

PUBLIC PROTECTION COMMITTEE: 7 August 2018

Report of the Head of Shared Regulatory Services

CCTV SYSTEMS IN LICENSED VEHICLES

1. Background

- 1.1 At its meeting of 3 July 2018 the Committee considered a report in relation to whether the vehicle licence condition restricting the use of darkened glass should be removed. The condition states:

Windscreen & Windows

To be in a good clean condition and free from damage. The windscreen must allow at least 75% of light to pass through with all other windows allowing 70% of light to pass through.'

- 1.2 The Committee resolved to allow the use of darkened glass (glass that lets less than 70% of light to pass through) that is fitted as manufactured in licensed vehicles provided that a Council approved interior CCTV system was in place.
- 1.3 An implementation date was not determined by the Committee, but due to the complexities involved in ensuring that any Council approved CCTV system complies with all legal requirements including General Data Protection Regulations (GDPR) 2018, Officers are advising that implementation of this change is delayed until approval of a CCTV specification criteria.

2. Details.

- 2.1 Over the years Committee has approved a number of CCTV systems, this includes the following:
- AutoCam – approved 9 October 2009
 - Visual Integrated Systems – approved 7 July 2009
 - IKAB XTON CCTV – approved 8 December 2009
 - MTC 33 Dual Camera CCTV –approved 6 February 2018
- 2.2 Technology has advanced significantly since 2009, newer systems will be more innovative in terms of features such as picture quality and data storage, as well as being compliant with the latest legal requirements.
- 2.3 The current condition that applied to the voluntary use of CCTV system in licensed hackney carriage and private hire vehicles states:

‘Interior CCTV equipment of a type previously approved by the Authority may be fitted in accordance with the manufacturer’s instructions, subject to:

- a) *a sign indicated that recording equipment is in use being clearly displayed within the vehicle, and;*
 - b) *all images downloaded from the camera being made available to the Police, upon request, for up to 28 days following download of the images.’*
- 2.4 At its meeting of 6 February 2018 when considering the application for the MTC 33 Dual Camera CCTV System the Committee also resolved to allow officers to approve any future applications for CCTV systems.
- 2.5 Officers are currently in the process of reviewing the Council’s Taxi Licensing Policy, and it is felt that the current condition (mentioned above) is not detailed enough to assist Officers in the determination of suitable systems. In addition legislative changes and technological advances necessitate the need for an approved CCTV specification criteria which would ensure that the application approval process is robust and consistent.

3. Consultation

- 3.1 The trade consultation procedure was undertaken in accordance with the consultation procedure on any policy matters. The draft reports intended for consideration were made available at the licensing offices for any interested party to provide written submissions.

4. Achievability

This report contains no equality personnel or property implications.

5. Legal Implications

- 5.1 All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council’s fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

6. Financial Implications.

- 6.1 There are no financial implications arising directly from this report.

7. Recommendation

- 7.1 It is recommended that the vehicle licence condition stated in paragraph 1.1 is not implemented until a CCTV specification criteria has been approved by Committee at a future meeting.

8. Reasons for Recommendation

- 8.1 The approval of a CCTV specification criteria would assist Officers in ensuring that the determination process of new CCTVs systems is consistent, robust and compliant with relevant legislation.

Dave Holland
HEAD OF SHARED REGULATORY SERVICES

9 July 2018

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: Report of the Head of Shared Regulatory Services: *Approval of MTC 33 Dual Camera CCTV system in Hackney Carriage and Private Hire Vehicles Licences by Cardiff Council*. 6 February 2018

APPENDIX A