

## To Member Councils

For those of you who are considering installing ANPR cameras, please read on.

We have received clarification from NALC on the powers relating to a parish/town council's ability to purchase and install ANPR cameras.

The Local Government and Rating Act 1997 s31 says

Crime prevention.

(1)A parish council or community council may, for the detection or prevention of crime in their area- (a)install and maintain any equipment, (b)establish and maintain any scheme, or (c)assist others to install and maintain any equipment or to establish and maintain any scheme

It is NALC's view that because speeding has been decriminalised, S31 cannot be used. NALC put it this way -

Quote - In short, the issue is that ANPR, is as you quite rightly refer to below (above here) is used for, predominantly speeding matters. Speeding and such notices of fines etc are dealt with by a Fixed Penalty Notice (which is the vast majority) and do not count as a criminal matter as there is no conviction, so I do not think that it allows s31 to be used for speeding. Unquote

NALC added

However s274A Highways Act 980 relates to contributions by parish or community councils and confirms that:

*A parish council or community council may contribute towards any expenses incurred or to be incurred by a highway authority in constructing, removing or maintaining—  
(a)traffic calming works, or  
(b)other works (including signs or lighting) required in connection with traffic calming works, if, in the opinion of the council, the expenditure is or will be of benefit to their area.]*

The operative wording is '**in the opinion of the council the expenditure will benefit...**' in short, it will be for the Council to make a decision. If the Council consider that ANPR amounts to traffic calming works, and the expenditure is for the benefit of the area, and can satisfy its auditors to this, then this could allow for the council to give funds to the highways dept. but ultimately, it is for the Council to make that decision.

Kind regards

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