

**Freedom of Information Act 2000 (FOIA)  
Environmental Information Regulations 2004 (EIR)**

**Decision notice**

**Date:** 9 January 2025

**Public Authority:** Transport for London  
**Address:** 5 Endeavour Square  
London E20 1JN

**Decision (including any steps ordered)**

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1. The Commissioner's decision is that Transport for London is entitled to refuse to disclose the requested information about costs associated with ULEZ camera hardware under regulations 12(5)(a) and 12(5)(b) of the EIR. These exceptions concern public safety and the course of justice respectively.
2. The Commissioner does not require further steps.

**Request and response**

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3. The complainant made the following information request to Transport for London (TfL) on 15 August 2024:  
  
"1. How much was spent on ULEZ [Ultra Low Emission Zone] cameras hardware between April 2023 - March 2024 (hardware defined as the cameras/ units/ servers and any wiring)  
  
2. How much was spent on ULEZ cameras hardware between April 2024 - June 2024 (hardware defined as the cameras/ units/ servers and any wiring)"
4. TfL responded on 10 September 2024. It refused to disclose the requested information citing the exceptions under regulation 12(5)(a), 12(5)(b) and 12(5)(e) of the EIR (economic interests). TfL referred the

complainant to three of the Commissioner's previous decisions about requests for information about the ULEZ: IC-277488-P1R5<sup>1</sup>, IC-263495-N0P0<sup>2</sup> and IC-262996-Q1D5<sup>3</sup>.

5. TfL maintained its reliance on these exceptions following its internal review dated 26 September 2024.
6. TfL also addressed a point the complainant had raised. It acknowledged that it had previously provided the complainant with a figure for the period 1 April 2023 to 18 August 2023 and explained that that figure had only covered the time period up to the ULEZ 'go live date' of 29 August 2023. That data primarily included cost figures for installing the ULEZ cameras just prior to the 'go live' date.
7. TfL noted that since the ULEZ expansion, ULEZ cameras had been subject to significant vandalism and criminal damaged by motivated individuals. It said that any further cost figures released in response to an information request would now include the costs incurred in relation to these cameras being vandalised. TfL went on that if it addressed requests of this nature and placed a continuous and steady stream of information into the public domain, it wouldn't take much effort for a motivated individual(s) opposed to the Mayor's ULEZ expansion scheme to build further knowledge to identify more areas where they could cause criminal damage and cause TfL to incur additional costs.

## Reasons for decision

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8. This reasoning covers TfL's application of regulations 12(5)(a) or 12(5)(b) or 12(5)(e) – or all of these – to the complainant's request.
9. A background and context to the request is provided in IC-277488-P1R5, from paragraph 9.

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<sup>1</sup> <https://ico.org.uk/media/action-weve-taken/decision-notice/2024/4028410/ic-277488-p1r5.pdf>

<sup>2</sup> <https://ico.org.uk/media/action-weve-taken/decision-notice/2024/4028192/ic-263495-n0p0.pdf>

<sup>3</sup> <https://ico.org.uk/media/action-weve-taken/decision-notice/2024/4028098/ic-262996-q1d5.pdf>

**Regulation 12(5)(a) – public safety and regulation 12(5)(b) – course of justice**

10. These two exceptions are explained in the Commissioners' earlier decisions, given above.
11. In his correspondence to TfL the Commissioner noted that while the three previous decisions that it had referred to in its response to the complainant did concern the ULEZ, the requests were for different information.
12. In its submission to the Commissioner TfL has explained why it considers the request in the current case nevertheless engages the exceptions it's cited.
13. TfL has noted that there has been significant opposition to the implementation of the ULEZ scheme from a vociferous minority. This has included a significant and sustained campaign of criminal damage to the camera network that enforces the ULEZ, as well as direct threats, abuse and harassment to personnel involved in operating and enforcing the scheme.
14. It has provided examples of reported incidents of camera vandalism across London, which include:  
  
<https://www.standard.co.uk/news/london/ulez-cameras-air-pollution-vandalised-stolen-tfl-b1104151.html>  
  
<https://www.telegraph.co.uk/news/2023/08/31/ulez-cameras-vandalism-expanded-quarter-sadiq-khan/>  
  
<https://www.express.co.uk/news/uk/1806979/ulez-cameras-vandalised-first-day>  
  
<https://www.swlondoner.co.uk/news/07052024-more-than-4500-ulez-camera-vandalisations-since-march-2023>  
  
<https://www.bbc.co.uk/news/articles/cr54dy09epmo>
15. To minimise the threat and reduce the damage to its camera network, which has been and continues to be under repeat attack, TfL says it has been refusing to disclose some information relating to these ULEZ enforcement cameras.
16. As it had advised the complainant, it had disclosed hardware costs relating to these cameras prior to the ULEZ scheme going live, specifically up to 18 August 2023. This was to meet a public interest in providing transparency around the set-up costs for the expanded zone

as it was necessary to procure and install around 2,700 additional cameras to support and enforce the expanded zone.

17. Clearly, TfL says, a significant proportion of the cost disclosed within this time period related to this work ahead of the scheme's 'go-live' date of 29 August 2023. However, since the cameras had been installed and the expanded scheme became operational there were no (or extremely minimal) hardware costs borne by TfL. Costs were incurred, however, as a result of instances of vandalism, which became extremely prevalent at that time and continues to this day. Therefore, TfL says, its hardware costs from the period to which it is relying on the EIR exceptions is synonymous with the financial impact that anti-ULEZ vandals and criminals have generated through their illegal activity.
18. TfL says that it believes that the primary purpose for the current request is similarly to assess the extent of the damage directly, and the costs incurred as a result. However, even if that were not the complainant's intent, it's still a matter of fact that this is what the information would reveal. And disclosure under the EIR is, of course, effectively disclosure to the wider world.
19. TfL considers that the people carrying out these crimes are doing so generally as part of an organised group. But they are also actively engaged in encouraging copycat attacks from lone actors and gathering support from members of the public through social media. This is a way of increasing the prevalence of these attacks and attaching kudos to this activity. It notes that an individual was sentenced to a suspended sentence in September 2024 for sending threats of violence to contractors responsible for installing and maintaining ULEZ cameras. They also encouraged and incited others to damage and dismantle the cameras: <https://www.bbc.co.uk/news/articles/cr54dy09epmo>
20. In TfL's view, providing the requested information would lead to further requests being made for the same information, across cumulative time periods. This would help build up a wider picture of disruption which would be utilised by those either committing the damage or supporting the damage, to publicise their activities and embolden others to carry out attacks of their own.
21. TfL has explained that the complainant's request history is publicly viewable. It has noted a request the complainant had submitted to the UK Power Network (which isn't subject to FOIA) and considers this was designed precisely to elicit information about the extent of the damage to ULEZ cameras. Another request they submitted to TfL about ULEZ camera vans is, again, in TfL's view, an attempt to ascertain the financial impact of this vandalism. This might highlight the different

ways that motivated individuals, including the complainant, are attempting to access information about this criminal activity.

22. Even beyond the complainant's own intentions, TfL says that significant effort has been made by people apparently opposed to the ULEZ to identify and compile information about the location of ULEZ cameras. This often appears to be for two purposes – first, to facilitate attempts to circumvent the ULEZ charge by planning journeys which avoid the cameras and second, to identify cameras to be targeted for criminal damage.
23. This has resulted in a database of information being compiled by members of the public of suspected ULEZ cameras. The database includes live tracking information relating to the perceived status of each camera, as well as any damage or defacement that has occurred to it.
24. TfL has confirmed that these databases are not verified by or affiliated in any way with TfL and are entirely the work of anti-ULEZ campaigners. Due to the significant and direct threat to its infrastructure, and especially cameras, TfL considers it's vital that it restricts the amount of information placed into the public domain about camera enforcement. This is to limit the credibility and accuracy of databases such as this, which is evidently used to support and facilitate criminal behaviour.
25. If it were to publicly confirm the precise extent of the damage across London, TfL says it would ultimately be providing valuable information to those who seek to damage and disrupt the ULEZ scheme through criminal means. The information would help to improve the accuracy of the information they are collating to support this activity. For that reason, it's TfL's view that it's proportionate and appropriate to consider the wider harms of disclosure about the camera network in London in this context.
26. The Commissioner considers that most people wouldn't be sufficiently motivated to do the work necessary to glean information from the request that would help individuals to damage or disrupt the ULEZ scheme. However, on the basis of information TfL has provided in its submission – such as the live database that anti-ULEZ campaign maintain - the Commissioner is persuaded that there appear to be individuals who could be sufficiently motivated to do so.
27. As in his earlier decisions, the Commissioner is therefore satisfied that TfL was entitled to apply the exceptions under regulation 12(5)(a) and regulation 12(5)(b) of the EIR to the complainant's request. He'll go on to consider the public interest tests associated with these exceptions.

### **Public interest test**

28. The Commissioner has found that disclosing the requested information would adversely affect public safety and would adversely affect the course of justice.
29. The Commissioner recognises the EIR's presumption in favour of disclosure under regulation 12(2). However, he considers that the public interest in disclosing the relevant information TfL holds would need to be significant to warrant the effects of disclosing it.
30. In their request for an internal review the complainant said, "When this argument [protecting a commercial interest] is balanced against the public interest, transparency and scrutiny over public spending will outweigh the desire to hide what the management may deem a damaging figure. I cite a response from the ICO which states: the request concerns a significant amount of tax-payer's money that goes into repairing the vandalised cameras. With this comes the need for transparency."
31. The Commissioner does not find this public interest argument to be sufficiently compelling to justify disclosing the information. Indeed, cameras being vandalised is a reason "a significant amount of tax-payer's money" has to be spent repairing them. As discussed, he's found that disclosing more information would be likely to lead to more ULEZ cameras being damaged; this would lead to more tax payers' money being spent repairing them.
32. The Commissioner can't identify any sufficiently compelling argument for disclosure. He's satisfied that there's greater public interest in TfL withholding the information in order to protect the public and those involved in the ULEZ scheme, and to protect the public purse.
33. Because he's found regulations 12(5)(a) and 12(5)(b) are engaged, it hasn't been necessary for the Commissioner to consider TfL's application of regulation 12(5)(e).

## Right of appeal

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34. 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: 0203 936 8963

Fax: 0870 739 5836

Email: [grc@justice.gov.uk](mailto:grc@justice.gov.uk)

Website: [www.justice.gov.uk/tribunals/general-regulatory-chamber](http://www.justice.gov.uk/tribunals/general-regulatory-chamber)

35. 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.
36. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

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