

To: Chair & Members of the General
Licensing Committee

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Wednesday 2nd February 2022

Dear Councillor

GENERAL LICENSING COMMITTEE

You are hereby summoned to attend a meeting of the General Licensing Committee of Bolsover District Council to be held at the Council Chamber, The Arc, Clowne on Thursday, 10th February, 2022 at 10:00 hours.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- Covid-19 ARC RTW RA001
- Working in Offices At The Arc During Covid-19 Pandemic Guidance – ARC – SSW001
- Meetings – EM001 - Committee and Council Meetings during the Covid-19 pandemic

These documents have been emailed to Members and are available on the Modern.Gov App library.



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised onwards.

Yours faithfully

A handwritten signature in black ink that reads "Sarah Steenberg". The signature is written in a cursive style with a large, looping 'S' at the beginning and a long, trailing 'g' at the end.

Solicitor to the Council & Monitoring Officer

**GENERAL LICENSING COMMITTEE
AGENDA**

*Thursday, 10th February, 2022 at 10:00 hours taking place at the Council Chamber, The
Arc, Clowne*

Item No.		Page No.(s)
1.	Apologies for Absence	
2.	Urgent Items of Business	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes	4 - 5
	To consider the minutes of the last General Licensing Committee meeting held on 21 st December 2021.	
5.	Mandatory CCTV in Taxis - Results of Consultation and Final Version	6 - 31

Agenda Item 4

GENERAL LICENSING COMMITTEE

Minutes of a meeting of the General Licensing Committee of Bolsover District Council held in the Council Chamber, The Arc, Clowne on Tuesday 21st December 2021 at 11:00 hours

PRESENT:-

Members:-

Councillor Ray Heffer in the Chair

Councillors Andrew Joesbury (Vice-Chair), Maxine Dixon, Mary Dooley, Stan Fox and Rita Turner.

Officers:- Kevin Shillitto (Solicitor), Charmaine Terry (Environmental Health Team Manager - Licensing) and Tom Scott (Governance Officer).

GLC12-21/22 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Rose Bowler, Councillor David Downes, Councillor Evonne Parkin and Councillor Dan Salt.

GLC13-21/22 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

GLC14-21/22 DECLARATIONS OF INTEREST

There were no declarations made at the meeting.

GLC15-21/22 MINUTES

Moved by Councillor Ray Heffer and seconded by Councillor Andrew Joesbury.

RESOLVED that the minutes of General Licensing Committee on 7th October 2021 be accepted as a correct record.

GLC16-21/22 LETTER TO DVLA

The Chair explained to Members that at a General Licensing Sub Committee meeting on 11th November 2021, a Member panel carried out a hearing for a Hackney Carriage/Private Hire Vehicle Driver application. During the hearing, officers informed the Sub Committee that the DVLA had sent a letter for the applicant to the incorrect address. The Members on the hearing panel requested that a letter be sent from the Chair to the DVLA expressing their disappointment that the DVLA sent this letter to the incorrect location.

The Chair informed Members that in response to this request, the Governance Officer

GENERAL LICENSING COMMITTEE

had prepared a draft letter (attached) from the Chair to the DVLA.

It was moved by Councillor Rita Turner and seconded by Councillor Mary Dooley to send the attached draft letter to the DVLA without amendments.

RESOLVED that the attached draft letter from the Chair be sent to the DVLA without amendments.

(Governance Officer)

GLC17-21/22 TAXI AND PRIVATE HIRE POLICY REVIEW

The Environmental Health Team Manager – Licensing presented a report to Members to consider the responses to the Taxi and Private Hire policy consultation and approve the draft Taxi and Private Hire policies for possible adoption at Council.

Councillor Maxine Dixon asked if these policies included the Mandatory CCTV in Taxis policy. The Solicitor explained that the proposed Mandatory CCTV in Taxis policy was separate to these policies, and it would be considered again by General Licensing Committee on 10th February 2022.

Councillor Maxine Dixon was concerned that North East Derbyshire District Council appeared to be further along in the process for arranging these policies. The Environmental Health Team Manager – Licensing explained that implementation of the policies would happen at the same time for both authorities.

The recommendations in the report were moved by Councillor Mary Dooley and seconded by Councillor Andrew Joesbury.

RESOLVED that:

(i) The General Licensing Committee notes the outcome of the Public Consultation on the proposed amendments to the Taxi and Private Hire Policies and the feelings expressed by respondents to the consultation.

(ii) The General Licensing Committee notes the subsequent amendments to the Taxi and Private Hire Policies outlined in the report.

(iii) The Joint Assistant Director (Environmental Health) be required to make a report to the next Council meeting to consider a recommendation to adopt the draft policies.

(Joint Assistant Director - Environmental Health/Environmental Health Team Manager –
Licensing)

The meeting concluded at 11:16 hours.

Bolsover District Council

General Licensing Committee

10 February 2022

Mandatory CCTV in Taxis

Report of the Environmental Health Manager (Licensing)

Classification: This report is public

Report By: Kevin Shillitto, Solicitor & Deputy Monitoring Officer

Contact Officer: Charmaine Terry, Environmental Health Team Manager
(Licensing)

PURPOSE / SUMMARY

1. To present to the Committee the responses received to a public consultation on introduction of the policy.
 2. To invite the Committee to consider any amendments to the policy document and recommend a final version to Council for approval.
-

RECOMMENDATIONS

1. That the Committee note the consultation responses and officer comments.
2. That the Committee agree any amendments to the draft Policy arising from the consultation feedback.
3. That the Committee recommend the final version of the Policy to Council for adoption with delegation of authority to the Environmental Health Team Manager (Licensing) to determine the final technical specification.

Approved by the Portfolio Holder -

IMPLICATIONS

Finance and Risk: Yes No

Details:

While the purchase of CCTV systems will be a burden which falls on vehicle proprietors there will be consequences for the authority including:

- Purchase and maintenance of equipment allowing Council officers to access footage
- Training of vehicle inspectors to verify CCTV installation plus additional time taken to test vehicles
- The additional officer time incurred in obtaining and viewing footage from vehicles for investigation purposes
- Training of proprietors/drivers in their data protection obligations (as part of our responsibility as Data Controller for the CCTV footage)
- The additional officer time incurred in obtaining and viewing footage from vehicles where requested under data protection laws by anyone who is subject to recording (for any purpose whatsoever)

Eventual implementation of the policy will need those resource implications to be resolved. However some elements of the additional resource burden would be recoverable from the licence holders via an increase in licence application fees.

On Behalf of the Section 151 Officer

Legal (including Data Protection):

Yes

No

Details:

The Council must have reasonable grounds for introducing the policy. Statutory guidance indicates the policy will be reasonable unless compelling local reasons exist not to introduce it. Any such policy must also operate in a way that does not cause undue interference with the human rights of taxi occupants, and work in a manner compatible with the requirements of the ICO and SCC.

On Behalf of the Solicitor to the Council

Staffing:

Yes

No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
District Wards Significantly Affected	N/A
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes</p> <p>Details: Public consultation</p>

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.
All

REPORT DETAILS

1 Background

- 1.1 In 2018 the Council approved a taxi licensing policy which was at the leading edge of best practice, regional standards and Government guidance in force at that time.
- 1.2 In recent years some local authorities have introduced a requirement for mandatory CCTV in licensed taxis, in response to local issues where CCTV could make a difference. In July 2020 the Government issued their revised Statutory Taxi & Private Hire Vehicle Standards. This guidance, which the Council has a statutory obligation to have regard to, clearly demonstrates that authorities are expected to introduce mandatory CCTV in taxis unless there is a compelling local reason not to.

- 1.3 Licensing Committee members previously considered a draft policy (Appendix 2) and approved it for public consultation. In doing so they concluded there were insufficient local reasons to prevent the policy being introduced. The consultation has now closed and members are asked to consider the responses.

2. Details of Proposal or Information

- 2.1 Attached at Appendix 1 are the consultation responses, grouped by the nature of the comments received. In the final column are the observations of officers on the feedback, including potential areas for amendment.

- 2.2 The consultation received nine responses, seven of which are from those within the trade, set out in the table. The majority of representations from the trade fall broadly into two themes:

- (1) The installation of the system will be costly (some consider it unaffordable). This is particularly compounded by the impact that the pandemic has had on the taxi trade.
- (2) A small number of Operators deal wholly or predominantly with executive business clients and do not undertake “ordinary” taxi work. The presence of CCTV recording in the vehicles could undermine client confidentiality and damage their business, and how exemptions may be applied needs to be considered.

- 2.3 The other responses were from the National Private Hire & Taxi Association, identifying possible errors in the technical specification, and the Police & Crime Commissioner for Derbyshire who supports mandatory CCTV being introduced.

- 2.4 Members are asked to consider the feedback and officer comments, and to approve any necessary changes to the policy document at Appendix 2, before deciding whether to recommend the policy to Council.

3 Reasons for Recommendation

- 3.1 The Council’s policy proposals will ensure compliance with legal requirements. With any review of the Policy the Council is required to ensure it considers the outcome of consultation with interested parties, including the trade, businesses, neighbouring authorities, partner organisations and the general public. A final decision to recommend the policy to Council should reflect any changes arising from the consultation.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council could decline to introduce the policy. However in the absence of compelling local reasons to do so the Council could be in breach of its duty to have regard to the Government’s current statutory guidance.

DOCUMENT INFORMATION

Appendix No	Title
1	Consultation Responses with officer comments
2	Draft Consolidated Policy Document
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
See the report to Licensing Committee dated 28 July 2021.	

MANDATORY CCTV IN TAXIS:

CONSULTATION RESPONSES

9 responses were received to the consultation.

One was from Director of the National Private Hire & Taxi Association, in which he highlights flaws in the proposed CCTV technical specifications. He happens to also be director of one of the approved suppliers for Rotherham and has provided improved specifications for consideration based on his company's experience dealing with other local authorities. Revisions to technical specifications are being reviewed to address any errors.

One was received from the Police & Crime Commissioner for Derbyshire who are supportive of mandatory CCTV and the benefits they consider it brings.

The remaining 7 were received from the private hire trade, either from operators or drivers who own vehicles. These were primarily opposed to the proposals, although two operators indicated they wanted exemptions to be considered for specific types of business.

The table below summarises the issues raised by the trade, by category, with officer comments in the final column.

Issue Raised:	No of Respondents who raised it:	Officer Comments
COST: General objection to the £500-800 cost per vehicle. Most indicated the cost is prohibitive, especially for small operators.	6	Lower cost systems will not meet the strict demands of a legally-compliant policy. It is for members to determine if the benefits of the policy justify the costs to vehicle proprietors. Options for financial support, whether internal or external, have been explored with no success.
COVID 19: Of those concerned with the cost several pointed out they are in financial difficulty as a result of the pandemic.	4	The policy is in line with statutory guidance that CCTV policies should be introduced unless good reason exists not to, and as the impact of Covid 19 is expected to be temporary it shouldn't affect the merits of the policy.

		Members may wish to take a view on whether the timing of implementation should be conditional on progress of the the post-Covid economic recovery.
<p>EXEMPTIONS: Request that executive/business operators be allowed exemptions to the policy in order to protect client confidentiality.</p>	1	<p>All licence holders are legally entitled to apply for exemptions to policy requirements. Members need to decide whether such requests should all be referred to Sub-Committee for consideration or whether the policy should set criteria for exemptions (i.e. evidence of executive-only travel) to enable officers to grant an exemption under delegated powers. NB Refusal of exemptions will be subject to the right of appeal to the Magistrates Court. If refused without adequate reasons there is a risk of costs being awarded against the Council.</p>
<p>NO BENEFITS: Objections based on a lack of need/benefit in having the policy. E.g. two respondents indicated their extensive clean record negates the need for CCTV, another pointed to a lack of need for CCTV when they perform mainly airport transfers.</p>	3	<p>Members have previously determined that there are no strong local reasons not to pursue mandatory CCTV in taxis. In considering the consultation response Members must assess whether these responses change that position. In doing so Members must take into account the number of representations and whether that renders the overall policy unnecessary.</p>



DRAFT
Taxi Licensing Policy:
Hackney Carriages & Private Hire
Vehicles (CCTV Supplement)

TBC

We speak your language

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Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

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CONTROL SHEET)

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Taxi Licensing Policy: Hackney Carriages & Private Hire Vehicles (CCTV supplement)
Current status – i.e. first draft, version 2 or final version	1 st Draft
Policy author (post title only)	Solicitor
Location of policy (whilst in development)	S drive
Relevant Cabinet Member (if applicable)	Cllr Watson
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Cabinet/ Council	Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Performance & Communications (to include on Extranet and Internet if applicable to the public)	

POLICY

1. Introduction

1.1. BACKGROUND

Bolsover District Council has a responsibility for licensing hackney carriages and private hire vehicles, drivers and operators within the district of Bolsover.

NB. Any reference in this Policy to notifying, informing or otherwise contacting the Council means contacting the Council's Licensing Section.

Unless otherwise stated, where the term "Taxi" is used in this Policy it is a generic term including hackney carriages and private hire vehicles (which retain their specific meanings set out in the Glossary of Terms below).

1.2. ROLE OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES

Hackney carriage and private hire vehicles have a specific role to play in an integrated transport system. They are able to provide services in situations where public transport is either not available (for example in rural areas, or outside "normal" hours of operation such as in the evenings or on Sundays), or for those with mobility difficulties.

1.3. BEST PRACTICE GUIDANCE

The Department for Transport's Guidance 2010 considered views about what constitutes "Best or Good Practice" in terms of hackney carriage and private hire licensing. The Best Practice Guidance has, therefore, been used as an aid in shaping this policy. Regard has also been had to best practice learned from other local authorities. The Statutory Taxi & Private Hire Vehicle Standards 2020 replace certain sections of the Best Practice Guidance 2010, and where there is a conflict between the two the Statutory Standards have been given precedence.

1.4. CONSULTATION

There are a number of groups and organisations that have an interest in the provision of hackney carriage and private hire vehicle services, including the trade itself, residents and enforcers, all of whom have views and concerns that require consideration. In drawing up this policy, the Council has consulted with the following -

This list is not definitive -

- Authorities who border Bolsover District Council
- Derbyshire County Council
- Other departments within Bolsover District Council

- Members of Bolsover District Council
- The hackney carriage and private hire trade including all licensed operators within the district
- Parish Councils
- Derbyshire Constabulary
- Derbyshire Police & Crime Commissioner
- Chief Fire Officer for Derbyshire
- Derbyshire County Council Trading Standards
- Derbyshire County Council Transport
- Child Protection Services (Safeguarding)

1.5. POWERS AND DUTIES

This Policy has been produced pursuant to the powers conferred by the Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976 and other legislation under which the Council is the licensing authority for hackney carriage and private hire vehicles.

1.6. STATUS

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document and the objectives set out above.

Notwithstanding the existence of this policy and any other relevant Council policy, each application or enforcement measure will be considered on its own merits. Where it is necessary for the Council to depart from its policy, reasons will be given for so doing.

1.7. PRIVACY LEGISLATION, GUIDANCE & CODES OF PRACTICE

In addition to the legal framework governing taxi licensing, and the guidance set out above, this policy also takes into account the:

- Surveillance Commissioners, Surveillance Camera Code of Practice.
 - [Surveillance Camera Code](#)
- Information Commissioners CCTV Code of Practice
 - [ICO Code of Practice](#)
- Protection of Freedoms Act 2012. (2012 Act)
 - [Protection of Freedoms Act 2012](#)
- Documents issued by the Home Office in October 2016 (revised 2018):
 - [Technical Guidance for Body Worn Video Devices](#)
 - [Safeguarding Body Worn Video Data](#)
- Requirements for processing personal data as set out in the General Data Protection [Regulation](#) (GDPR) and Data Protection [Act](#) 2018
- Right to privacy as set out in Article 8 of the European Convention on Human Rights
 - [European Convention on Human Rights](#)

2. Scope

In setting out its policy Bolsover District Council seeks to promote the protection of public health and safety and the establishment of a professional and respected hackney carriage and private hire trade.

The aim of this policy is to regulate the provision of CCTV in hackney carriages and private hire vehicles in order to promote the above objectives.

This policy is supplemental to the Policies on Hackney Carriages & Private Hire Vehicles and Hackney Carriage & Private Hire Drivers and amends relevant sections of those policies as set out in this document.

For the avoidance of doubt the provisions set out in this policy are subject to the Council's policy on Use of Overt Surveillance Systems and the Environmental Health and Licensing privacy statement on CCTV in Taxis.

3. Principles

The aim of licensing the hackney carriage and private hire vehicle trades is, primarily, to protect the public as well as to ensure that the public have reasonable access to hackney carriage and private hire services because of the local transport provision.

It is important that the Council's powers are used to ensure that hackney carriages and private hire vehicles in the district are safe and comfortable.

4. Statement

Appendices A and B of the Council's Licensing Policy: Hackney Carriages & Private Hire Vehicles are amended as set out in Appendices A and B of this document.

The effect of inserting these provisions will be to ensure:

- No vehicle will be licensed as a hackney carriage or private hire vehicle unless they have installed a system compliant with the Council's requirement.
- No system will be permitted that doesn't meet the technical requirements of the policy.
- Vehicle proprietors will be subject to licence conditions in respect of data security. This will help us demonstrate we are taking precautions as data controller to protect the security of the data stored in the vehicles.

Appendix C of the Council's Licensing Policy: Hackney Carriages & Private Hire Drivers is amended as set out in Appendix C of this document.

The effect of inserting these provisions will be to ensure that in addition to vehicle proprietors the individuals driving those vehicles (where not the proprietor themselves) are subject to equivalent data security obligations. Again this will help us demonstrate we are taking precautions as data controller to protect the security of the data stored in the vehicles.

The provisions will also ensure that any impact on the rights and interests of blind and partially sighted people are properly mitigated.

5. Responsibility for Implementation

Joint Head of Environmental Health
Licensing Team Leader

6. Glossary of terms (if applicable)

N/A

7. Appendices (if applicable)

APPENDICES

APPENDIX A

Insert into Licensing Policy: Hackney Carriages & Private Hire Vehicles

4.1.8.

Security for drivers and passengers is a high priority. It is considered that CCTV cameras can be a valuable deterrent to criminal activity, enable the easier identification of suspects, provide valuable evidence when a crime is reported and protect a driver from unjustified complaints.

All vehicles licensed by this council must have a council approved CCTV system installed which must be in use whenever the vehicle is in use as a licensed vehicle for hire and reward purposes. For the purpose of this policy, CCTV relates to recording inside of the vehicle only. External facing cameras (“dash cams”) do not fall within this policy.

To ensure compliance with data protection legislation the Council is the Data Controller of the images captured. For those reasons, the Council has approved a set of specifications and will identify which available systems meet that criteria.

It is for the vehicle proprietor to decide which of the systems to install and the Council has no liability for the goods or services provided or any representations made by either of the parties in the negotiation, execution or performance of the contractual relationship.

The specifications are set out in Appendix C to this Policy.

APPENDIX B: VEHICLE LICENCE CONDITIONS
AND CCTV SPECIFICATION

Insert into Licensing Policy: Hackney Carriages & Private Hire Vehicles

Appendix A:

33. CCTV

- *At the time of fitting of any CCTV System it must be compliant with the specifications applicable at that time.*
- *Any such equipment shall be fitted in such a way as not to present any danger or hazard.*
- *The proprietor of the vehicle shall ensure that the system is properly maintained and serviced to ensure clear images are recorded. Any deliberate abuse or deliberate attempt to interfere with the legitimate use of the CCTV system will be considered a breach of licence, and shall be given due weight and regard when determining whether the driver/proprietor is a fit and proper person.*
- *Appropriate signage must be clearly and prominently displayed inside the vehicle advising passengers that a CCTV system is in operation in the vehicle.*
- *The installation of security measures such as a screen between driver and passengers, as a means of providing some protection for drivers is acceptable; however, where a screen has been fitted it must not prevent the CCTV system obtaining a clear and useable recording of the vehicle interior.*
- *It will be the proprietors responsibility to comply with all aspects of the law regarding such surveillance equipment.*
- *It shall be the vehicle proprietor's responsibility to ensure that the data, and the equipment on which it is recorded, remains secure at all times. Any breach of data protection law by the proprietor will be considered a serious breach of licence condition.*

Appendix C: CCTV Specifications

1.0 Operational Specifications

Reference	Specification	Explanation
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.: <ul style="list-style-type: none"> - 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: <ul style="list-style-type: none"> - 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) <p>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.</p>
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.

Reference	Specification	Explanation
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 record audio except when audio recording is activated by means of an approved trigger.	<p>The system should have the ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below).</p> <p>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).</p> <p>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).</p> <p>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.</p>

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

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 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 NEDDC with a supply of specialised tools to allow for removal of the controller and download of data when required.

5.0 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	<i>The activation of a trigger button must provide for overwrite- protected image storage when activated by driver or passenger.</i>	<i>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).</i>
6.2	<i>Emergency image overwrite protection capability</i>	<i>Image sequences resulting from emergency activation shall be recorded in an area of memory which is protected from being overwritten</i>
6.3	<i>Overwrite protection capacity for at least 3 activations</i>	
6.4	<i>Overwrite protection self-clear on 96 hr timer</i>	

7.0 Downloading

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 NEDDC Licensing Team.	
7.3	Windows 10 compatible.	
7.4	Downloaded images stored in non-volatile	

Reference	Specification	Details
	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 NEDDC 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 or complaint alleged.	

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 NEDDC Licensing Team	The manufacturer shall provide a list of all authorised agents to NEDDC 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)

Reference	Requirement	Details
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 NEDDC Licensing Team (or persons acting on behalf of the council – such as vehicle inspectors)	The system shall be designed and installed such that the system may be easily tested by NEDDC Licensing Team staff to ensure that all features are operating and that images are being recorded as prescribed.

10.0 General System Requirements

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 NEDDC Licensing Team with a Training and Technical Manual. Supply a working unit to NEDDC Licensing for testing purposes.
10.6	Software and Hardware	Manufacturer to supply NEDDC 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 NEDDC	Agreement to allow NEDDC 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.

APPENDIX C: Driver Obligations

Insert into Licensing Policy: Hackney Carriage & Private Hire Drivers

Appendix C – Licence Conditions

(Amend) 11. Vehicle Checks

Add “CCTV” to the list of vehicle systems that must be in legal working order.

(Insert) 12. CCTV System

At all times when the vehicle is under the control of a licensed driver it shall be the driver’s responsibility to ensure that the data, and the equipment on which it is recorded, remains secure at all times. Any breach of data protection law by the driver will be considered a serious breach of licence condition.

(Insert) 13. CCTV & Blind, Partially Sighted or Deaf Passengers

Drivers must advise any blind, partially sighted or deaf passengers that there is CCTV recording in operation before commencing the journey. They must also advise such passengers of the location of controls for audio recording.

APPENDIX D: Operator Obligations

Insert into Licensing Policy: Private Hire Operators

Appendix A – Licence Conditions

(Insert) 10. CCTV & Blind, Partially Sighted or Deaf Passengers

Operators must advise any blind, partially sighted or deaf passengers, when making a booking, that CCTV recording will be in operation.