



Response to Request for Information

Reference FOI 071585
Date 17 July 2015

Bus Lane Enforcement

Request:

1) At the site monitored by the camera known to you as "S0004 WOLVERHAMPTON ROAD OUTBOUND", how many alleged offences have been recorded of private vehicles using the bus lane, which are not allowed in bus lanes, between the 1st day of enforcement and the date this FOI request is received.

With reference to question 1, the information you have requested has been withheld from disclosure. The exemption engaged is Section 12 of the Freedom of Information Act 2000 (FOI).

Section 12 of the FOI exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the FOI.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

In summary camera 4, as mentioned above, when capturing the incidents, does not differentiate between inbound and outbound, it just supplies us with a total of number of incidents that occurred on Wolverhampton Southbound. In order for us to supply you with information relating to outbound incidents only, we would have to go through each incident, as it is not possible to separate the information from the management system relating to evidence from camera 4 only. To identify the information you require would take many months.

However the information we can supply you with is that there have been 6,182 incidents captured on the bus lane camera 4 on Wolverhampton Southbound but please note that we are provided with a list of permitted vehicles that can use the bus lane but this is not yet fully updated as permitted vehicles are continuing to be removed and the list updated accordingly.

2) Of those alleged offences in [1], how many resulted in the issuing of a penalty charge notice.

With reference to question 2, the information you have requested has been withheld from disclosure. The exemption engaged is Section 12 of the Freedom of Information Act 2000 (FOI).

Section 12 of the FOI exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the FOI.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

In summary camera 4, as mentioned above, when capturing the incidents, does not differentiate between inbound and outbound, it just supplies us with a total of number of incidents that occurred on Wolverhampton Southbound. In order for us to supply you with information relating to outbound incidents only, we would have to go through each incident, as it is not possible to separate the information from the management system relating to evidence from camera 4 only. To identify the information you require would take many months.

In summary in order for us to supply you with information relating to camera 4 regarding the number of PCNs issued for outbound journeys, we would have to go through each incident to identify the information you require which would take many months as the issue of Penalty Charge Notices is Wolverhampton Road and the data for the number of PCNs in this location includes inbound and outbound.

However, the information we can supply you with is that 2,843 PCNs have been issued for Bus lane contraventions on Wolverhampton Rd – inbound and outbound.

3) Of those penalty charge notices in [2], how many have been appealed/challenged by the recipient.

Of the 2,843 Penalty Charge Notices issued for bus lane contraventions on Wolverhampton Road – inbound and outbound, 99 challenges have been received.

4) Of those appealed/challenged in [3], how many were appealed on the grounds of "making a U-turn from the opposite carriageway" (or similar wording).

With reference to question 4, the information you have requested has been withheld from disclosure. The exemption engaged is Section 12 of the Freedom of Information Act 2000 (FOI).

Section 12 of the FOI exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the FOI.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

In summary it is not possible to determine the precise reason for each challenge from the management system reports and therefore to provide you with this information would mean we would have to go trawl through each incident to obtain a manual extraction of the information you require.

5) Of those appealing on the grounds contained in [4] how many were subsequently cancelled by Wolverhampton City Council.

The review of all 99 cases (as mentioned in question 3) is incomplete and 4 cases have been cancelled at this stage. I can advise that of the 4 cases cancelled none relate to the turning point.

6) Of those not cancelled as per [5], how many were subsequently cancelled by independent adjudication.

No case has been heard or cancelled by independent adjudication.

7) A copy of the planning application for bus lane enforcement cameras at this location (a link to a website will suffice)

As the highway authority no planning application was necessary

8) A copy of minutes of any meetings/discussions at which the angle and position of camera S0004 were discussed.

No minutes were taken with regards to the position of the ANPR camera. The location was agreed on site by means of a verbal instruction to the equipment supplier/installer.