

1st floor
NLBP
9 September 2020
Our ref: 6494536

Thank you for your request received on 11 August 2020, for the following information:

Please can you provide formal licensing certificate By ministry of Transport or Transport for London that the Cctv cameras at this specific location are licensed for the purposes of ticketing and not for the purposes of monitoring the traffic flow.

We have processed this request under the Freedom of Information Act 2000.

Response

The council holds the information requested and the answers to your questions are below

Please can you provide formal licensing certificate By ministry of Transport or Transport for London that the Cctv cameras at this specific location are licensed for the purposes of ticketing and not for the purposes of monitoring the traffic flow.

The camera is a prescribed device for the purposes of the London Local Authorities Act 1996 and there is no legal requirement for cameras used to enforce bus lane contraventions in London to be certified or approved by the VCA or any other body.

Bus lane Penalty Charge Notices are issued under the London Local Authorities Act 1996, which states that the contravention can be enforced using a 'prescribed device' and that 'prescribed device' means a device prescribed under section 20(9) of the Road Traffic Offenders Act 1988.

Section 20(9) of the Road Traffic Offenders Act 1988 states: **"In this section "prescribed device" means device of a description specified in an order made by the Secretary of State"**

The 'order made by the Secretary of State' is the Road Traffic Offenders (Additional Offences and Prescribed Devices) Order 1997. Article 3 of that Order states:

"The following device is prescribed for the purposes of section 20 of the Road Traffic Offenders Act 1988 —"

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

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.