Action Plan in September 2020. Given that transport contributes around 39% of the Enfield's borough wide energy emissions (442 Kilo tonnes of Carbon Dioxide equivalent), taking action in this area must be part of the Council's response. ANPR camera enforcement is critical in reducing emissions.
39. The TTAS agreement does not have environmental and climate change implications, however the schemes using these enforcement cameras have a positive impact, such as School Streets.
40. School Streets supports the Climate Action Plan by discouraging driving through Schools Streets and encouraging alternative routes or mode shift to active travel. This can only be practically achieved by using ANPR cameras. Two marshal enforced School Streets were proposed at St James C of E Primary School & St Marys Catholic Primary School as part of the 2022/2023 delivery across the borough, however, it was not possible in either case to recruit the required number of marshals to enforce the schemes safely and reliably. Following the introduction of 'Lite' Marshalled School Streets as part of the Council's Covid response in 2019 /2020, after initial success the schools were unable to sustain the marshalled systems. These sites have all been successfully transitioned to permanent, effective ANPR enforced scheme except for one that has been suspended as further design development is being undertaken.

## **Public Health Implications**

41. The use of purchasing cameras through the Framework Agreement enables for more efficient spending to acquire cameras. This enables for more additional cameras to be installed and to expand the number of schools included in the School Streets and increase the number residential roads in Quieter Neighbourhood Schemes as opposed to purchasing the cameras outside the Framework Agreement.
42. Transport is one means whereby physical activity can be integrated into everyday life. Any success in achieving a modal shift from motorised to active transport will therefore not only improve the health of the public through increased physical activity but will also reduce air pollution which itself impacts on all residents in the borough.

### **Property Implications**

43. In the event that locations where these ANPR cameras are deployed are considered either underperforming, identified as surplus or suitable for re-development with a high opportunity cost, terms should be inserted within supplier agreements such that it can be terminated within 12 months; with removal, relocation or re-provision costs at the suppliers own risk and cost.

### **Safeguarding Implications**

44. None

### **Crime and Disorder Implications**

45. None

### **Procurement Implications**

46. Any procurement must be undertaken in accordance with the Councils Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015), along with the Council's Sustainable and Ethical Procurement Policy.
47. The proposed direct award via the TTAS Framework Agreement will go through the Procurement Services Assurance process and the necessary Gate Report has been prepared for endorsement. The lead officer within the Service Area must keep records of approvals to proceed with the proposed award to evidence compliance with the rules.
48. The award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of executed contracts must be undertaken on the London Tenders Portal including future management of the contract.
49. The necessary information must also be published in Contracts Finder to comply with the Government's transparency requirements.
50. The services can be compliantly procured under the TTAS Framework Agreement, ensuring the Council is in adherence with the CPR's and Public Contracts Regulations.
51. As this contract will be over £500,000 the CPR's state that the Contract must have an assigned Contract Manager in the Council's e-Tendering portal and there must be evidence of contract management, including, operations,

commercial, financial checks (supplier resilience) and regular risk assessment uploaded into the Council's e-Tendering portal.

52. The Service Area has completed the Contract Management Tiering tool and the proposed contract has been classified as "Silver". The lead officer will meet with the Contract and Supplier Relationship Manager within Procurement Services, who will go through the contract management requirements for the management of the Contract prior to its commencement.

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**Appendices**

None

**Background Papers**

None

**Departmental reference number, if relevant:**