



# Consultation Document CCTV in Licensed Vehicles

## **Introduction**

Members of the West Yorkshire Combined Authority are consulting on a policy that makes it mandatory for a licensed hackney carriage and private hire vehicles, to be fitted with a CCTV system inside the vehicle.

The overarching principal of the legislation that governs the hackney carriage and private hire trade is one of public safety; drivers of licensed vehicles are placed in a position of trust and carry, sometimes unaccompanied, the most vulnerable of our society. However, the Council also recognises the vulnerable position drivers of licensed vehicles place themselves in on a daily basis; they are subject to verbal and physical abuse, robberies and false allegations. In addition the hackney carriage and private hire trade play a pivotal role in dispersing members of the public who make use of the Night Time Economy.

The purpose of introducing this policy is to provide a safer environment for the benefit of the Taxi / PHV driver and passengers alike by:

- Deterring and preventing the occurrence of crime
- Reducing the fear of crime
- Assisting the police in investigation of incidents of crime
- Assisting insurance companies in investigating motor vehicle accidents

As a Member of the West Yorkshire Combined Authority, this document outlines Kirklees Council's position in relation to making it mandatory for a vehicles licensed by Kirklees Council to be fitted with CCTV.

## **Purpose of the Consultation**

The purpose of this consultation is to seek the views, of the trade as well as a wide range of partnering agencies and other groups, on each part that make up the Council's proposed policy on CCTV in licensed vehicles.

The consultation will commence on the Friday 11<sup>th</sup> November 2016 and will end at 5pm on Friday 3<sup>rd</sup> February 2017 (12 weeks).

## **The Proposed Policy**

### **a) CCTV Specification**

The specification for CCTV has been considered and whether it should record just video, or video and audio. While the recording of images alone would assist in any investigations and offer some protection for drivers, it is the Council's view that any CCTV system installed should also record audio. This will ensure the full extremities of any incident are recorded and can be used in evidence both for and against the driver.

However, the Council recognises the privacy concerns CCTV brings, in particular when it incorporates the recording of audio. To alleviate some of these concerns, the Council have looked at the specification of those systems introduced in other local authorities and feel the correct balance between the safety of drivers and passengers against privacy can be met by a specification that only records footage while the vehicle is being used for private hire / hackney carriage work, and not when in use as a private vehicle; and would only record audio when activated by the driver or passenger. In

addition the specification would encrypt the footage, and could only be downloaded in specific circumstances by authorised officers.

The proposed specification is at **appendix I** to this document, an overview of this specification is as follows:-

- The system must be operational at all times that the vehicle is being used as a licensed vehicle (i.e. for the carriage of fare paying passengers).
- The system does not need to be operational during other times (for example when being used for domestic purposes).
- Audio recording must be able to be activated in any of the following circumstances:
  - Where the driver and customer are involved in a dispute or the driver feels threatened by the behaviour of a passenger. Activation of audio recording must be triggered by the driver pressing a switch / button. Audio recording will continue until such time as the button / switch is pressed again. This switch will activate / deactivate audio recording independent of the passenger's audio activation button / switch.
  - There must also be the facility for the passenger to activate audio recording (independent of the driver) should the passenger wish to do so. Activation of audio recording must be triggered by the passenger pressing a switch / button. Audio recording will continue until such time as the button / switch is pressed again. This switch will activate / deactivate audio recording independent of the driver's audio activation button / switch.

Once activated (by either passenger or driver), the audio recording must continue for an uninterrupted period until it is deactivated.

- There must be an indicator located within the vehicle that is clearly visible to the passenger and clearly shows that audio recording is taking place.
- At the end of journey when the passenger leaves the vehicle, audio must be deactivated before another passenger enters the vehicle. If appropriate it must be reactivated should any of the situations above arise in relation to this new journey.

b) Access to Footage

The Council is aware that drivers and members of the public are likely to be concerned about what happens, and who has access to, the footage that is recorded. As a result the Council has drawn up a policy relating to the downloading of, and access to, footage that is recorded; a copy of this 'download' policy is at **appendix II** to this document.

c) Implementation

The final decision on the introduction of this policy lies with Members of the Licensing and Safety Committee who will, in coming to their decision, take into account the responses to this consultation. However, should Members agree to introduce this policy, either in its current form, or following amendments, then an implementation scheme will also need to be approved.

It is proposed that if the policy is introduced it will, from the date the policy becomes effective, apply to all 'New' vehicle licences granted. For existing licence holders, it is proposed that CCTV would have to be installed by a specific date, to be agreed by Members of the Licensing & Safety Committee.

d) Suppliers

As part of the policy the Council will establish links with businesses that can supply a CCTV system that satisfies the Council's specification and publish details of these suppliers. Where possible these suppliers will be local in nature. Each supplier will need to satisfy the Council that its systems can match / exceed the approved specification, and that they can install the system to a standard that would not impede the vehicle passing the Council's vehicle compliance test. The publishing of these details will not mean the Council are recommending that business just that they can supply and install a system that meets the specification, and that this install will not impede the vehicle passing its compliance test.

e) Tinted Windows

Historically local authorities have been reluctant to licence vehicles with tinted windows on the grounds of public safety. In that, officers need to be able to see in vehicles and vulnerable people feel more secure if members of the public can see into a vehicle.

If a policy on mandatory CCTV was to be introduced, it would mitigate the concerns over safety and being able to see into vehicles, and to some extent provide a better level of protection for the travelling public.

Therefore as part of this consultation, the Council are seeking views on whether to revise the current policy on tinted windows so as to allow for 'manufacturer' fitted tinted windows. It should be noted, the policy on applying 'after-market' tints would still apply in that we would not accept film based tints that had been applied to windows.

## **Responses to Consultation**

Your reply to this consultation can be in writing, via post, to:-

Mrs C Walter  
Licensing Manager  
Flint Street Depot  
Flint Street  
Huddersfield  
HD1 6LG

or via email to [licensing@kirklees.gov.uk](mailto:licensing@kirklees.gov.uk).

# Kirklees Council

## Private Hire and Hackney Carriage Vehicles

### CCTV Technical Specification and System Requirements

In order to be considered suitable for installation in a Kirklees Council Licensed vehicle, a taxi camera system must meet the following requirements:

#### 1.0 Operational Technical Specifications

Reference	Specification	Details
1.1	100% solid state design or a proven vibration and shock resistant system	The system should not have any fan and the recording should be vibration and shock proof, i.e.: -Flash-based SSD (100% industrial grade), -Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self-check file writing system.
1.2	8 to 15 Volts DC	Operational between 8 and 15 volts DC
1.3	Reverse polarity protected	System to be protected against reverse voltage.
1.4	Short circuit prevention	System to be protected against short circuits
1.5	Over voltage protection	System to be protected against high voltage transients likely to be encountered in the vehicle electrical system.
1.6	Automotive Electromagnetic Compatibility Requirements	The in-vehicle taxi camera system must be compliant with the Council Directives: -2004/108/EC on Electromagnetic Compatibility (CISPR 22/EN55022), -2004/104/EC on Radio Interference (sections 6.5, 6.6, 6.8 and 6.9) The taxi camera equipment should therefore be e-marked or CE-marked with confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles.
1.7	System activation (on / off) switch to be located in a position where it is not accessible from inside the vehicle (i.e. in the boot / engine compartment).	The system is required to be active at all times that the vehicle is being used as a licensed vehicle. This will allow the facility for the system to be deactivated during times when the vehicle is being used for private purposes (e.g. domestic use). The switch that deactivates the system must be located within the vehicles boot or engine compartment (i.e. it must only be possible to deactivate the system from outside of the vehicle).
1.8	First-in/first-out buffer recording principle	
1.9	Built-in, automatic logging of all access actions, including date and personnel names	
1.10	Security, duration and auto-clearing of log files	
1.11	Image export formats and media	Images must be exported in commercially available formats.
1.12	Image protection during power disruption	Images must be preserved in the event of loss of power. Battery back-up will not be permitted
1.13	Unit must operate without the ignition being turned on.	The Unit must have the ability to operate for at least 2 hours without power from the ignition.
1.14	Image and audio data shall be recorded and stored in a unit separate from the camera head.	
1.15	GPS capability	System must be compatible to allow for GPS capability.
1.16	The system must be capable of recording audio time synchronized to the recorded images.	

1.17	The system shall not to record audio except when audio recording is activated by means of an approved trigger.	The system should have the ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below). One trigger button must be capable of being activated by the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (e.g. a button could be pressed to begin audio recording, if the (i.e. the trigger, which could for example be a button, would be pressed to begin audio recording, pressing the button again would stop audio recording). The second trigger button must be capable of being activated by the passengers in the vehicle independently of the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (i.e. the trigger, which could for example be a button, would be pressed to begin audio recording, pressing the button again would stop audio recording). Both audio activation triggers must be independent of each other – this means that audio recording can only be deactivated by means of the same trigger (driver or passenger) that was used to activate the audio recording.
1.18	The audio playback, when triggered, shall be in 'real time' and synchronised with the images that are captured.	
1.19	Digital sampling of the audio signal must exceed 8KHz	
1.20	Digital resolution of the audio samples must exceed 10 bits.	
1.21	The audio microphone shall be integrated within the camera head.	
1.22	Audio data and image data must be stored together, not in separate files, and must be protected against unauthorised access or tampering.	
1.23	The system must support testing of the audio function for installation set-up and inspection purposes.	
1.24	The system must 'go to sleep' to reduce battery drain during prolonged idle time. It must be capable of immediate reactivation	
1.25	Images recorded by the system shall not be displayed within the vehicle.	
1.26	The system must have at least two emergency activation triggers (panic buttons).	One of the triggers / panic buttons must be capable of being operated by the driver – this must be independent of the audio recording activation switch. At least one other trigger / panic button must be capable of being operated by a passenger from any passenger seat in the vehicle. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.
1.27	The system must include a visual indicator that will clearly show when audio recording is taking place. This indicator must be visible to all passengers within the vehicle.	This may take the form of an indicator LED built into the audio activation switch, or a remote LED that can clearly be seen by passengers.

## 2.0 Storage Capacity Technical Specification

Reference	Specification	Details
2.1	Minimum of fourteen days of recording capacity	The camera system must be capable of recording and storing a minimum of fourteen days of images of HD1 (720/288) size or better.
2.2	Images must be clear in all lighting conditions	System to provide clear images in bright sunshine, shade, dark and total darkness. Also, when strong back light is present.

## 3.0 Camera Head Technical Specification

Reference	Specification	Details
3.1	Camera installation non-obstructive	The camera and all system components shall be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
3.2	Protected camera disconnect	The camera head shall be designed to disconnect for ease of removal and replacement by maintenance personnel.
3.3	Special tools for adjustment/removal	To prevent inappropriate interference only tools supplied to authorised fitters should be capable of carrying out adjustments or removal.
3.4	Field of view to capture all passengers in the vehicle	The lens of the camera must be of a type that captures the driver and all passengers of the vehicle on the recorded image. The lens must be of a style not to create a "fishbowl" effect.
3.5	Images must be clear	System to provide clear images in all lighting conditions and allow different skin tones to be detected
3.6	Compatible for use in vehicles with a partition (shield)	The camera system must be adaptable to provide clear images when a vehicle is equipped with a shield. This may be accomplished with the use of multiple camera heads.
3.7	Multiple cameras	The unit shall be capable of supporting up to four (4) cameras. Four cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose built vehicles.

## 4.0 Storage Device (Recorder) Technical Specification

Reference	Specification	Details
4.1	Impact and shock resistance	The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large, heavy object such as a suitcase.
4.2	Controller in concealed location	The storage unit shall be concealed from view and effectively inaccessible except by authorised personnel.
4.3	Download port provision	The recorder shall be equipped with a communication port for downloading by authorised personnel.
4.4	Download port shall be located in an easily accessible location such as a glove compartment.	The recorder download port shall be located in the glove box if practicable, if not then in a location that does not require the removal of panels and is accessible.
4.5	Download port cable length (1 foot minimum)	Download port shall be at least one foot in length for ease of download.
4.6	Recorder to be securely affixed to the vehicle	
4.7	Log to register each user access	
4.8	Log to register camera system parameter modifications	
4.9	Log to register each image download session	
4.10	Log to register modification/manipulation of downloaded images	
4.11	Log to register exporting of downloaded images	
4.12	Log to register exporting of	

	downloaded clips	
4.13	Log file protected against unauthorised access	
4.14	Time/date stamp	All stored images must be time and date stamped.
4.15	Vehicle ID number stamp	All stored images must have two fields for vehicle identification (VIN & number plate).
4.16	Controller non-modifiable ID code stamp	Each recorded image shall be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record the image.
4.17	Controller (Storage Recorder)	Manufacturer to supply Kirklees Council with a supply of specialised tools to allow for removal of the controller and download of data when required.

## 5.0 Specifications for video and audio recording rate

Reference	Specification	Details
5.1	Video image recording on system activation (when audio is not activated).	The system shall record images at the rate of four images per second.
5.2	Video image recording when audio is activated.	The system shall record images at the rate of twenty five images per second during periods when audio recording is activated (either due to time requirement, or through activation by the driver trigger switch or passenger panic button).
5.3	When activated, audio recording must be in real time and synchronised with the video recording.	
5.4	System to continue to record images (and audio when applicable) when engine is off.	System must continue to record images (and audio when applicable) for 30 minutes after engine / ignition is switched off.

## 6.0 Specification for activation via driver or passenger trigger / panic buttons

Reference	Specification	Detail
6.1	The activation of a trigger button must provide for overwrite-protected image storage when activated by driver or passenger.	The system must be fitted with at least two trigger buttons that once activated will trigger the protected recording of audio and video (see also 1.17 and 1.26 above).
6.2	Emergency image overwrite protection capability	Image sequences resulting from emergency activation shall be recorded in an area of memory which is protected from being overwritten
6.3	Overwrite protection capacity for at least 3 activations	
6.4	Overwrite protection self-clear on 96 hr timer	

## 7.0 Downloading Technical Specification

Reference	Specification	Details
7.1	Time to download complete memory not to exceed 30 minutes	Time to download to be accomplished in 30 minutes or less.
7.2	Provision of necessary software, cables, security keys to Kirklees Licensing Team.	
7.3	Windows 8 compatible.	
7.4	Downloaded images stored in non-volatile media	
7.5	Downloaded images stored in	



	secure format	
7.6	Verifiable image authenticity	Each image shall be stamped with controller ID and vehicle ID and be tamperproof.
7.7	Provision of technical support to Kirklees Council Licensing team when necessary.	To assist in accessing system in case of damage to the vehicle or to the system in case of accident within 1 hour during normal working hours and within 8 hours otherwise.
7.8	Wireless Download Prohibited	Unit must not allow for wireless downloads. Wireless diagnostic may be used. All wireless hardware to be disabled.
7.9	Filter the specific images for events and times for the approximate time of the crime committed.	

## 8.0 Requirements in relation to System Information

Reference	Requirement	Details
8.1	Provision of service log sheet with each unit shipped	The unit manufacturer shall have a service log shipped with the unit. The manufacturer shall also enclose detailed instructions for the drivers with each unit shipped. An installation manual shall also be furnished to authorised installers and fleet operators.
8.2	Serial number indication on service log	The unit will be marked with a serial number
8.3	Installation date indication on service log	The provision for the installer to indicate the installation date
8.4	Provision of driver instruction card with each unit shipped	
8.5	Provision of installation manual to installers and fleet operators	
8.6	Clarity of operating instructions	The system shall be provided with clear and concise operation instructions which are written with due consideration to varying levels of literacy.
8.7	Installation by authorised agents	The unit shall be installed by manufacturer's authorised agents, or other installers approved by the council (subject to agreement with the manufacturer).
8.8	Provision of authorised agents list to Kirklees Council Licensing Team	The manufacturer shall provide a list of all authorised agents to Kirklees Council Licensing Team.
8.9	Documentation	The manufacturer must provide clear and concise operating instructions which are written in layman's terms. (Details on how the system records the images)
8.10	Image Protection	All captured images must be protected using encryption software that meets or exceeds the current FIPS 140-2 (level 2) standard or equivalent.

## 9.0 System requirements in relation to Vehicle Inspection Facility - Inspections

Reference	Requirement	Details
9.1	Provision of system status/health indicator	The driver shall have an indicator showing when the system is operational and when there is a malfunction.
9.2	Mounting location of system status/health indicator to be seen by driver only	The indicators shall be mounted/installed for the driver's vision only. The indication system must be in accordance with section 9.3 and 9.4 below.
9.3	Additional indicator requirement	Where a system is fitted with an indicator to show that the system is on, this indicator shall be separate to those listed above or of a different colour to avoid any possible confusion on the part of the drivers using the system.
9.4	Designed / installed to be testable by Kirklees Council Licensing Team (or persons acting on behalf of the council – such as vehicle	The system shall be designed and installed such that the system may be easily tested by Kirklees Council Licensing Team staff to ensure that all features are operating and that images are being recorded as prescribed.

	inspectors)	
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#### 10.0 System requirements in relation to Vehicle Inspection Facility - Inspections

Reference	Requirement	Details
10.1	Vandal and tamper resistance	
10.2	Provision of statement of compliance	In addition to a formal test of all aspects of this requirement specification, a statement of compliance shall be provided and signed by an officer of the company.
10.3	Reliability in operational and environmental conditions	The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation of taxis.
10.4	Programmability of image timing parameters	It shall be possible to change timing and parameters without the requirement to change components.
10.5	Training and Technical Support and Equipment	Manufacturer must provide Kirklees Council Licensing Team with a Training and Technical Manual. Supply a working unit to Kirklees Council Licensing for testing purposes.
10.6	Software and Hardware	Manufacturer to supply Kirklees Council Licensing Team with a supply of cables and software to be installed under the supervision of the council's authorised staff.
10.7	Agreement between the Camera Manufacturer and Kirklees Council	Agreement to allow Kirklees Council access to the relevant software from the manufacturer so that in the event the manufacturer goes out of business, council will be able to support the system.

## Taxi Camera Download Policy

The policy is as follows:

1. All passengers are made aware of the fact that they are being recorded by notices strategically placed on the vehicles. These notices are placed on the rear windows adjacent to the B pillar on both sides and in purpose built vehicles also on the security screen that separates the driver and passenger. These labels clearly warn that both audio and visual recordings take place in the vehicle using wording and images of a camera and a microphone.
2. Data will only ever be downloaded on four occasions:
  - a) where a crime report has been made involving the specific vehicle and the Police have formally requested that data or,
  - b) when a substantive complaint has been made to the licensing authority regarding a specific vehicle / driver and that complaint is evidenced in writing (and cannot be resolved in any other way),
  - c) where a Data request is received from an applicant e.g. police or social services, that has a legitimate requirement to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.
  - d) Subject Access Request compliant with the Data Protection Act.
3. To safeguard the data all downloads will be conducted in the presence of at least two relevant people. Relevant people are: a member of the Kirklees Council licensing team or a serving police employee. This will generally be at a police station with 2 police employees or at the Council offices with two Licensing staff where possible.
4. All requests must be in an appropriate format detailing the powers that allow the release of the data and providing all the information required. The request must state the approximate time of the event/occurrence and only the timescale relevant to the specific incident will be downloaded, decrypted and thereafter stored.
5. On receipt of a download request to be conducted by Kirklees Council staff a member of the Licensing Team will confirm it is a legitimate request. If practical, arrangements will be made with the owner of the licensed vehicle for the vehicle to attend the Licensing Office. If it is not practical then a member of the Licensing Team will attend the location of the vehicle or data box to facilitate the download. Any download will be carried out in the presence of at least one other person if at the licensing office. If the download is taking place away from the licensing office then either an additional member of Council staff or a member of the requesting organisation i.e. police officer will be present in addition to the member of staff conducting the download.
6. A dedicated computer will be used to facilitate the download from the data box. This computer will copy the downloaded footage onto its files. A master copy will be created from this computer and placed on the external hard drive dedicated for such use and retained by Kirklees Licensing Team. This hard drive will be kept secure to prevent loss of data. A working copy will be produced and either given to the requesting authority or subject or retained by the investigating officer. Data retained by Kirklees Licensing Team will only be retained for the following periods:
  - a) Cases leading to prosecution 10 years from date of trial
  - b) Formal caution 3 years from date of caution
  - c) Written warning or no formal action 3 years from date of decision
  - d) Subject Access request 6 years from date of request.
7. The file on the dedicated computer will be deleted once the master and working copies are produced. Staff in the Licensing Team will conduct a review of material held on the hard drive each year in March and erase any such material outside of these time limits. Any working copies should be placed on the

## Appendix II

appropriate files and they will be weeded and safely destroyed with the files whose time limits mirror those set out above.

*PLEASE NOTE: - Paragraph six and seven above are subject to comments and approval from the Council's IT department and Information Management team, and may be subject to change. However, any change will protect the overarching principal of these sections, that being to maintain an 'evidential audit trail' of footage obtained from the system, and to protect the principals laid down by the Data Protection Act on the retention of information.*

8. Data will only be viewed by the person performing the download to the extent necessary to facilitate the download process. Data being used in any investigations will only be viewed by persons involved in that investigation but will be released to be used in court if necessary.
9. After a period of time any data held by the system installed in any vehicle is automatically overwritten dependent upon the specification of the system installed. Typically, this will be within a period of 14 – 30 days.
10. Only systems approved by the Licensing Team may be installed by an approved installer – thereby ensuring that any equipment may not be tampered with, encryption is of a sufficient standard and data may not be interfered with or released to any third party / published.