

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 March 2023

Public Authority: The Royal Borough of Greenwich

Address: The Woolwich Centre
35 Wellington Street
Woolwich
SE18 6HQ

Decision

1. The complainant requested information from the Royal Borough of Greenwich ("the Council") relating to the system used to detect vehicles wrongly using bus lanes.
2. The Commissioner's decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.
3. The Commissioner does not require the Council to take any steps.

Request and response

4. The complainant made the following information request to the Council on 8 November 2022 (numbering added by the Commissioner):

"I have received a penalty charge notice [reference redacted], Central Way O/S Linton Mead, contravention 1/9/2022, for driving in a bus lane outside Linton Mead School which I challenged with no success and so I have paid the charge under protest. Neither my wife or I drive our car in bus lanes other than as a consequence of road works. In the original image of the car travelling along the bus lane the rear light of the car was illuminated in the middle of the day.

For these reasons, could Greenwich Council, under the terms of the Freedom of Information Act of Parliament, [1] please inform

my wife and myself how often the system used to monitor whether a car has inappropriately used a bus lane outside Linton Mead School, is checked to see whether the monitoring system is working accurately. [2] Also, when was the system, including any relevant involvement in the process by buses, last checked to ascertain whether the system is working correctly, particularly at the point where the bus lane ends near to the roundabout close to Linton Mead School?"

5. The Council responded on 11 November 2022 and provided the complainant with information within the scope of the request.
6. On 21 November 2022, the complainant wrote to the Council to request an internal review. They also provided the Council with the following information to clarify their request:

"To further clarify the request for information made in my previous letter, when was the overall system checked when in operation using real cars and real buses to ascertain whether the overall system for monitoring cars driving in the bus lane was checked, in particular, at the point where the bus lane ends near Linton Mead School? [3] Is the system working correctly now?"

7. The Council provided the complainant with the outcome of its internal review on 14 December 2022 in which it provided further information within the scope of the request.

Reasons for decision

8. This reasoning covers whether the Council holds further information within the scope of the request.
9. The complainant considers the Council to hold further information within the scope of their request. In their complaint to the Commissioner, the complainant stated that the Council had not provided them with the information they requested.
10. The Council considers that it has provided the complainant with the information requested in part 1 of the request as it has informed the complainant that the system used to detect vehicles wrongly driving in bus lanes is checked continuously. The Council explained that the system used to detect vehicles wrongly driving in the bus lanes is linked remotely to a central management control system. If the system malfunctions, an alert is sent to the technical team who can then remotely access the cameras and carry out diagnostics. Depending on

the issue identified, the technical team can either remotely reboot the system or schedule a visit to the site.

11. Furthermore, the Council explained that when the system used to detect vehicles wrongly using a bus lane identifies a contravention, the footage is manually reviewed by an operator to confirm that a contravention has occurred. If the system incorrectly identifies a contravention, the operator would notice this and cancel the contravention. They would then take appropriate action to prevent the technical fault reoccurring such as adjusting the camera's field of view.
12. In its submissions to the Commissioner, the Council stated that it does not hold information within the scope of part 2 of the request. The Council explained that as the system used to detect vehicles wrongly using bus lanes is checked continuously, it is unable to provide the complainant with a specific date that the system was last checked.
13. In its internal review response, in response to part 3 of the request, the Council confirmed that the system used to detect vehicles wrongly using bus lanes is functioning correctly.
14. The Commissioner is satisfied that by informing the complainant that the system used to detect vehicles wrongly using bus lanes is checked continuously, the Council has provided the complainant with the information requested in part 1 of the request. He is also satisfied that the Council has provided the complainant with the information requested in part 3 of the request.
15. The Commissioner accepts the Council's reasoning for not holding the information requested in part 2 of the request. Therefore, his decision is that on the balance of probabilities, the Council does not hold further information within the scope of the request.

Right of appeal

16. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

17. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
18. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Daniel Perry
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF