

## **Community Speedwatch Camera Guidance**



**Gloucestershire County Council guidance for the implementation and maintenance of Community Speedwatch camera systems on the highway**

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## **Purpose of guidance**

This guidance sets out the County Council's process to be followed by Parish and Town Councils or other local communities, who wish to purchase and erect Community Speedwatch cameras on or next to the Highway in Gloucestershire. Notwithstanding this guidance, the County Council reserves the right to take all necessary action, including enforcement action, in accordance with relevant legislation in respect of equipment being installed, maintained, or operated on the Highway in Gloucestershire where it is necessary and appropriate to do so.

"Highway" includes roads, carriageways, cycle ways, footways, pavements and verges.

## **Legal Background**

Under section 130 of the Highways Act 1980 the County Council has a duty to assert and protect the rights of the public to the use and enjoyment of the highway for which they are the local highway authority. This duty includes preventing the stopping up or obstruction of the highway.

Section 137 of the Highways Act 1980 makes it an offence to wilfully obstruct the free passage along a highway. Section 148 of the Highways Act 1980 makes it an offence to deposit anything on a highway which interrupts any user of the highway. Sections 143 and 149 of the Highways Act 1980 give the County Council the power to require the removal of, or to remove, structures from the highway.

Section 162 of the Highways Act 1980 creates an offence to place any rope, wire or other apparatus across the highway in a manner that is likely to cause a danger to those using the highway. Section 333 allows the County Council to remove an obstruction from the highway or abate a nuisance or other interference with the highway.

Section 178 of the Highways Act 1980 allows the County Council to license an individual or organisation to place, inspect, maintain, and operate traffic survey equipment on or over the highway

Section 50 of the New Roads and Street Works Act 1991 allows the County Council to license an individual or organisation to place, retain and thereafter inspect, maintain, adjust, repair, alter or renew apparatus, or change its position or remove it from the Highway.

Other legislation may also apply.

These guidelines aim to minimise the need for exercising these legal powers. However, compliance with the guidelines does not guarantee that enforcement action will not be taken and/or that a traffic survey or camera will not be removed or required to be removed from the highway.

The powers for enforcing speed limits lie with the police. Number Plate Recognition technology can be used by the police and other Law Enforcement Agencies (LEAs), to help detect, deter, and disrupt various behaviours and activities including speeding.

Local communities wishing to fund the provision of Community Speedwatch cameras need to liaise with Gloucestershire Constabulary to confirm their agreement that this is an appropriate intervention at that location. There are very strict regulations about the management of personal data, and it will be the responsibility of the device owners to ensure that the data is handled in accordance with those regulations. The law enforcement National ANPR Service (NAS Automatic Number Plate Recognition (ANPR) technology is operated within the scope of Part 3 Data Protection Act 2018 (DPA) and Community Speedwatch camera systems must also conform to the Surveillance Camera Code of Practice (SCCP) issued under provisions of the Protection of Freedoms Act 2012.

**This guidance assumes that the Parish or Town Council (the Applicant) has already agreed with Gloucestershire Constabulary that Community Speedwatch camera technology together with agreed signage and/or other measures will be a useful addition to existing speed management in a particular location.**

There will be a Service Level Agreement (SLA) for each camera installation between Gloucestershire Constabulary and the system owner.

The County Council may allow Community Speedwatch cameras to be installed on or near the highway where the guidelines below are met. However, the County Council retains the right to refuse to allow a camera to be installed, or require the removal of (or remove) any persons or equipment in or on the highway in connection with installation, maintenance or operation of a camera, where it would be in breach of any relevant legislation, is a nuisance, a danger, cause an obstruction or interruption to the highway or otherwise interfere with the public's use and enjoyment of the highway.

The County Council's paramount concern will always be the safety of the public using the highway (including pedestrians). Where any equipment, apparatus, structure or other matter represents an immediate danger to the users of the highway, the County Council may take immediate action to remove such thing from the highway

### **Site Selection (with Gloucestershire Constabulary)**

Initial enquiries to Gloucestershire Constabulary will be submitted to the Senior Responsible Officer (SRO). Once an outline agreement has been reached the enquiry will be passed to the Constabulary's Traffic Management [TM] Team for the site suitability evaluation.

Gloucestershire Constabulary will use its Camera Enforcement Strategy and the Department for Transport's (DfT) Circular 1/2007 to guide these evaluations

Once site specific agreement has been obtained from the Traffic Management team of Gloucestershire Constabulary, specific locations will have to be agreed with the County's highways team. The following general considerations should be discussed with the Local Highways Manager

### **General Considerations for a Community Speedwatch Camera site**

**1. Is there a suitable post / street light column for the camera to be placed on?**

Street Lighting approval will be required for all equipment placed upon a street light column. The column must not already have other signs or equipment attached to it. Wooden columns cannot be used for this purpose.

Yes - move to next question	No – A suitable post may need to be installed and any associated costs for this will need to be covered as part of the installation. The cost will depend upon whether a simple post is required or an electrical connection is needed. Move to question 3
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**2. Can the street light column support the camera?**

Many of our Street Lighting columns are old, and not all of them are in good condition. You will need to supply details of the weight of the camera and the proposals for fixing it to the column. Our Street Lighting team will confirm whether or not the column can be used. If there is any doubt, you will be asked to arrange and fund an assessment by an accredited testing house. Contact details for suitable companies can be provided upon request to [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk).

**3. How will the camera be powered?**

If the camera will be solar powered, with no requirement for electrical connection or cabling, - move to next question.

If the camera requires an electrical connection, please see Appendix 2 for access to energy, and for guidance on payment for energy – move to next question.

4. **The site/s must meet the following criteria and if this is not possible the site may not be suitable for a Community Speedwatch camera.**

- The site should be safe to access
- The equipment must be measuring speeds of vehicles that are a minimum of 50m from any signed speed limit change
- The distance between the edge of the carriageway and the edge of the camera nearest the carriageway to be not less than 0.75m
- The height of the lowest edge of the camera above the ground to be not less than 2.15m in the verge/footway or 2.4m in a cycleway
- The camera must not obstruct visibility from side roads / accesses / bridleways
- The camera should not be visually intrusive from windows of adjoining properties
- There must be good forward visibility of the camera, and any agreed sign as per the table following

<b>85<sup>th</sup> percentile speed of cars (mph)</b>	<b>Minimum clear visibility distances (metres)</b>
Up to 20	45
21-40	60
41-50	75
51-60	90
Over 60	105

- Applicants will have to obtain the consent of neighbouring properties in the immediate vicinity of the camera.
- There must be no conflict with other signs within the immediate vicinity. In other words, existing signs must not be obscured.
- The camera should not be sited under vegetation which could overhang and obstruct visibility of the camera.
- The camera should not overhang the existing highway boundary without the adjoining owner's consent
- Cameras should be located where risk of vandalism is minimal
- If a new post is to be installed in the highway to support the camera, a minimum clear footway width of 1.2m must be maintained.
- Sites must be evidence based and selected where there is a history of personal injury collisions and speed.
- Additional signing, informing drivers that community surveillance activities are taking place, will be required (example in Appendix 3) and their placement will also require approval by the Local Highway Manager. This will be a consistent design for all locations

It should be noted that the County Council as the Highway Authority has final say on the physical suitability of a Community Speedwatch Camera site and that decision is final once made.

**Once the questions above have been answered and a site agreed, the following process will need to be followed.**

**Installation and Maintenance**

Applicants need to apply for a Section 178 licence (Highways Act 1980). Installation and maintenance will be the responsibility of the applicant.

The applicant will be liable for any damage caused during installation, maintenance of use of the equipment whilst it is on the highway

An example of the Section 178 application form is attached in appendix 1

**Funding for Community Speedwatch cameras**

The County Council does not have a budget to fund mobile or permanent Community Speedwatch camera sites.

However, it is not just the cost of the camera that needs to be considered but also the ancillary works required should posts and an electrical connection not be readily available.

It will be necessary to arrange for a structural assessment to be undertaken on any existing posts or columns to ensure that they can accommodate the additional wind load and weight. If a new post, or trenching or ducting is required, then the installer will need to make the necessary Streetworks permit applications and ensure that existing utility apparatus will allow for the equipment to be installed

Therefore, the applicant needs to be mindful that installation of the devices may be equal to or more than the cost of purchasing the equipment.

In 2022, the County Council is running a Community Speedwatch Fund, where local councils and community groups which are part of Community Speedwatch Groups can apply for a camera. The approval and licensing process outlined in this document still needs to be followed for cameras applied for through that fund.

## **Conditions**

### **The following conditions will apply to the licence**

#### Permissions

1. Applicants will provide written evidence of the following
  - Agreement from the Senior Responsible Officer (SRO) of Gloucestershire Constabulary to the proposed use of a Community Speedwatch Camera at the named location
  - Agreement from immediately neighbouring properties (on both sides of the carriageway)

#### Applicant details

2. The applicant should be the person authorised to represent the organisation which will indemnify and keep indemnified the Authority against all actions, proceedings, costs, claims, liability and expenses whatsoever which may arise at whatever time in connection with or incidental to the erection, maintenance or use of the apparatus and for this purpose shall maintain full public liability insurance cover of £10 million in respect of third parties and produce evidence of such cover on demand.
3. Contact details must be given for responsible person(s) to deal with any problems or emergencies.
4. In the event of an emergency situation, the Authority will take necessary steps to make the site safe, which may include traffic management, protective barriers, making safe of electrical connections. Costs associated with these activities will be recovered from the applicant. No compensation will be payable to the applicant in such circumstances.
5. The organisation/person responsible for the placement of the apparatus shall indemnify the Authority against all claims and proceedings which may arise due to the presence of the apparatus.

#### Appearance

6. Any equipment, apparatus, structure or other item placed in or on the highway must not cause a safety hazard, e.g. by causing an actual obstruction to users or an unreasonable visual distraction.
7. Equipment needs to display contact information for the public to report a problem.



## Power supply

8. If power is to be supplied from a street lighting column, the applicant must provide evidence of an Unmetered Power Supply agreement from the Distribution Network Operator (local electricity supplier)
9. If power is to be supplied from a street lighting column, any connection work must be carried out by an Highway Electrical Association accredited contractor.

## Installation of any camera/enforcement equipment

10. Those carrying out the installation will need to apply for permission to work in the highway <https://www.gloucestershire.gov.uk/business-property-and-economy/licences-and-permits/street-works-licence-application/permit-scheme/>
11. Those carrying out the installation, maintenance or operation of the equipment will be liable for any claims from damage or injury caused by the installation, maintenance or operation of the equipment or any associated equipment, apparatus, structure or other item in or on the highway.
12. If the equipment is to be attached to a street lighting column, the applicant must provide confirmation that the column has been assessed and found to be adequate by an appropriate organisation.
13. If the equipment is to be attached to a free-standing post (not street light) the installation of the post must be carried out by a highways accredited contractor. If power is still to be supplied from a nearby street lighting column, then the connecting cabling will remain in the ownership of the camera owner and they will require a Section 50 licence.  
<https://www.gloucestershire.gov.uk/business-property-and-economy/licences-and-permits/street-works-licence-application/>

## Placing

14. Any equipment, apparatus, structure or other item placed in or on the highway must be properly secured, must not represent (in the opinion of the County Council) a danger to the users of the highway, an obstruction, a nuisance or other interference with the use of the highway.
15. Any equipment, apparatus, structure or other item placed in or on the highway shall be considered temporary (unless the applicant has the approval from the County Council) and shall only be placed in or on the highway for the duration of use of the Community Speedwatch camera equipment and shall cause no damage to the highway. Thereafter it shall be promptly removed from the highway.

16. Any equipment, apparatus, structure or other item must not cause any damage to street furniture.
17. Any damage caused to the highway or street furniture as a result of the carrying out of the installation, maintenance or operation of the equipment or any associated equipment, apparatus, structure or other item must be reported immediately to the County Council and the person or company carrying out the installation, maintenance or operation of the equipment shall be liable to meet the cost of repairing any damage to the highway or street furniture.

#### Maintenance

18. The apparatus shall be kept in good repair and condition so as not to be a nuisance or annoyance to owners or occupiers of neighbouring properties or to persons using the highway.

#### Access, highways

19. Good access must be maintained along the highway (for vehicles, pedestrians, cyclist and any other users of the highway) at all times taking into account highway users including the needs of disabled users and the visually impaired.
20. If at any time the Authority considers that the removal or alteration of the apparatus necessary in connection with carrying out works to the highway or for the safety or protection of persons or vehicles using the highway the applicants shall at their own expense remove or alter the apparatus in such a manner and within such a period as the Authority may reasonably require. In the event the applicant fails to comply with any requirement issued under this paragraph the Authority may itself remove or alter the apparatus and recover the cost of so doing from the applicant. No compensation will be payable to the applicant in such circumstances.

#### Notice

21. The County Council must be notified in writing at least 3 days before the installation is intended to start.
22. The notice given to the County Council must contain all relevant information regarding the installation including, but not limited to, the following:
  - Details of the relevant contact for the owner of equipment once installed
  - Details of who will be carrying out the installation
  - Details of the person(s) accreditation to allow them to work on or within the highway
  - The intended installation/maintenance dates of the equipment

- Details of the equipment, apparatus or other items that will be placed on or near the highway
- Steps that will be taken to ensure that the camera and/or any associated equipment will not represent a danger, nuisance, obstruction, interference or in any other way impact on the users of the highway (including pedestrians).

#### Information management

23. The applicant is responsible for ensuring that they are complying with the Information Commissioner's A Data Protection Code of Practice for Surveillance Cameras and Personal Information, Data Protection Act and General Data Protection Regulations with particular reference to the use of surveillance equipment, data collection, storage and usage.

#### Insurance

24. Those conducting the survey(s) must maintain public liability insurance to the value of **£10 million** in the event of any claims arising as a result of the traffic survey and/or any associated equipment, apparatus, structures or other placed on or near the highway.

The County Council accepts no liability for any equipment, apparatus, structure, or other item placed in or on the highway in connection with a traffic survey.

#### General

25. Approval will always be in writing in the form of a licence – no verbal approval will be given.
26. Compliance with these conditions does not exempt any person or company from obtaining all other necessary consents or licences to carry out the survey.
27. The applicants acknowledge that in the event the County Council receive any claims or queries regarding the camera, the County Council will pass on the relevant contact details provided.

## Appendix 1



### **Application for a Licence to Install a Community Speedwatch Camera on or over the Public Highway**

Highways Act 1980 – Section 178

<b>Applicants Details</b>	
<b>Applicant's Name</b>	
<b>Applicant's email address</b>	
<b>Organisation name</b>	
<b>Address of Applicant/Organisation</b>	
<b>Telephone Numbers</b> (please include a contact number in case of an emergency)	Primary contact:  Emergency contact:
<b>Insurance Details</b> (please attach a copy)	Insurance company name:  Policy number:  Insurance Expiry Date:

Community Speedwatch Camera speed survey location type (please mark the appropriate box)	
<b>Permanent</b>	
<b>Temporary</b> (only to be used for installations of less than 1 calendar month)	

Apparatus Details	
<b>Date to be Installed</b> Subject to Street Works Permit to work application approval	
<b>Location of Apparatus</b> (Please provide a map showing where apparatus will be placed)	Street light column number House numbers/landmarks: Street Name/s: Village/Town/City: Grid reference:

Where on the Highway will the apparatus be situated?			
<b>Footway</b>		<b>Street Lighting column</b>	
<b>Verge</b>		<b>New post/Other (please specify):</b>	

How will the apparatus be powered?	
<b>Self contained solar power unit</b>	
<b>Unmetered supply from street lighting column</b>	
<b>New metered supply (private)</b>	
<b>New unmetered supply (private)</b>	

<b>Any additional details</b>	
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<b>Declaration</b>	<p>I hereby apply for a licence to install Traffic Recording Apparatus on or over the public highway subject to the conditions below and any special conditions attached which I have read and accept.</p> <p>Signed.....Date.....</p> <p>Position.....</p>
<b>Please Return To</b>	<p>Email: <a href="mailto:streetworkssurveys@gloucestershire.gov.uk">streetworkssurveys@gloucestershire.gov.uk</a></p>

### CHECKLIST for APPLICANTS

You will need to provide confirmation or evidence of the following:

	Confirmation required	Evidence required
Agreement from Gloucestershire Constabulary ICO to location of device, and Service Level Agreement.		✓
Agreement from neighbouring property owners	✓	
Contact details for owner of equipment	✓	
Unmetered Power Supply Agreement (if connecting to GCC Street light supply)		✓
Assessment of structural capability of street light column to support camera		✓
HEA accreditation of contractor (if connecting to GCC Street Light)		✓
Section 50 licence (if placing new post in the highway)	✓	
Public Liability Insurance to value of £10m		✓

Your information will be collected and used under Data Protection legislation as part of the Council's public task. Further details about how we use this data and the rights you have around this can be found at <https://www.gloucestershire.gov.uk/council-and-democracy/data-protection/data-protection-policy/> or on request.

## **Appendix 2 Payment for and Access to Energy - Community Speedwatch Camera Equipment.**

### **Payment for Energy**

Where a request is made by a third party to install ANPR camera equipment on an existing street lighting column, utilising its electricity power supply, evidence of a mechanism to pay for the energy usage shall be required as part of the approval process.

There are two alternative methods for payment of the energy consumed by Community Speedwatch cameras installed on street lighting equipment:-

- 1) The introduction of a metered supply in an adjacent electrical kiosk. In this instance a copy of the metered supply request form sent to the Distribution Network Operator (DNO), known in layman terms as the local electricity company, would be required as suitable evidence.
- 2) An unmetered supply agreement between the Community Speedwatch camera owner and the local Distribution Network Operator (DNO). In this instance a copy of the agreement clearly showing the asset item, would be required as suitable evidence.

Non-payment of energy is a criminal offence and unfortunately if one of the above items of evidence is not presented with an application to install Community Speedwatch camera equipment on a street lighting asset, then approval will not be granted and alternative arrangements for its installation will be required.

The alternative arrangement will necessitate the installation of a free-standing post and provision of a new electrical power supply provided by the local DNO. This item of equipment will also be owned and maintained by the Community Speedwatch camera owner.

### **Access to Energy:**

Option 1 – for a Community Speedwatch Camera mounted on an existing Street Lighting column

Internal Wiring in Street Lights/Sign posts – Internal terminations

This activity must be undertaken by a contractor who has appropriate accreditation with the Highways Electrical Association (HEA) to undertake these work activities and again evidence of this needs to be provided as part of the application process.

Option 2 – for a Community Speedwatch Camera mounted on a new sign post:

There are two alternative ways of providing a network supply to a new sign post:-

- 1) A privately owned cable taken from an adjacently GCC owned street light. As the document rightly points out, for this method the supply cable would remain in the ownership of the applicant and we would not maintain/replace. It does however need to be installed by a contractor who is accredited with The Highways Electrical Association (HEA) to undertake works and we will require evidence of this.
- 2) A new Distribution Network Operator (DNO) known in layman terms as the local electricity company cable. This would always be the preferred option, but in these instances it is only the DNO themselves, or a suitably accredited Independent Connection Provider (ICP) contractor, that must be licensed with the specific DNO, that can undertake these works. Evidence will be required.



### Appendix 3

Standard sign to be used at approach to Community Speedwatch monitoring area



## **Appendix 4: useful contact details and information:**

### **Gloucestershire Constabulary**

(generic email to be arranged)

### **Gloucestershire County Council**

Local Highway Managers - <https://www.gloucestershire.gov.uk/media/2095882/local-highway-manager-areas-operational-areas-councillor-divisions.pdf>

Licence applications and paperwork - [Streetworkssurveys@gloucestershire.gov.uk](mailto:Streetworkssurveys@gloucestershire.gov.uk)

Permit (to work in the highway) Applications <https://www.gloucestershire.gov.uk/business-property-and-economy/licences-and-permits/street-works-licence-application/permit-scheme/>

Contact Local Highway Manager or Street Lighting - [highways@gloucestershire.gov.uk](mailto:highways@gloucestershire.gov.uk)

### **Power Suppliers:**

Distribution Network Operators - [Who is my distribution network operator? | National Grid ET](#)

For Western Power [Western Power Distribution - Connecting unmetered equipment](#)

For Scottish & Southern Electricity Network [Unmetered Connections - SSEN](#)