

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Licensing Committee  
23 March 2015

**From:** Director of Environmental and Planning Services

**Subject:** **CCTV IN TAXIS**

All Wards

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### **1.0 PURPOSE AND BACKGROUND:**

1.1 The purpose of this report is to seek approval for amendments to the current Vehicle and Driver Licensing Policy in order to make provision for the use of CCTV in licensed vehicles.

### **2.0 INFORMATION AND ANALYSIS**

2.1 On 10 December 2014, Members approved the policy amendments subject to consideration of any responses received during a six-week consultation period with the trade. The Draft CCTV in Taxis Policy is attached at Annex A.

2.2 All members of the hackney carriage and private hire trade were subsequently consulted and no formal responses were received.

2.3 If approved, the policy amendments will create an additional appendix to Hambleton District Council's Vehicle and Driver Licensing Policy.

### **3.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES:**

3.1 There are financial implications for drivers wishing to install a CCTV system within licensed vehicles. The minimum standards set by the Council in terms of specification will have an impact on the cost of a suitable system.

3.2 There would also be a requirement for proprietors to register with the Information Commissioner's Office as a Data Controller, which attracts an annual fee of £35.

3.3 There will be no mandatory expenditure.

3.4 The administration of the scheme will generate increased workloads within the Licensing Team but, in light of the clear benefits of properly operated CCTV systems, it is not proposed to impose additional financial burdens on drivers by way of an application fee.

### **4.0 RECOMMENDATION:**

4.1 Members are asked to authorise the policy amendments subject to Council approval.

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**Background papers:** None  
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## THE USE OF CCTV IN LICENSED VEHICLES

### 1.0 General Policy

- 1.1 This Policy applies to private hire and hackney carriage vehicles (referred to as “licensed vehicles”).
- 1.2 Vehicle proprietors may make a request in writing to install a CCTV system in a licensed vehicle.
- 1.3 Upon successful application for installation, the relevant vehicle licence will be subject to additional conditions to ensure that the CCTV system is appropriately installed and maintained so as not to interfere with the safety and comfort of passengers, as well as ensuring the integrity of any images captured.
- 1.4 This Policy details the minimum standards that will normally be expected to be met.
- 1.5 Each case will be determined on its own merits and exceptions may be made at the discretion of the Licensing Officer if the circumstances justify making such an exception.

### 2.0 Minimum System Specification

- 2.1 The Council has specified minimum criteria that the Licensing Authority would expect a CCTV system to satisfy in order for the system to be installed in licensed vehicles.
- 2.2 The proprietor must meet the current Information Commissioner data protection requirements.
- 2.3 The CCTV system shall be capable of date & time system identification stamping.
- 2.4 The CCTV system shall be capable of recording and storing images for a minimum period of fourteen days.
- 2.5 The CCTV system shall be capable of capturing images that, in low light conditions, must be of sufficient quality to enable identification of any person travelling in the vehicle and be of such quality that they can be used for prosecution purposes.
- 2.6 The CCTV system shall be capable of storing images in a manner which prevents them being removed, downloaded or viewed by the driver or any other person travelling in the vehicle.
- 2.7 The CCTV system shall provide that images are only capable of being downloaded by authorised officers of the Licensing Authority and/or North Yorkshire Police.
- 2.8 The CCTV system shall provide that images are digitally encrypted. De-encryption software required to view the recorded images must be supplied to the Licensing Authority free of charge before the system is installed in the vehicle.
- 2.9 The CCTV system shall provide that the hard disk or data card is not able to be accessed by the driver or any other person travelling in the vehicle.
- 2.10 The CCTV system shall provide that the data unit is stored separately from the camera(s) and out of view of person travelling in the vehicle.

- 2.11 The CCTV system shall provide that cameras are capable of being fitted in locations that do not affect the safety of any person travelling in the vehicle, and located as securely and discreetly as possible to avoid passengers travelling in the vehicle from tampering with them.
- 2.12 The CCTV system shall provide that, where the system uses a DVD recorder, the system is protected from shock.
- 2.13 The CCTV system must be marked with the EMC [Electro Magnetic Certification], which signifies that it meets the European Industry Standard.
- 2.14 The CCTV system shall provide that activation of the system shall be via the vehicle's ignition system (or alternative method approved by the Licensing Authority) and that recording shall continue 15 minutes after the ignition is switched off. The system will not be provided with any other on/off mechanism that is accessible to the driver or any passenger.

### **3.0 Application Process for a CCTV system to be approved by the Licensing Authority**

- 3.1 An individual or organisation who wishes to apply to the Licensing Authority for the approval of a CCTV system must apply in writing for a particular make and model of CCTV system to be installed.
- 3.2 The applicant must provide evidence that the CCTV system complies with the Licensing Authority's minimum recommended specification.
- 3.3 Once the system has been approved, the Licensing Authority will issue the applicant with written confirmation. If the system is not approved the Licensing Authority will give written notice of the decision to the applicant.
- 3.5 Authorisation will be required for each CCTV system or any modification to an existing CCTV system.

### **4.0 Conditions to be attached to private hire and hackney carriage vehicle licences**

- 4.1 No CCTV system shall be installed in a vehicle unless it has previously been authorised in writing by the Licensing Authority.
- 4.2 No cameras shall be installed in the vehicle without prior written consent from the Licensing Authority as to the number and location of such cameras. The number and location of cameras shall not be varied without the prior written consent of the Licensing Authority.
- 4.3 An advisory notice, approved by the Licensing Authority, shall be displayed inside the vehicle on each of the rear side passenger windows. The notices shall be positioned in a prominent (though not obstructive) position where they can be easily read by persons both inside and outside of the vehicle. The proprietor shall ensure that the notices are maintained in a clean and legible condition.

- 4.4 The proprietor shall ensure that the system is properly and regularly maintained and serviced in accordance with the manufacturer's instructions. Written records of all maintenance and servicing shall be made and retained by the proprietor for a minimum of 12 months. Such written records shall be made available on demand by authorised officer of the Licensing Authority and/or North Yorkshire Police.
- 4.5 Upon request for image retrieval by an officer of the Licensing Authority or a police officer the proprietor shall ensure that the CCTV system is made available to the officer as soon as reasonably practicable, and in any event within 7 days of the request.
- 4.6 The proprietor of the vehicle shall take all reasonable steps to ensure that any driver of the vehicle is made aware of every condition in relation to any installed CCTV system and has been given adequate instruction regarding the need for the system to be made available as soon as reasonably practicable, and in any event within 7 days of any authorised request for any image retrieval.
- 4.7 The proprietor shall ensure that notification is lodged with the Information Commissioner to cover the purposes for which the CCTV system is used.