
Report To:	General Purposes Board	Date:	13 December 2017
Report By:	Head of Legal and Property Services	Report No:	LP/081/17
Contact Officer:	James Douglas Legal and Property Services	Contact No:	01475 712034
Subject:	The installation and operation of cameras within taxis/private hire vehicles		

1.0 PURPOSE

- 1.1 The purpose of this report is to ask the Board to determine, following a request from taxi operators, whether the Board is in principle supportive of the right of taxi operators to install CCTV within taxis as a means of enhancing the safety of drivers and passengers within Inverclyde.

2.0 SUMMARY

- 2.1 The Council has received requests to allow the installation and operation of CCTV in taxis as a means of improving both driver and passenger safety.
- 2.2 Inverclyde Council at present has no policy on the installation and operation of cameras within taxis.
- 2.3 The installation and operation of CCTV cameras within taxis will give rise to implications for taxi operators relative to the Data Protection Act 1998 as recorded images will constitute "data" as defined by the Act.

3.0 RECOMMENDATIONS

- 3.1 The Board is asked to:
- (1) Agree in principle, that CCTV cameras be allowed to be installed and operated within taxis in Inverclyde;
 - (2) To authorise Officers to liaise with the Office of the Information Commissioner, Police Scotland and representatives of the taxi trade to determine the levels of support and record concerns relative to adopting such a policy;
 - (3) Instruct Officers to provide a further report to the Board at the culmination of said consultations

4.0 BACKGROUND

- 4.1 The Council has, over a period of years, had requests from taxi operators to allow the installation and operation of CCTV cameras within taxis. The reason given for such requests is to improve the safety of both drivers and passengers during taxi journeys.
- 4.2 Other Local Authorities allow for the installation and operation of CCTV cameras within taxis under heavily regulated and controlled conditions. Recorded images and/or sound by CCTV cameras fall within the definition of “data” as defined by the Data Protection Act 1998. Those in control of “data” have certain legal obligations to comply with the terms of the Data Protection Act 1998 including, but not limited to, the need to provide annual reporting to the Office of the Information Commissioner.
- 4.3 Concerns have been raised in the past about how images would be recorded and stored, and the impact that CCTV footage might have upon vulnerable passengers within taxis.
- 4.4 It will be necessary to undertake consultation with the Office of the Information Commissioner to determine what legal obligations would rest with taxi operators, the Local Authority or any third party responsible for the installation and operation of CCTV cameras within taxis.
- 4.5 It will be necessary to consult with Police Scotland to understand any concerns they might have with implementing a policy to allow the installation and operation of CCTV within taxis, or to determine the level of support the Police have for such a policy.
- 4.6 It will be necessary to consult with taxi operators to determine if this is a policy that would be supported given the mandatory legal obligations that they would face if they chose to install CCTV cameras within their taxis.

5.0 IMPLICATIONS

Finance

- 5.1 There are no financial implications

Legal

- 5.2 If the Board decides, in principle, to allow the installation and operation of CCTV cameras within taxis, this will give rise to a number of legal implications relative to the Data Protection Act 1998. Following necessary consultation with the Office of the Information Commissioner, Police Scotland and taxi operators those implications will be better understood and will be contained within any report that is brought back to the Board for consideration.

Human Resources

- 5.3 There are no Human Resources implications at this juncture, but applications for the installation of CCTV cameras will provide an administrative burden on licensing staff. The extent of such an administrative burden will be better understood following consultation and will be reported to the Board at the culmination of any consultations.

Equalities

- 5.4 There are no equalities implications.

Repopulation

- 5.5 There are no repopulation implications.

6.0 CONSULTATIONS

- 6.1 If the Board's decision is to consider this matter further any future report shall detail consultations with relevant parties.

7.0 LIST OF BACKGROUND PAPERS

- 7.1 None