



Nottingham
City Council

Nottingham City Council Data Protection Impact Assessment for ANPR and Manned Enforcement Camera Systems

Location of ANPR camera system being assessed:

Moving Traffic Enforcement & Clearway Parking Enforcement Camera system is based at Loxley House, Nottingham, NG2 3NG. The majority of our on street Bus Lane & Clearway Parking cameras are fixed and focus on an area on the highway within a bus lane and parking area. The cameras only record when a Vehicle Registration Mark (VRM) triggers the camera to capture a contravention. We have 5 PTZ enforcement cameras, 2 are used to enforce Zig-Zags outside schools and one is used to enforce red route parking, the other 2 cameras are mobile and used for bus lanes and clearway parking. The 5 cameras are operated by SIA qualified members of staff employed by Nottingham City Council who follow the code of conduct for camera enforcement.

Date of assessment: 20th February 2019 (Updated 23rd August 2023)

Review date: 20th February 2022

Name of person responsible: Mark Lethbridge

Name of Data Protection Officer: Naomi Matthews

GDPR and Data Protection Act 2018 and Surveillance Camera Code of Practice

Level One

1. What are the problems that you need to address in defining your purpose for using the surveillance camera system?

the Traffic Management Act 2004 enacted in 2008 placed a duty on Nottingham City Council as the local traffic authority to ensure traffic could move freely on our roads and on the roads of nearby authorities. Within this this, Part 6 of the TM Act 2004 gave further powers; to use a certified approved device (CCTV) to issue PCNs for the parking contraventions at problem sites.

More recently the Secretary of State enabled the powers under Section 78 of the Traffic Management Act 2004 allowing approved Local Authorities to issue Penalty Charge Notices

(PCNs) for moving traffic contraventions by the use of approved devices i.e. CCTV recording systems. Following on from this

The purpose of using CCTV enforcement is to ensure that the council is fulfilling this duty by encouraging compliance of the restrictions which support the safe functioning of the network.

2. Can surveillance camera technology realistically mitigate the risks attached to those problems?

Yes, helps prevent non-exempt vehicles from abusing moving traffic restrictions and for safety issues where inconsiderate parking on school zig-zags by issuing PCNs. In those areas where CCTV enforcement has been used there has been a significant drop in the number of contraventions occurring.

The existence of an enforcement camera being signed on street is, so the motorist is made aware of the fact CCTV enforcement is taking place, legislation is clear on ensuring that the traffic authority complies with this.

3. What other less privacy-intrusive solutions such as improved lighting has been considered?

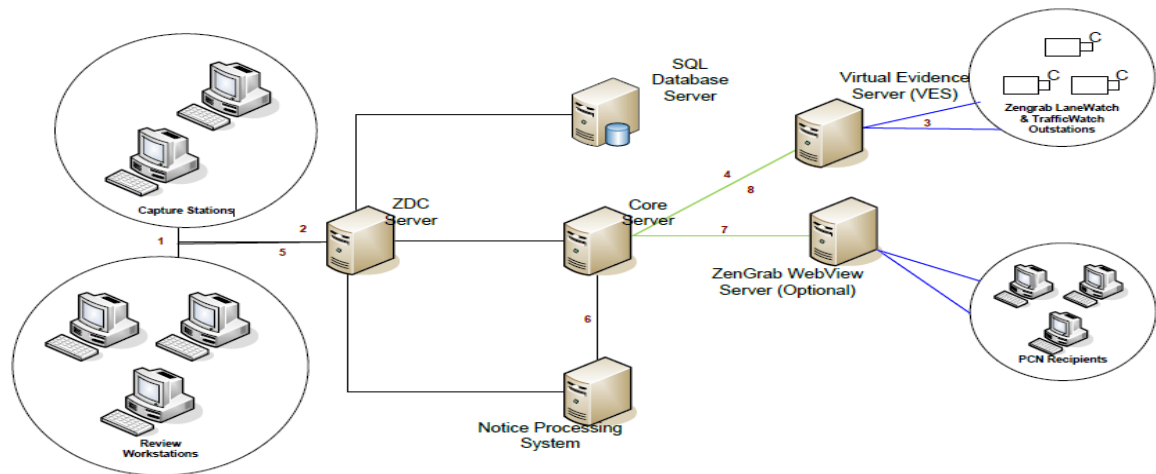
No other less privacy-intrusive solutions has been considered such as improved lighting

4. What is the lawful basis for using the surveillance camera system?

NCC use a DfT (Department for Transport) type approved camera system registered with the VCA (Vehicle Certification Agency) and we enforce under The Traffic Management Act 2004 Sections 78; The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (SI No.2022/71)

5. Can you describe the information flows?

Footage of the contravention whether it be moving traffic or clearway parking is encrypted and sent to Siemens' virtual server. The footage is then unencrypted when reviewed by a qualified SIA member of staff in our secure BS7958 enforcement control centre. If the reviewer is satisfied a contravention has occurred the footage is securely delivered into the back office system where the request is made to the DVLA for the owners details. The Camera system contains no personal data at any time.



6. What are the views of those who will be under surveillance?

CCTV enforcement is only carried out on certain restrictions within the city boundary. All these restrictions have been introduced by Traffic Regulation Orders and are therefore governed by the Road Traffic Regulation Act 1984.

Contained within the legislation is the requirement to ensure that adequate consultation is carried out on the proposals and the consideration of any objections. Consultation is carried out with a number of stakeholders, including local councillors, organisational consultees such as the emergency services, freight and public transport providers as well as the general public themselves.

Positive publicity was carried out when the Authority first undertook CCTV enforcement in 2007 and this continued through permanent signing on street, warning of CCTV enforcement and the restrictions themselves.

Those that have been captured by CCTV enforcement by committing a contravention do have the ability to challenge their Penalty Charge Notice (PCN) via the statutory processes in place through the Traffic Penalty Tribunal adjudication service.

7. What are the benefits to be gained from using surveillance cameras?

Using unattended fixed ANPR cameras that work on a time schedule means we are able to record all contraventions committed during the hours of operation. This is an automated process and means the cameras are enforcing when necessary to ensure all road users are safe for potential conflict and public transport providers can carry out their timetable without hindrance.

8. What are the privacy risks arising from this surveillance camera system?

The vehicle is recorded, any persons and other vehicles caught on camera on the short video evidence pack are pixelated out for the 3 still images that appear on the PCN. After being reviewed by SIA qualified staff the PCN is issued and goes out to the recipient, they only see their vehicle committing the contravention. No personal data is stored on the camera enforcement system.

9. Have any data protection by design and default features been adopted to reduce privacy intrusion? Could any features be introduced as enhancements?

Members of the public and other vehicle caught on the video footage not related to the contravention are pixelated out and do not appear on the photographs on the PCN sent out to the appellant. As stated in question 8 before the PCN is issued it is manually reviewed by a SIA qualified member of staff working for Nottingham City Council.

10. What organisations will be using the surveillance camera images, and where is the controller responsibility under the GDPR and Data Protection Act 2018?

Nottingham City Council capture the contraventions and Nottingham City Council process the PCNs within our administrative boundary. Nottingham City Council also has a legal agreement to process recordings from Leicester City ANPR cameras to issue PCNs for contraventions within Leicester City boundary. Copies of the footage, in line with the legislation covering CCTV enforcement, is made available to the Traffic Penalty Tribunal adjudication service as well as the owner/keeper of the vehicle committing the contravention.

11. Do the images need to be able to recognise or identify individuals, or could the purpose be met using images in which individuals cannot be identified?

The cameras only trigger and record if a contravention occurs on the highway. Footage generally lasts for 10 to 15 seconds and records enough evidence to prove a contravention has occurred. Other vehicles and pedestrians captured on the footage are pixelated out on the 3 images that appear on the PCN when printed out.

12. How will you inform people that they are under surveillance and respond to any Subject Access Requests, the exercise of any other rights of data subjects, complaints or requests for information?

Nottingham City Council has a short privacy notice on its website that is accessible for the issuance of Penalty Charge Notices (PCNs)

13. How will you know if the particular camera system/hardware/software/firmware being considered does deliver the desired benefits now and in the future?

The existing DfT approved camera system has the desired benefits by issuing PCNs to vehicles contravening moving traffic restrictions, red route and school zig-zags clear for free flowing traffic and pedestrian safety.

14. What future demands may arise for the wider use of images and how will these be addressed?

The camera footage is used solely for the production of PCNs. The cameras are not manufactured to do anything else other than record traffic contraventions.

15. Have you considered the extent to which your surveillance camera system may interfere with the rights and freedoms conferred under the European Convention on Human Rights?

The network of camera enforcement in Nottingham focuses solely on traffic contraventions and does not interfere with the right to respect for private and family life or other rights and freedoms under the European Convention on Human Rights.

16. Do any of these measures discriminate against any particular sections of the community?

Enforcement of moving traffic, red routes and school zig-zags do not discriminate against any particular sections of the community.

GDPR and Data Protection Act 2018 and Surveillance Camera Code of Practice

Level Two

Step 1 – (Cameras Specification)

ID	Camera type	Makes and model used	Amount	Description	Justification and expected use
1.	Standard Static LaneWatch Camera	Yunex	29	Static ANPR with no PTZ features available to the operator	To record vehicle contraventions on the highway
2.	HD Static LaneWatch Camera	Yunex	10	HD Static ANPR with no PTZ features available to the operator	To record vehicle contraventions on the highway
3.	Standard PTZ	Yunex	3	Manned camera with PTZ capabilities	To record vehicles contravening red routes and school zig-zags
4.	Standard PTZ within CCTV Car	TES	2	Manned camera with PTZ capabilities	To record vehicles contravening bus lanes, red routes and school zig-zags

Step 2 (Location assessment)

CAT	Location type	Camera types used	Amount	Recording	Monitoring	Assessment of use of equipment (mitigations or justifications)
A.	Moving Traffic	1, 2, & 4		During AM and PM Peak times and 24hrs	Bus lane contraventions during hours of operation	Cameras only record contravention
B.	Red Routes	2 & 3		24hrs	Red Route Highway	Cameras only record contravention
C.	School Zig-Zags	3 & 4		During school drop off and pick up	School Zig	Cameras only record contravention