

**INVERCLYDE COUNCIL  
GUIDANCE ON APPLICATION AND POLICY  
CCTV IN TAXIS**

**Policy on the Installation and Operation of CCTV Systems in Licensed Taxis and Private Hire Cars**

**The Licensing Authority's policy on the installation and operation of CCTV systems in licensed Taxis and Private Hire Cars**

**1. POLICY ON THE INSTALLATION CCTV IN LICENSED TAXIS AND PRIVATE HIRE CARS**

The Council's General Purposes Board has determined to allow the installation of CCTV systems in licensed Taxis and Private Hire Cars for legitimate purposes subject to:

- a) a notification process with the Licensing Authority; and
- b) compliance with the Authority's policy on the installation and operation of CCTV Systems in licensed Taxis and Private Hire Cars.

A copy of the current CCTV policy can be viewed on the Council's website at:

<https://www.inverclyde.gov.uk/law-and-licensing/licensing/taxi-and-civic-licensing/taxi-licensing>

**2. OBLIGATIONS AS A "DATA CONTROLLER"**

If the taxi or private hire car licence holder installs CCTV in their taxi or private hire car then they will be responsible for the equipment and images captured by that equipment. In relation to the personal data that will be processed, the private hire car or taxi licence holder will be a "data controller".

Data protection law defines a "a data controller" as the person or body, who under the UK data protection legislation determines the purposes and means of the processing of personal data. For the purposes of installation and use of CCTV systems in taxis and private hire cars installed and operated in accordance with the Licensing Authority's policy on CCTV, the "data controller" will be the holder of taxi or private hire car licence and not the driver.

As a data controller you will be responsible for ensuring you comply with:

1. UK Data Protection Legislation
2. Information Commissioner's guidance on use of CCTV which can be found here, <https://ico.org.uk/for-organisations/guide-to-data-protection/key-dp-themes/guidance-on-video-surveillance-including-cctv/about-this-guidance/>
3. Inverclyde Council's policy on the installation and use of CCTV systems

As data controller the licence holder will be responsible for the use of all images obtained through CCTV, any breaches of UK data protection legislation and any fines imposed for breaches of UK data protection legislation.

Failure to comply with the new obligations set out by the GDPR could result in significant financial penalties for your business. If you are unclear how these changes will affect you, the Licensing Authority strongly recommends that you take your own independent expert advice to ensure ongoing compliance with your data protection obligations.

**3. HOW DO I NOTIFY THE LICENSING AUTHORITY OF MY INTENTION TO INSTALL CCTV**

Before CCTV can be installed in a Taxi or Private Hire Car, the Licence Holder of the relevant vehicle must complete the appropriate application form and submit it to the Licensing Authority together with an administration fee of £35. The Authority will then contact you to advise on how to proceed.

**4. WHO CAN NOTIFY THE LICENSING AUTHORITY?**

Only the Licence Holder of the Taxi or Private Hire Car can complete the application form. Where the Licence is held by a company or partnership, only a director or partner named in the Licence can apply.

## **5. HOW DO YOU APPLY?**

To apply for a Licence you should complete the relevant application form and submit it to the Licensing Authority with the appropriate fee. Your application form must be accompanied by the supporting documents set out in the form.

### **AT OUR CUSTOMER SERVICE CENTRE**

Your application can be submitted in person at our:  
Customer Service Centre  
Municipal Buildings  
Clyde Square  
Greenock  
PA15 1LY

We recommend that applications are lodged in person in order to ensure they are correct. Our staff will check your application and help you correct any mistakes. Please note our staff cannot complete the form for you.

You can ask someone to lodge the form on your behalf at the Service Desk; however, if the form requires to be amended, you must initial any changes before the form is accepted.

### **BY POST**

You can submit your application by post to the following address:

Licensing Section  
Legal and Property Services  
Inverclyde Council  
Municipal Buildings  
Clyde Square  
Greenock  
PA15 1LY

You must provide your original documents with the application – photocopies will not be accepted. We recommend that you send the application by Recorded Delivery/Special Delivery to ensure that it is received.

We do not recommend that you send a renewal application to us by post. If you do, you must ensure that it is lodged with us before the expiry date of your current licence.

## **6. HOW MUCH IS THE NOTIFICATION FEE?**

There is an administrative fee of £ X payable at the time the form is submitted.

Applications lodged in person can be made by Cash, Cheque, Postal Order or Credit/Debit Card. Applications lodged by post can be paid by Cheque or Postal Order only (**Do not send cash by post**).

Cheque and Card payments will only be accepted from the applicant. Cheques should be made payable to 'Inverclyde Council'.

## **OTHER FREQUENTLY ASKED QUESTIONS (FAQS)**

### **CAN ANOTHER PARTY ACT AS “DATA CONTROLLER”?**

The Policy only allows the Licence Holder of the relevant Taxi or Private Hire Car to act as “Data Controller” and only for the systems to be installed for the purposes set out in the policy.

The Policy does however allow for a third party “Data Processor” if remote storage facilities are being utilised.

### **WHAT HAPPENS IF I DO NOT COMPLY WITH THE LICENSING AUTHORITY’S CCTV POLICY?**

If a Licence Holder installs CCTV in their Taxi or Private Hire Car and fails to comply with the Authority’s CCTV policy they will be in breach of their Licence conditions and this may result in action being taken to suspend the Licence.

The Licensing Authority may also advise the Information Commissioner’s Officer of any action taken against a Licence Holder and the circumstances that led to the action being taken.

### **CAN I GET FURTHER INFORMATION?**

If you have any further questions about the application process the Council’s Licensing Team will be happy to assist you. Please note that whilst the Licensing Team can provide guidance, the team cannot offer you legal advice.

You can contact us by phone or email.