

Stoke-on-Trent City Council
MOBILE CCTV ON VEHICLES



City of
Stoke-on-Trent

ANNEX 3

MOBILE CCTV ON VEHICLES

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1. Protocol

- 1.1 This policy sets out Stoke-on-Trent City Council's ("the Council's") protocol and procedure for mobile CCTV systems fitted to Council vehicles ("the Scheme").
- 1.2 It has been drafted to promote public confidence by developing a safe and secure environment for members of the public and Council officers.
- 1.3 This policy has a dual purpose, in that it will assist operators and other staff involved in the use of the Scheme to understand their obligations whilst reassuring the public that appropriate safeguards exist.
- 1.4 For the purpose of the Scheme, the Council is the Data Controller. The Council is registered with the Information Commissioner's Office, Registration Number: Z5110678.
- 1.5 Across the Council, there are a number of different Council vehicles which utilise mobile CCTV systems. These are:-
 - Operational Fleet including, but not limited to, vehicles used by Waste Services, Highways Maintenance, Street Care and Greenspace, and City Catering (as set out at Appendix 1)
 - Mobile Enforcement Vehicles (as set out at Appendix 2)
 - Static CCTV Enforcement Cameras (as set out at Appendix 3)

2. Legislative Framework

- 2.1 The Scheme will be operated in compliance with the following legislation and statutory guidance:
 - Data Protection Laws¹
 - Freedom of Information Act 2000
 - Human Rights Act 1998
 - Protection of Freedoms Act 2012
 - Home Office Surveillance Camera Code of Practice (the SC Code)
 - Information Commissioner's CCTV Code of Practice (the ICO Code)
- 2.2 The Scheme will also operate in full compliance with the Council's Data Protection Policy

¹ means the Data Protection Act 2018 or any successor legislation and (for so long as and to the extent that the law of the European Union has legal effect in the UK) the General Data Protection Regulation ((EU) 2016/679) and any other directly applicable European Union regulation relating to privacy

3. General Principles of Operation

3.1 The following principles of operation apply to all uses of CCTV on vehicles across the Council. In addition, local operating procedures specific to individual departments are set out within the appendices to this policy.

- Prior to its installation and use, a camera system must have a clearly defined purpose which is in pursuit of a legitimate aim and it must be necessary to meet an identified pressing need. It should only be used for the specific purpose which it is established to address.
- Therefore, prior to the use of mobile CCTV on vehicles, a Data Protection Impact Assessment will be undertaken in compliance with the SC Code and the ICO Code. It should take into account the nature of the problem the proposed system is seeking to address, whether a surveillance system is justified and effective, whether better solutions exist, what effect its use may have on individuals and whether, in light of this, its use is a proportionate response. It is accepted that mobile CCTV systems on vehicles are more intrusive than normal CCTV because of their mobility and the level of intrusiveness must be taken into account as part of the Data Protection Impact Assessment.
- The carrying out of a Data Protection Impact Assessment ensures that the system is justifiable and there is consultation with those most likely to be affected with appropriate safeguards for the impact on their privacy. This also demonstrates that the necessity and extent of any interference with Article 8 of the Human Rights Act 1998 has been considered.
- Where the mobile CCTV system utilises audio then, in addition to capturing images, the use of audio also needs to be justifiable as this adds to the privacy intrusion.
- Continuous recording requires strong justification as it will capture people going about their daily business.
- Mobile CCTV systems on vehicles should have robust technical and physical security in place to protect the recorded information. Devices must be capable of being encrypted and should have the ability to be turned on or off, with features to allow image and sound recording separately.
- Clear signage must be displayed on the vehicles to show that recording is taking place and whether the recording includes audio.
- Mobile CCTV on vehicles will only be used by trained, authorised personnel.

4. Accountability

4.1 It is a recommendation of the Surveillance Camera Commissioner and the Information Commissioner that the system should be reviewed annually to determine whether CCTV on vehicles continues to be justified. As such, there will be an annual review of the Council's use of CCTV on vehicles to cover the following aspects:

- a. ensuring the use of CCTV on vehicles remains necessary, proportionate and effective in meeting their stated purpose for deployment
- b. whether the purpose and objectives statements remain valid
- c. change in extent of the scheme
- d. contracts with suppliers e.g. maintenance agreements

- e. a review of the data protection or legal requirements
 - f. maintenance schedule and performance test of the system
 - g. scheme evaluation findings
 - h. complaints procedure and evaluation
- 4.2 As part of the annual review of the Scheme, there will also be an annual review of this policy. In addition, the policy will be kept up to date with changes in legislation and procedure as and when they occur.

5. Maintenance

- 5.1 Equipment must be kept in good working order. The CCTV systems must be checked to ensure they are working correctly at the start of the shift and any faults reported immediately to the on duty supervisor or nominated deputy. It is the responsibility of each user to report any faults or damage to the on duty supervisor or nominated deputy during their shift or at the end of the shift.
- 5.2 There may be other reasons where an incident is only partially recorded through the nature of the incident where the camera view is restricted. There may also be occasions where any sound recording is unclear or verbal responses are difficult to hear because of other more prominent sounds such as traffic or noise created by strong winds. In this case, the Council officer is to make notes as necessary to support any CCTV on vehicle evidence.
- 5.3 In order to ensure that clear images are recorded at all times the equipment for making recordings and any associated security equipment will be maintained in good working order with regular servicing in accordance with the manufacturer's instructions. In the event of a malfunction the equipment will be repaired within specific time scales which will be scheduled within the maintenance agreement. All documentation relating to the equipment and its servicing and malfunction is retained and will be available for inspection and audit.

6. Data Storage

- 6.1 Data is stored on the vehicle's hard drive. There are limited personnel, as set out in Annex 1, who are able to access the hard drive using a set of keys that are restricted to use by authorised personnel only. These authorised personnel are also the only staff members whose laptops have the necessary software to enable them to view the footage from the hard drive.
- 6.2 If any incidents have occurred during the shift it is essential that officers complete a '*Report of Incident / Injury / Near Miss*' report form, including the time and location of the incident. The report must also indicate if the police have been involved. Once an incident has been received a clip of the incident will be created by an authorised officer and saved on the secure server.

7 Access to Data

- 7.1 Where mobile CCTV on vehicles is used, a register will be kept to show the life of the recorded media at all stages whilst in the owner's possession. Such a register

may also show itself to be useful in enabling evaluation of the CCTV on vehicles scheme.

7.2 The register should include the following:

- unique equipment reference number(s);
- time/date/person removing medium from secure storage for use;
- time/date/person returning medium to secure storage after use;
- remarks column to cover additional points (e.g., erase/destroy/handed over to law enforcement agencies/removed from recording machine);
- time and date of delivery to the law enforcement agencies, identifying the law enforcement agency officer concerned;
- in the event of a non-automated system of erasure of data, the time/date/person responsible for erasure and/or destruction.
- Details of all reviews of images, including persons present, purpose, date/time and results

7.3 Each department utilising CCTV on vehicles will have their own retention periods and these are set out in the local operating procedures attached as appendices to this policy.

8. Privacy

8.1 Recordings from a mobile CCTV device provide an account of what the officer saw during an incident. There are, however, limitations to the technology and it must be remembered that some aspects of incidents vital to the evidence for the incident may occur out of camera view, that sound recordings may not be complete or that other sounds at the scene may block significant statements by those present. There is the possibility of other technical failures or operator errors that may hinder the production of the recorded evidence. Officers need to ensure that they remain mindful of standard evidence gathering procedures at scenes and must not rely solely on the mobile CCTV evidence to support their incident.

9. Accessing Images

9.1 Requests to view files may be received from the following third parties (but not limited to):

- The Police
- Solicitors
- Claimants in Civil Proceedings
- Accused Persons or Defendants in criminal proceedings

9.2 Reasons for requests may include (but not limited to):

- Evidence in criminal proceedings
- Evidence in civil proceedings or tribunals
- The prevention of crime
- The investigation and detection of crime, which may include the identification of offenders

- The identification of witnesses
- Complaints made against Council officers
- Complaints made against members of the public

9.3 If a third party requests access to images they must provide any details that the Council require to substantiate the request. A log of all requests will be made.

9.4 To make a request for information, a request should be made in writing to:

Information Rights Team
Civic Centre
Glebe Street
Stoke on Trent
ST4 1HH
Or email: foi@stoke.gov.uk

10. Subject Access Requests

10.1 Any individual (employee or member of the public) may request access to and a copy of their own image under Data Protection Laws.

10.2 To make a request for information, an individual should contact:

Information Rights Team
Civic Centre
Glebe Street
Stoke on Trent
ST4 1HH
Or email: foi@stoke.gov.uk
Tel: [01782 235965](tel:01782235965)

10.3 Any footage required as part of an internal investigation must be approved by Information Assurance and cleared by HR. Footage will then be burnt to a disc and kept in a secure location for the duration of the investigation until which time it will be destroyed.

Appendix 1 – Local Operating Procedures for Operational Fleet

- 1.1 CCTV cameras are fitted to waste vehicles for the purposes of Health and Safety of employees and members of the public and for the investigation of complaints, accidents and near miss incidents.
- 1.2 Images are recorded to an in-cab device which is not accessible to the crew. Access to the in-cab device is restricted to authorised personnel only.
- 1.3 For the purpose of this protocol, the Strategic Manager – Fleet, Operations and Compliance will act as the Systems Manager.
- 1.4 The Assistant Director (Governance) will provide managerial oversight of the protocol.
- 1.5 The above roles are more particularly described within Annex 2.

2. System Usage

- 2.1 The CCTV Hard disk recording system's primary use is to:
 - Assist in accident or incident investigation. This will include near miss reporting that will help prevent the occurrence of future accidents
 - Assist in the investigation of complaints from public or staff
 - Assist in an internal investigation
 - Investigation of insurance claims by third parties
 - Identification of dangerous activities
 - Assess problems with access to assisted collection properties etc.

3. System Checks: Service and Repair

- 3.1 Service system checks will be carried out on a daily basis by the operative to ensure the recording system is operating correctly. This will involve observing live video footage via the in-cab monitor. In addition, system checks will be carried out on an annual basis by the manufacturer.
- 3.2 Repair system checks will be carried out by engineers when required to ensure the recording system is operating correctly. This will involve observing recorded video footage via an authorised laptop.
- 3.3 The system is not being used for targeted monitoring of the workforce. However, if while carrying out the system checks, poor Health and Safety practice or acts of misconduct are observed then under the statutory duty of care prescribed in the Health and Safety at Work Act 1974, the department manager will be informed.

4. Employee Enquiry / Health and Safety Concerns

- 4.1 If an employee has any Health and Safety concerns that may be illustrated by the recorded video images then a request to observe these images from hard disk should be made to the System Manager.

5. System Specification

5.1 Currently, the standard of the system comprises of the following components:

- 4 x external mounted cameras
- 1 x DVR fitted with 250GB hard drive
- 1 x internal mounted monitor

5.2 The system records over a 28 day cycle (approximate), once the hard disk is full then the oldest records will be overwritten.

5.3 The rear camera is reverse wired to enable the monitor to be used as a dedicated reversing aid.

5.4 The system comprises of a DVR fitted with a 250GB hard drive. The system records from all cameras, from the time the ignition is on and continues to record for 30 minutes from when the ignition is turned off.

5.5 The DVR is secured in a tamper proofed cabinet in the cab of the vehicle. Access is restricted to authorised personnel as set out in Annex 2.

5.6 An inventory of the hard disk serial numbers installed in each vehicle will be taken at the time of installation.

5.7 The CCTV equipment will be recorded as part of the vehicle inventory. The software needed to view the footage will be retained in the ICT Software Library. Only authorised personnel, as set out in Annex 2, have the necessary software installed to enable them to view footage from the hard drive.

6. Camera Positioning

6.1 The system comprises four high resolution cameras that will be positioned to give the greatest coverage around the vehicle as possible.

6.2 Currently, the positions of the cameras are as follows:

- One camera fixed at the front of the vehicle
- One camera on either side of the vehicle
- One camera fixed at the rear of the vehicle

7. Privacy

7.1 The cameras will be positioned to record images of the immediate area surrounding the vehicle and not show a broad view of the location.

7.2 No cameras will be directly intrusive of private premises.

7.3 The cameras are fixed in position during the installation of the system by the installation engineers and must remain in these positions. In the event that the

cameras have become out of alignment this must be reported as soon as possible to the supervisor/line manager.

8. Public Information

- 8.1 Publicity will be given to the system by clear signing within the monitored area. This will ensure that both the maximum deterrent value is achieved and that the public are clearly aware when they are in a monitored area.

9. Software

- 9.1 The images recorded on the hard disk of the DVR can only be accessed with download stations using approved software.
- 9.2 Video footage may be exported to the following format:
- WMV
 - JPEG (snap shot still images)

10. Image Security

- 10.1 The system automatically watermarks the images. The watermark is fragile and will be destroyed if any modifications are attempted to be made to the image.
- 10.2 The watermark is embedded in the system and is always on.
- 10.3 The watermark provides the following data on the recorded images:
- Vehicle registration number
 - Date
 - Time

11. Data Security

- 11.1 Access to the approved software will be password protected.
- 11.2 Video footage exported to WMV must only be stored on a dedicated secure area of the computer network. Access to this secure area is restricted in accordance with the allocated roles and responsibilities set out in Annex 2 of this Protocol.
- 11.3 All exported video footage must be recorded to an external DVD disc and stored in a secure location. This process will only be undertaken by the authorised personnel.

12. Recording of Access to Information

- 12.1 A central record for viewing or downloading images must be maintained by the System Manager to record all viewings of images. Details must be kept of the date and time the viewing took place, the member of staff that downloaded the images and the hard drive viewed, the vehicle that contained the hard drive, the period

viewed, the individuals viewing the file, the reason for viewing the file and the action to be taken as a result.

Annex 1 - Procedure for use

1. Accessing images

1.1 System monitoring

The systems are robust but it will be necessary to physically check that the units are operating correctly. This will be carried out by the authorised personnel on a regular basis where a number of units will be selected at random. The regular checks will be recorded in a register and will detail:

- The vehicle registration
- The hard drive serial number
- The period viewed
- Time and date viewed
- Comments or actions that are required
- Name and signature of viewer

The units will be tested in such a way so that the images cannot be viewed by any other person.

1.2 Health and Safety Incident Arising from System Checks

Where a Health and Safety issue arises as a result of system checks the incident will be viewed by the System Manager and appropriate action will be taken.

1.3 Health and Safety Concerns

Any breach actual or suspected of Health and Safety practice or acts of misconduct will be investigated under the statutory duty of care prescribed in the Health and Safety at Work Act 1974, which will include the viewing of recorded images by the investigating officer who may require the individual who has reported the breach to verify the image.

1.4 Authorised Person to Download Images

Images may be downloaded as a result of any of the instances above.

The images from the hard disk can only be accessed using the appropriate VT Live software. This software will only be loaded onto the hard drives of the PCs of System Manager, Assistant Fleet Manager, Team Manager - Waste Collection, Waste Collection Team Leader(s), Waste Team Assistant, and Waste Collection Technician as set out in Annex 2.

1.5 Saving Images

In order to make the images available for viewing it is necessary for the image to be exported to a readily available format; this format will be WMV.

The image will be recorded to an external DVD disc and stored in a secure location.

1.6 Retention and Destruction of files

Files not required for evidence must be deleted from the secure network and the DVD disc securely shredded within 28 day of being created in line with the corporate retention schedule.

Footage required for evidence may be kept for a longer period in line with corporate practice for legal holds.

Annex 2 – Roles and Responsibilities

Responsible Officer	Responsibilities
Assistant Director – Governance (Monitoring Officer)	<p>For the purpose of this policy, the Council's Senior Responsible Officer is the Assistant Director – Governance (Monitoring Officer).</p> <p>The role of the SRO is to deliver a corporate approach to the Council's responsibilities arising from the Protection of Freedoms Act 2012. The SRO has strategic responsibility for the integrity and efficacy of the processes in place within the local authority which ensure compliance with section 33 of the Protection of Freedoms Act 2012 and in respect of all relevant surveillance camera systems operated by the Council.</p>
Strategic Manager – Environmental Services	<p>Mobile CCTV System Manager.</p> <p>Receiving Subject Data Access Forms and liaising with the Information Rights Team where appropriate.</p> <p>Downloading and viewing footage, where necessary.</p> <p>Conducting an annual review.</p>
Fleet Manager	<p>Downloading and copying of images.</p> <p>To act as System Manager in the absence of the Strategic Manager – Environmental Services.</p>
Workshop Manager Workshop Supervisors	System checks.
Waste Managers	Downloading and Viewing of Saved Files.
Service Manager – Waste Collection	Downloading and Viewing of saved files.
Officers/staff involved in an investigation.	Viewing of saved files.

Heads of Departments	It is the responsibility of each Head of Department utilising vehicles with mobile CCTV to ensure that appropriate Data Protection Impact Assessments are carried out as and when necessary.

Annex 3 - Mobile CCTV Access Data Request Form

SECTION 1 *About You*

PLEASE USE BLOCK CAPITAL LETTERS

Title (<i>tick box as appropriate</i>)	Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms.	<input type="checkbox"/>
First Name								
Surname								
Job Title								
Department								
Contact Telephone Number								

SECTION 2 *Supply of Information*

View the information and receive a permanent copy	<input type="text" value="YES / NO"/>
Only view the information	<input type="text" value="YES / NO"/>

SECTION 3 *Details of Information Requested*

Please specify below the reason for viewing the data. State if the alleged incident relates to an individual, vehicle, property, or other type of information.

Reason for viewing the data	
Date(s) and time(s) of footage required	
Vehicle details of which CCTV is fitted (Registration number, fleet number etc.)	
Location/Place	
Brief details of incident	

SECTION 4 *Declaration*

DECLARATION (to be signed by the applicant)	
The information that I have supplied in this application is correct.	
Signed by	Date
<input type="text"/>	<input type="text"/>

SECTION 5 *Approval*

Approved	<div style="border: 1px solid black; padding: 5px; display: inline-block;">YES / NO</div>	
Not Approved	<i>Application does not meet the criteria of the CCTV protocol and procedure</i>	<input type="text"/>
	<i>Application should be made through the FOI team:</i> Information Rights Team Civic Centre Glebe Street Stoke-on-Trent ST4 1HH Or email foi@stoke.gov.uk	<input type="text"/>

OFFICIAL USE ONLY

Member of Staff Authorising Access:

Name: Job Title:

Signature: Date:

Member of Staff Downloading Images:

Name: Job Title:

Date: Time:

Appendix 2 – Local Operating Procedures for Mobile CCTV Enforcement Cameras

1. Introduction

Mobile or transportable cameras may be temporarily sited within an area for the purposes of the enforcement of Traffic Regulation Orders (TROs). The use of such cameras will be governed by this Code of Practice and any procedures ancillary to it.

The Group Manager – Parking Services will act as the Systems Manager.

The Strategic Manager – Regulatory Services will provide governance of the protocol and undertake periodic inspections of access request form.

The enforcement of traffic regulations by mobile CCTV cameras is regulated under the following legislation:

- Road Traffic Regulation Act 1984
- Road Traffic Act 1991
- Traffic Management Act 2004

Together these Acts allow Stoke on Trent City Council to:-

- Install structures and mobile equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders,
- Use the information provided by them, to serve a Regulation 10 PCN on the registered keeper of a vehicle which contravenes the Traffic Regulations,
- Issue Regulation 10 PCNs for contraventions detected with a camera and associated recording equipment.

The Secretary of State must certify any type of device used solely to detect contravention (i.e. with no supporting CEO evidence) or when used to support the evidence of a CEO, once certified they may be called an 'approved device'.

Operation of the system will also take full account of the Traffic Management Act 2004, s78, Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.

Records of the keepers of vehicles, which contravene TROs, will be obtained in accordance with the Driver and Vehicle Licensing Agency enquiry procedures.

All data shall be processed fairly and lawfully and the operators of the system will ensure that appropriate security measures shall be taken against unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

2. Enforcement of traffic regulations by mobile CCTV camera

The primary purpose of the mobile CCTV camera enforcement system ('the system') is to ensure the safe and efficient operation of the road network through the detection of contraventions of TROs.

In order to deter non-compliance with TROs the system enables fully trained staff to:-

- Monitor traffic activity in accordance with this Code of Practice and so to deter violation of TROs;
- Identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations;
- Support the serving of Reg 10 PCNs to the registered keeper of vehicles identified contravening the regulations;
- Record evidence of each contravention to ensure that representations and appeals can be fully answered;
- Enable timed and dated pictorial evidence of such unauthorised stopping to be produced for adjudication or as information to the owner of such vehicles.

The system is intended to view activity on public carriageways and footways. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land.

3. Areas Surveyed

The system may be used to survey any area of highway, on which there are parking restrictions and TROs. The system may also be used to gather evidence of parking problems when considering new TROs.

4. Signs - Description of Equipment

The mobile CCTV system used will be an approved system mounted in a fully liveried vehicle. The vehicle will be liveried with the Stoke on Trent City Council logo, and clearly marked as a camera enforcement vehicle.

The system used will be certified by the Secretary of State as an 'approved device', suitable and permitted for civil parking enforcement. In order to achieve approved status the device (the camera and recording system) must satisfy certain requirements including:

- A camera which is connected by secure data links to a recording system.
- A camera which is capable of producing, in one or more pictures, a legible image (or images) of the vehicle in relation to the contravention, registration mark and enough of the location to show the circumstances of the contravention.
- A recording system in which recordings are made automatically from the output from the camera; which is secure and reliable and which records at least 5 frames per second.
- A recording system which enables each frame of all captured images to be timed in hours, minutes and seconds and which is dated and sequentially numbered automatically.

5. Operation of the System

Monitoring of Traffic – Transportable CCTV Camera System

The system will be operated for the purposes of enforcing TROs.

Only trained operators will operate the system. The first duty of an operator, at the beginning of a monitoring period, is to log on to the system.

The exact time will be noted at the start of recording and all other prescribed entries will be made, this may be automated by the system. All components of the equipment will be checked for correct function at the start of each shift.

The CCTV vehicle will be staffed by a driver and in some cases a camera operator. The vehicle will be parked in a safe location. The operator will then start observation of the traffic in accordance with agreed enforcement plans for deployment. It is essential that the operator 'locates' the field of view on which a contravention is recorded. (Directing the camera to unique landmarks and to any adjacent relevant camera enforcement signs for approximately three seconds each will achieve this.) The operator must move cameras with due regard for the privacy of the individual and must ensure that as cameras are panned, zoomed and tilted that they do not pause on any field of view other than the carriageways and adjacent footways which make up the enforcement area.

A contravention of traffic regulations will be identified, by the CEO monitoring the screen and operating the cameras in real time. The operator must obtain the most effective images of a vehicle and its surrounding circumstances at the time when any contravention may be occurring. Contraventions must be identified at the time when they are committed. Pre-recorded video images will not be studied to identify contraventions committed at some earlier time.

At the end of the monitoring period the operator will record the exact time and date. The CEO duty supervisor or Camera Enforcement Officer will be responsible for transferring the evidence gathered and recorded on the vehicle hard drive:-

- Transfer data from the vehicle hard drive onto USB Encrypted Memory stick;
- Download the data on the memory stick onto the dedicated reviewing computer containing decryption software.
- Data will be stored on a SOTCC secure server with access limited to specific users.
- Data is reviewed using designated review client software, access to which is restricted to user login.
- Each contravention will be reviewed using the WSP review client software to decide whether it is clear and indisputable.

Monitoring of Traffic – Mobile CCTV System

The enforcement of bus lanes, school keep clear road markings and bus stops is carried out by a mobile CCTV approved camera, which can be moved between locations when needed. The operator makes a recording of any unauthorised vehicle in contravention of the restrictions and the evidence pack is assessed by a camera enforcement officer or civil enforcement officer supervisor to issue a Regulation 10 Penalty Charge Notice if necessary.

Issue of Penalty Charge Notices

Jpeg images will be created and transferred, along with video, vehicle, location and contravention evidence using the WSP Review Client to the Penalty Charge Notice processing system. The registered keeper details will be obtained from the DVLA and a Regulation 10 Penalty Charge Notice will be sent to the registered keeper.

The Secretary of State recommends that all PCNs should be issued within 14 days of the contravention and for this reason the PCNs will be sent by first class post. Any notice served by first class post is deemed to have been served on the second working day after posting unless the contrary is proved.

Reasons for not serving the PCN within 14 days should be restricted to those that are outside of the control of the authority, for example where details from the DVLA have not been received in time.

In any case, PCNs must be served within 28 days of the date of contravention unless keeper details have not been received from the DVLA.

Representations

With regard to parking contraventions, formal representations specifically concerned with the issue of any Regulation 10 PCN from this system can only be made once it has been issued to the keeper of the vehicle.

In all cases, The City Council will consider the representations and if it does not accept them, will issue a Notice of Rejection. If the keeper is not satisfied by this outcome, there is a right of further appeal to the independent Adjudicators at the Traffic Penalty Tribunal (For full details please see *Parking Penalty Charge Policy*).

6. Retention and use of evidence

Operator evidence

The operator's observation of a contravention is the primary evidence that contravention occurred. The issued Penalty Charge Notice is the City Council's declaration that a clear and undisputable contravention has been observed.

7. System Checks: Service and Repair

Service system checks will be carried out on a regular basis to ensure the recording system is operating correctly. This will involve monitoring by the camera suppliers and reporting any defects seen by the camera review officer to the supplier.

Repair system checks will be carried out by engineers when required to ensure the recording system is operating correctly. This will involve systems analysis accessed remotely and / or observing video footage via an authorised laptop. If necessary site visits will be required by engineers.

8. System Specification

The system comprises of the following components:

- 3 x external mounted ANPR cameras

- 1 x 26:1 mast mounted PTZ colour camera
- 1 x E-Marked Robust PC with Raid Drive
- 1 x internal mounted monitor

The PC does not carry out continuous recording. Timestamps are created when the record button is activated by the operator when the on-board *TEScap* software is running.

Timestamps can be accessed by the operator for review to ensure accurate data is being captured.

Timestamps are deleted by the CEO duty supervisor or Camera Enforcement Officer once securely transferred to a USB stick.

Camera Positioning

The vehicle will be parked safely in a position that ensures the monitored restrictions are in view. The camera will be fixed on the restriction and the operator will zoom in and out, capturing footage of the vehicle and its location.

Public Privacy

The cameras will be positioned to record images of the section of the highway that is being monitored. Evidence pack recordings are only made if a vehicle contravenes the restriction.

No cameras will be directly intrusive of private premises.

Public Information

Each vehicle will be liveried informing members of the public that CCTV images are being recorded for the purpose of enforcement.

Data Security

Access to the WSP Review Client software will be password protected.

Access to the footage on the SOTCC secure footage is restricted by user.

Footage stored on SOTCC secure server is automatically deleted after 28 days.

Access to footage after a PCN is issued is via the WSP penalty charge processing software (*Taranto*) which is password protected.

Appendix 3 – Local Operating Procedures for Static CCTV Enforcement Cameras

1. Introduction

Mobile or transportable cameras may be temporarily sited within an area for the purposes of the enforcement of Traffic Regulations Orders (TROs). The use of such cameras will be governed by this Code of Practice and any procedures ancillary to it.

The Group Manager – Parking Services will act as the Systems Manager.

The Strategic Manager – Regulatory Services will provide governance of the protocol and undertake periodic inspections of access request forms.

The enforcement of traffic regulations by static CCTV cameras is regulated under the following legislation:

- Road Traffic Regulation Act 1984
- Road Traffic Act 1991
- Traffic Management Act 2004

Together these Acts allow Stoke on Trent City Council to:-

- Install structures and mobile equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders,
- Use the information provided by them, to serve a Regulation 10 PCN on the registered keeper of a vehicle which contravenes the Traffic Regulations,
- Issue Regulation 10 PCNs for contraventions detected with a camera and associated recording equipment.

The Secretary of State must certify any type of device used solely to detect contravention (i.e. with no supporting CEO evidence) or when used to support the evidence of a CEO, once certified they may be called an 'approved device'.

Operation of the system will also take full account of the Traffic Management Act 2004, s78, Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

Records of the keepers of vehicles, which contravene TROs, will be obtained in accordance with the Driver and Vehicle Licensing Agency enquiry procedures.

All data shall be processed fairly and lawfully and the operators of the system will ensure that appropriate security measures shall be taken against unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

2. Enforcement of traffic regulations by Static CCTV camera

The primary purpose of the mobile CCTV camera enforcement system ('the system') is to ensure the safe and efficient operation of the road network through the detection of contraventions of TROs.

In order to deter non-compliance with TROs the system enables fully trained staff to:-

- Monitor traffic activity in accordance with this Code of Practice and so to deter violation of TROs;
- Identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations;
- Support the serving of Regulation 10 PCNs to the registered keeper of vehicles identified contravening the regulations;
- Review all recorded evidence of each contravention to ensure that representations and appeals can be fully answered;
- Enable timed and dated pictorial evidence of such unauthorised stopping to be produced for adjudication or as information to the owner of such vehicles.

The system is intended to view activity on public carriageways and footways. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land.

3. Signs

Description of Equipment

The static CCTV system used will be an approved system mounted on a lighting column. Signage will be in place on the highway advising the use of cameras for the purposes of enforcement. The signage will be 2016 *Traffic Signs Regulations and General Directions Act 2016* (TSRG) compliant.

The system used will be certified by the Secretary of State as an 'approved device', suitable and permitted for civil parking enforcement. In order to achieve approved status the device (the camera and recording system) must satisfy certain requirements including:

- A camera which is connected by secure data links to a recording system.
- A camera which is capable of producing, in one or more pictures, a legible image (or images) of the vehicle in relation to the contravention, registration mark and enough of the location to show the circumstances of the contravention.
- A recording system in which recordings are made automatically from the output from the camera; which is secure and reliable and which records at least 5 frames per second.
- A recording system which enables each frame of all captured images to be timed in hours, minutes and seconds and which is dated and sequentially numbered automatically.

4. Operation of the System

Monitoring of Traffic – Static CCTV Camera System

The enforcement of bus lanes and red routes is carried out by a static approved camera, which can be moved between locations when needed. The camera makes a recording of any unauthorised vehicle in contravention of the restrictions and the evidence pack is

assessed by a camera enforcement officer or civil enforcement officer supervisor to issue a Regulation 10 Penalty Charge Notice if necessary.

Issue of Penalty Charge Notices

Jpeg images will be created and transferred, along with video, vehicle, location and contravention evidence using the WSP Review Client to the Penalty Charge Notice processing system. The registered keeper details will be obtained from the DVLA and a Regulation 10 Penalty Charge Notice will be sent to the registered keeper.

The Secretary of State recommends that all PCNs should be issued within 14 days of the contravention and for this reason the PCNs will be sent by first class post. Any notice served by first class post is deemed to have been served on the second working day after posting unless the contrary is proved.

Reasons for not serving the PCN within 14 days should be restricted to those that are outside of the control of the authority, for example where details from the DVLA have not been received in time.

In any case, PCNs must be served within 28 days of the date of contravention unless keeper details have not been received from the DVLA.

Representations

With regard to parking contraventions, formal representations specifically concerned with the issue of any Regulation 10 PCN from this system can only be made once it has been issued to the keeper of the vehicle.

In all cases, The City Council will consider the representations and if it does not accept them, will issue a Notice of Rejection. If the keeper is not satisfied by this outcome, there is a right of further appeal to the independent Adjudicators at the Traffic Penalty Tribunal (For full details please see *Parking Penalty Charge Policy*).

5. Retention and use of evidence

Operator evidence

The evidence pack gathered by the static camera is the primary evidence of that contravention occurred. The issued Penalty Charge Notice is the City Council's declaration that a clear and undisputable contravention has been observed.

6. System Checks: Service and Repair

Service system checks will be carried out on a regular basis to ensure the recording system is operating correctly. This will involve monitoring by the camera suppliers and reporting any defects seen by the camera review officer to the supplier.

Repair system checks will be carried out by engineers when required to ensure the recording system is operating correctly. This will involve systems analysis accessed remotely and / or observing video footage via an authorised laptop. If necessary site visits will be required by engineers.

7. System Specification

The system is provided by *Traffic Environment Systems (TES)*. Each Static Camera comprises of the following components:

- 1 x Intel NUC PC
- 1 x USB SDI Video Card
- 1 x Router
- 1 x WMK HS 308 PTZ Camera

Details of these components are registered with the *Vehicle Certification Agency* and any changes to any components are also registered at the time of replacement.

The system records a video clip when a vehicle contravenes the TRO the camera is monitoring. There is a form of continual recording carried out by the device to allow for the creation of evidence packs.

Footage recorded by the camera is automatically deleted after 48 hours.

Evidence packs are transferred to SOTCC secure servers throughout the day.

Evidence packs are automatically deleted from SOTCC secure servers after 28 days.

8. Camera Positioning

Each Static Camera is positioned on a suitable lighting column on the highway that gives a clear view of the contravention being monitored.

9. Public Privacy

The cameras will be positioned to record images of the section of the highway that is being monitored. Evidence pack recordings are only made if a vehicle contravenes the restriction.

No cameras will be directly intrusive of private premises.

The cameras are fixed in position during the installation of the system by the installation engineers and must remain in these positions. In the event that the cameras have become out of alignment this must be reported as soon as possible to the supplier.

10. Public Information

Each area monitored by static enforcement cameras has the appropriate signage in place.

11. Data Security

Access to the WSP Review Client software will be password protected.

Access to the footage on the SOTCC secure footage is restricted by user.

Footage stored on SOTCC secure server is automatically deleted after 28 days.

Access to footage after a PCN is issued is via the WSP penalty charge processing software (*Taranto*) which is password protected.