

**CODE OF PRACTICE FOR OPERATION OF
CCTV ENFORCEMENT CAMERAS IN
WIRRAL**

Version 2
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1.0 INTRODUCTION

1.1 Background

1.1.1 Implementation of Part 6 of the Traffic Management Act 2004 in March 2008 gave local authorities the powers to undertake enforcement through the use of CCTV cameras. The introduction of enforcement of parking regulations by CCTV cameras is just one element of the Councils enforcement policy to improve traffic flow, reduce congestion and pollution, reduce accidents, improve the reliability and punctuality of public transport and improve the availability and turnover of parking spaces. The introduction of CCTV enforcement is an additional tool to assist in the delivery of these aims by reducing the level of contraventions particularly in sensitive or difficult to enforce areas.

1.1.2 An essential and integral part of any CCTV system is a Code of Practice, which sets out the objectives of the system and the rules by which it will be operated. This Code of Practice ensures that issues such as privacy, integrity and fairness are properly dealt with. It sets a minimum standard that must be adhered to by all persons and bodies in Wirral enforcing traffic regulations using CCTV cameras to ensure public confidence in the scheme.

1.1.3 The Operational Guidance to Local Authorities: Parking Policy and Enforcement issued in March 2008 makes reference to the Code of Practice for Operation of CCTV Enforcement Cameras and A Code of Practice for Bus Lane Camera Enforcement using Attended CCTV Equipment for Approved English Local Authorities Outside London. This code of practice has been produced having regard to and in accordance with the principles contained within those two documents.

1.2 Code of Practice

1.2.1 Key Purpose of Code

1.2.2 An essential and integral part of any CCTV system is a Code of Practice to ensure that issues such as privacy and integrity are properly respected. This Code of Practice sets out the way in which enforcement of parking regulations using CCTV cameras will be conducted. This Code of Practice has been drawn up to ensure that the use of CCTV to undertake enforcement is consistent throughout the borough and in accordance with current good practice. The Code ensures that issues such as privacy and integrity are properly respected. The use of CCTV in public places must take place in accordance with the advice and guidelines issued by the Department for Transport, Home Office Scientific Development Branch and Information Commissioner's Office. The following documents offer further information and advice for local authorities:

- BS 7958:2005 Closed circuit television (CCTV) – Management and operation - Code of practice
- CCTV Code of Practice published by Information Commissioner (2008)

1.3 The Legal Framework

1.3.1 The operation of CCTV systems must be undertaken with due regard to the following legislation:

- The Data Protection Act 1998
- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- The Freedom of Information Act 2000

1.3.2 The enforcement of traffic and parking regulations by CCTV cameras outside of the Greater London Area is regulated under the following statutory instruments:

- Road Traffic Regulation Act 1984
- Traffic Management Act 2004
- Road Traffic Act 1991
- The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
- The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007
- The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007
- The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007
- The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007

1.3.3 Together these Acts allow a Local Authority to install fixed or mobile structures and equipment on or near a highway for the detection of contraventions of Traffic Regulation Orders.

1.4 Responsibility

1.4.1 Management responsibility for the operation of the system and observance of this Code of Practice resides with the operating Authority. The local authority should document the details of the management structure, specific roles and responsibilities and training for CCTV enforcement. These should form part of the local CCTV enforcement protocols.

1.4.2 All personnel permitted to operate the System will be obliged to work to rules of confidentiality. They will be fully instructed in their responsibilities. All staff undertaking enforcement of traffic regulations must have completed appropriate training to their position. All staff operating the system will be responsible for working in full accord with this Code of Practice and local procedures. They will be subject to their employer's normal disciplinary procedures and will sign an acknowledgement that they understand this Code of Practice and local procedures.

1.5 Security of Operations

- 1.5.1 The CCTV enforcement operations will be carried out in a secure and lockable environment only accessible by authorised personnel. All video recordings, witness statements and other records will be stored in a secure environment.
- 1.5.2 Access to CCTV control rooms will be strictly monitored and controlled by authorised personnel. Details of all events and visits will be recorded in accordance with local operational guidelines. Technical, maintenance and repair work will only be carried out by authorised personnel under the supervision of a responsible officer of the Council.
- 1.5.3 In order to ensure data is processed fairly and lawfully an audit trail of CCTV surveillance and video recording must be established. This audit trail must be detailed as part of the operational procedures. This should be established before images and data are collected.
- 1.5.4 All master or 'evidence video' recordings or still images must be held securely, in an unalterable state or storage medium. Details of the methods of protection and security arrangements should be recorded in the procedures manual. The method of 'electronic' protection must conform to the industry standard to ensure the security of the data.
- 1.5.5 Access to the systems and data storage areas must be controlled to prevent tampering or unauthorised viewing. The audit trail developed as part of operational procedures should retain records of who has accessed videos or images, the system and when.
- 1.5.6 If using VHS videotapes these must be degaussed before re-use and disposal. Tapes should not be degaussed or re-used more than twelve times.
- 1.5.7 Digital images should not be deleted without authority. Any disposable media that are used to record digital images should be physically destroyed (e.g. shredded) once they are no longer required. Any disposal or deletion must be recorded in the audit trail.
- 1.5.8 With the exception for images posted on Penalty Charge Notices, the release of videos or images will only be made by an authorised officer. The procedure for production, release and destruction of videos and images will be subject to regular audit as outlined in local procedures.

1.6 Areas subject to enforcement

- 1.6.1 The areas that will be enforced must be defined by a Traffic Regulation Order. Details of the extents of the area in which civil parking enforcement and CCTV enforcement can be undertaken are given in Appendix 2. Full details of all relevant Traffic Regulation Orders are held at the Town Hall, Wallasey and will be provided to the Traffic Penalty Adjudicator as part of the Penalty Charge Notice appeal process.
- 1.6.2 CCTV surveillance must be specific to these areas. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land. When panning between vehicles all endeavours should be made to restrict the field of view to the public highway, the camera should not hover, zoom or focus on any person or property unless this is

incidental and unavoidable and is directly associated with the enforcement of traffic or parking contraventions.

1.7 Signs to be displayed

- 1.7.1 Signing (including road markings) is required to legally indicate the parking or waiting regulation orders to drivers. These should be checked regularly to avoid challenges on the grounds of inadequate, inconsistent or defective signing. It is suggested that a maintenance log is established.
- 1.7.2 It is a requirement that 'CCTV Camera' enforcement signs are also erected on the approach to the areas to be enforced. The signs will not define the field of view of the cameras but will advise that camera enforcement is taking place. The sign to be displayed on the approach is prescribed by the Traffic Signs Regulations and General Directions. Further information on signing can be obtained from the Department for Transport.

1.8 Description of Equipment

- 1.8.1 The Traffic Management Act 2004 provides the necessary powers to enable the Secretary of State by regulation to make provision for the imposition of penalty charges in respect of parking contraventions. The CCTV equipment to be used for parking enforcement is defined in The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007.
- 1.8.2 Only equipment and systems complying fully with The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 and which have been certified and approved in writing by the secretary of state may be used for parking enforcement within Wirral. A record and copy of all approvals must be kept on file.
- 1.8.3 CCTV enforcement cameras must be erected and operated in an overt manner, they should be visible with no attempt to hide the camera. They may be mounted at fixed locations, on temporary fixed locations or on mobile operating platforms. Cameras may rotate through 360° and have zoom, pan and tilt capability.

For the avoidance of doubt, the cameras may be;

- 'Static' - permanently sited at a particular location
 - 'Mobile' - can be moved from one location to another, this could include vehicle mounted cameras
 - Of 'Analogue' or 'digital' image format.
 - Hard-wired, networked or wireless networked.
- 1.8.4 Fixed cameras are connected to a monitoring station by a secure data link. If a dedicated 'fixed' data link is not used, sufficient precautions must be taken to ensure the security of the data being transmitted by means of current, industry standard, data encryption or security. With vehicle mounted cameras the monitoring station may be attached to or an integral part of the vehicle.
- 1.8.5 The monitoring station allows the operator to select and view the output from any one of the available CCTV cameras in the system at any time and provides controls to pan, tilt and zoom that camera as necessary.

1.9 Information to be captured

1.9.1 The recording of video footage or digital images of the contravention will be used to identify the following:

- Location (or camera reference number).
- Date, time in hours and minutes and video frame.
- Vehicle Registration Mark.
- The make, model and colour of the vehicle.

2.0 CCTV CAMERA SCHEME

2.1 CCTV Camera Enforcement

2.1.1 Closed Circuit Television (CCTV) cameras operated by local authorities in public places are used for a wide variety of purposes including the prevention and detection of crime, protection of public and private property, town centre management, traffic monitoring and the enforcement of traffic regulations. A single CCTV camera may be used for a number of these purposes at different times of the day.

2.1.2 The CCTV enforcement cameras operated by or on behalf of Wirral may be owned or leased by the authority or provided through contract by an enforcement service provider.

2.1.3 This Code of Practice specifically relates to the use of CCTV cameras when they are being used to enforce traffic regulations. It is supplemented by a CCTV enforcement procedures manual containing specific instructions on the use of the camera and recording equipment and control room procedures. Separate Codes of Practice exist covering the other purposes for which CCTV cameras may be used.

2.1.4 Mobile or transportable cameras may also be temporarily sited within an area for the purposes of the enforcement of traffic regulations. The use of such cameras will be governed by this Code of Practice and any procedures ancillary to it.

2.1.5 Operation of the system will also take full account of the Road Traffic Regulation Act 1984, Traffic Management Act 2004, The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007, The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007 and all other relevant legislation and statutory guidance.

2.1.6 Records of the keepers of vehicles, which contravene traffic regulations, will be obtained in accordance with the Driver and Vehicle Licensing Agency enquiry procedures.

2.1.7 All data shall be processed fairly and lawfully and the operators of the system will ensure that appropriate security measures shall be taken against

unauthorised access to, alteration, disclosure or destruction of, personal data and against accidental loss or destruction of personal data.

2.2 Enforcement of traffic regulations by CCTV camera

2.2.1 The primary purpose of the CCTV camera enforcement system ('the system') is to ensure the safe and efficient operation of the road network through the detection of contraventions of traffic regulations.

2.2.2 In order to deter non-compliance with Traffic Regulations the system enables fully trained staff: -

- to monitor traffic activity in accordance with this Code of Practice and so to deter violation of traffic regulations;
- to identify vehicle registration number, colour and type of unauthorised vehicles contravening traffic regulations;
- to support the serving of Penalty Charge Notices (PCN's) to the registered keeper of vehicles identified contravening the regulations;
- to record evidence of each contravention to ensure that representations and appeals can be fully answered;
- to enable timed and dated pictorial evidence of such unauthorised driving or stopping to be produced for adjudication or as information to the owner of such vehicles;
- to enable the immediate despatch of a Civil Enforcement Officer for targeted enforcement of vehicles contravening traffic regulations.

2.3.3 The system is intended to view activity on public carriageways, footways and verges. It will not be used to invade the privacy of any persons in domestic, business or other private premises, buildings or land.

2.3 Extensions and changes to the area surveyed

2.3.1 Wirral Council can extend or change the areas covered by the CCTV system subject to normal internal procedures provided that those areas remain within the extents of the area authorised for civil parking enforcement (see Appendix 2).

2.3.2 Changes to the purpose of the system and to the type of equipment and data links used are major changes. They may only be made in accordance with the arrangements set out in Section 12 specifying how changes to the Code can be made.

2.4 Operation of the System: Monitoring of Traffic

2.4.1 The system will be operated for the purposes of enforcing traffic regulations. This Code of Practice applies to the use of the system for that purpose only.

2.4.2 Only properly trained and qualified operators (see section 8.0 - Operating Personnel) will operate the system.

2.4.3 Operation of the systems may only be undertaken fully in accordance with the CCTV Enforcement Procedures Manual. Suitable digital recording media may be drawn from stock and loaded or allocated. All components of the equipment will be checked for correct function.

- 2.4.4 The operator will then start observation of the traffic in accordance with enforcement plans. It is essential that the operator 'locates' the field of view on any tape or section of a tape on which a contravention is recorded. (Directing the camera to unique landmarks and to any adjacent relevant camera enforcement signs for approximately three seconds each will achieve this.) The operator must move cameras with due regard for the privacy of the individual and must ensure that as cameras are panned, zoomed and tilted that they do not pause on any field of view other than the carriageways and adjacent footways which make up the Areas of Application.
- 2.4.5 A contravention of traffic regulations will be identified, by monitoring the screen and operating the cameras in real time. The operator must obtain the most effective images of a vehicle and its surrounding circumstances at the time when any contravention may be occurring. Contraventions must be identified at the time when they are committed. Pre-recorded video images will not be studied to identify contraventions committed at some earlier time.
- 2.4.6 When a contravention is observed and sufficient evidence has been recorded, the operator will record the time in hours (HH) and minutes (MM) and sufficient vehicle identifier information in the CCTV enforcement log sheet (see Appendix 3). The operator will then continue monitoring.
- 2.4.7 When a non traffic 'incident' is caught on camera operators will follow procedures agreed locally with the Police and other scheme partners. All such incidents are to be recorded on a CCTV enforcement log sheet (see Appendix 3) and additional notes added to the comments and observations section.
- 2.4.8 At the end of the monitoring period the operator will record the exact time and, if videotape, DVD or CD-R is being used;
- remove the 'evidence' tape or disc;
 - seal the 'evidence' tape or disc in an evidence bag or with a security tag;
 - lock the evidence in secure storage.

2.5 Issue of Penalty Charge Notices (PCNs) including Representations

- 2.5.1 The operator will use the contemporaneous record, or tags on the digital record, to identify the sections of the 'working' video recording, which contain possible contraventions.
- 2.5.2 Each contravention will be reviewed on the working video to decide whether it is clear and indisputable. Appropriate details of the vehicle and circumstances involved in clear and indisputable contraventions are recorded, and registered keeper details obtained. A PCN is then sent to the registered keeper.
- 2.5.3 All PCN's are to be issued within 14 days of the contravention and may be sent by first class post. Service of the PCN sent by first class post is taken to have been effected on the second working day after the day of posting.
- 2.5.4 Representations: with regard to parking contraventions, formal representations specifically concerned with the issue of any Penalty Charge

Notice (PCNs) from this system can be made once the combined PCN/Notice to Owner has been issued to the keeper of the vehicle.

- 2.5.5 The enforcing authority must consider all representations and if it does not accept them, issues a Notice of Rejection. If the keeper is not satisfied by this outcome, there is a right of further appeal to the independent Adjudicators at the Traffic Penalty Tribunal (see section 6.0 – Guidelines for Appeals).

3.0 RETENTION AND USE OF EVIDENCE

3.1 Operator evidence

- 3.1.1 The operator's observation of a contravention is the primary evidence of that contravention of which the video captured is the physical copy of the operators view of the contravention as it occurred. The issued Penalty Charge Notice is the enforcing authority's declaration that a clear and undisputable contravention has been observed. All records made during a monitoring period are retained in secure storage.

3.2 Recorded video evidence

- 3.2.1 Recorded video evidence is retained to support the primary evidence supplied by the operator. All observations are concurrently recorded on twin video recordings. One video recording is known as the 'evidence video' and the other the 'working video'. All video-recordings regardless of format must be individually numbered for unique identification.

3.3 If a videotape, DVD or CD-R is being used for the 'evidence video'

- 3.3.1 The evidence video will only be removed from its secure storage if:
- it is required for adjudication evidence
 - it is no longer required for evidential purposes
- 3.3.2 An audit log will be kept to track the movement of all evidential media. A record commences at the point that the monitoring begins, and ends when the media is released from secure storage to be degaussed/deleted/destroyed.
- 3.3.3 An evidence video may be released for reuse when all contraventions recorded on it have been fully and finally settled.

3.4 If a digital storage medium is being used for the 'evidence video'

- 3.4.1 The system must ensure that the 'evidence video' of the two recordings is held separately, securely and can only be accessed by authorised personnel. An audit log will be kept to track the movement of all evidential media. A record commences at the point that the monitoring begins, and ends when the media is released from secure storage to be degaussed/deleted/destroyed.

3.5 Use and storage of the 'working video'

- 3.5.1 At the end of each recording period the 'working video' recording is used to review the potential contraventions identified by the operator. Thereafter the

recording is placed in secure storage. The 'working video' recording will only be removed from storage for the following purposes: -

- to generate still images or on screen prints or photographs;
- for viewing by authorised processing staff when considering representations and appeals;
- for viewing under strictly controlled conditions as defined in paragraph 2.5.15;
- for copying or release to third parties under the circumstances defined in paragraph 2.5.10;
- for monitoring purposes to obtain statistics on the performance of the scheme;
- for the purpose of additional monitoring.

3.5.2 A complete record is kept of the movement and viewing of every 'working video' recording. This begins when the tape, or disc, is placed in the recorder prior to a monitoring period, covers all uses and ends when it is released from secure storage and magnetically erased prior to reuse or destruction. In the case of digital storage medium it begins from the time the operator 'logs-on' to the system at the start of a monitoring period and ends when the video recording is deleted.

3.5.3 A 'working' recording is released for reuse, or destruction, when all contraventions recorded on it have been fully processed. In the case of digital images these should be securely deleted once they are no longer required.

4.0 OWNERSHIP, COPYING AND RELEASE OF RECORDINGS

4.1 All recordings are the property of the Council and may not be copied or released from the Control Room or from secure storage without the formal written agreement of the Senior Officer nominated in Appendix 1 paragraph 4. A copy of the section of a working video recording, relevant to a particular contravention, will only be released: -

- To the Parking and Traffic Penalty Tribunal Service (and copied to the appellant)
- To the Police
- To Lawyers acting for appellants in Traffic Appeals
- To Lawyers acting for defendants/victims in connection with criminal proceedings
- To a third party prosecuting authority, such as Customs & Excise or the Health & Safety Executive.
- By court order, in connection with civil proceedings
- In the case of VHS video, to be magnetically erased and properly disposed of after twelve cycles of use.

4.2 Recordings (or copies of a section of a recording) will only be released over signature to representatives of the above organisations after proof of identity. Recordings (and copies of recordings), which are released, remain the property of the Council. Any recording released to the Police will be dealt with by the Police as an exhibit and shall not be used for anything other than the purpose specified and identified when released to the Police. A detailed

record must be kept of the recording (or section of it) that has been released and the reason for its release.

- 4.3 The Council will provide the Police with a statement confirming the integrity of the recording, if required for evidential purposes.
- 4.4 Under no circumstances will recordings be released to members of the public, except as per section 5.1 below, or to media or other commercial organisations, except those contracted to undertake enforcement on behalf of the authority.
- 4.5 Recorded material will only be used for the purposes defined in this Code of Practice and will only be accessed as defined in this Code of Practice. In no circumstances will recorded material (or any copies or still prints generated from it) be sold or lent for any purpose other than those set out above. Copyright of all recorded material and stills printed from such material remain totally with the operating Authority.

5.0 VIEWING OF VIDEO TAPES OR OTHER RECORDING MEDIUM

- 5.1 A person who has received a PCN or the keeper of the vehicle is entitled to view that section of the video recording showing the contravention for which the PCN was issued. Viewing of videotapes, or other recording medium, will only be arranged following formal agreement of the Senior Officer nominated in Appendix 1 paragraph 5. Viewing of the video evidence should be arranged as soon as possible after a request has been made by the person in receipt of the PCN. The viewing area should not only be secure, but it should be designed and laid out so that only those in the viewing room can see the images. A still image may be supplied at no charge, as an alternative, in a situation where it is not possible to arrange a viewing of video evidence.
- 5.2 Viewing of video recordings will only be permitted in the following circumstances:
 - to support the issue of a PCN
 - as an alternative to releasing a recording to one of the parties nominated in paragraph 5.1 above
 - as part of internal audit, review or disciplinary procedures
 - as part of the training process for control room staff.
- 5.3 Viewing will only take place in a secure viewing area. It will be supervised by properly qualified Control Room staff. Only the 'working video' recording will be viewed. 'Evidence video' recordings will not be viewed.
- 5.4 The person supervising the viewing must enter full details of the event in the Control Room Records including: -
 - time, date and location of viewing
 - the serial numbers of all tapes or discs viewed, the sections of those tapes or discs that were viewed (using the start and finish frame numbers) if applicable.
 - the reasons for viewing each tape or disc
 - details of the people present at the viewing.

In the case of digital storage media it is sufficient for the system to log, with the video image;

- time, date and location of viewing
- the reasons for viewing
- details of the people present at the viewing.

5.5 The event will also be entered into the individual history of each video recording viewed.

5.6 These records should be subject to regular audit, at least once a year, by officers specified in Appendix 1, paragraph 6.

5.7 Still Images

5.7.1 A still image may be supplied to a person who has received a PCN to support that PCN. A copy of the still image may be supplied at the same time that the PCN is issued. A still image may be supplied as an alternative to viewing video evidence, following formal agreement of the Senior Officer named in Appendix 1 paragraph 5. No charge is to be made for supplying the image. The image then becomes the property of the person who received the PCN. All other still images will remain the property of the operating Authority.

5.7.2 A still image is a print onto paper of the picture held on a single field or frame of the video recording. The prescribed equipment will be used to generate these still images and each image produced will contain its unique frame number and the time (HH MM SS) and date (DD MM YY – or similar format) of the occurrence.

5.7.3 Still images will only be generated at the discretion of the Senior Officer named in Appendix 1 paragraph 5 and only for the following purposes;

- to support the issue of a PCN;
- as evidence for an Appeal;
- or if the Police, or other organisation approved by the operating Authority, request such an image with detailed written reasons for their request.

5.7.4 Each still image will be given a unique serial number and will be logged and accounted for at all times. Still images will only leave the Control Room as an integral part of the issued PCN or when requested by the recipient of the relevant PCN or signed out as evidence in the possession of the Police or other organisation listed in paragraph 4.1.

5.7.5 Still images may not be copied or released from the Control Room without the formal written agreement of the Senior Officer nominated in Appendix 1 paragraph 5.

5.7.6 Still images, which are no longer required, are to be destroyed in the Control Room and the destruction of each image will be recorded in the Control Room records.

5.7.7 The procedure for production, release and destruction of still images will be subject to regular audit.

6.0 GUIDELINES FOR APPEALS

6.1 All appeals and representations must be considered and dealt with having full regard for and totally in accordance with The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 and the Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions issued in 2008 and in accordance with local policies on mitigation and cancellations.

6.2 The Appeal Form

6.2.1 An appeal form must be enclosed with every Notice of Rejection of Representations issued by an enforcing authority.

6.2.2 The *official use* box must be completed by an authorised official of the enforcing authority. This must state the PCN No, the Vehicle Registration Number, the name of the keeper to whom the Notice of Rejection was sent and the date the Notice of Rejection was sent. This information must be completed for an appeal to be registered and enables the appeal service to check that the right person is lodging an appeal and that it has been submitted in time.

6.3 Evidence

6.3.1 The following items will be required as mandatory evidence by the Traffic Penalty Tribunal Adjudicators:

a) Authorised Officer Witness Statement - A declaration that at the time the contravention was observed the monitoring and recording equipment used was of a type approved by the Secretary of State and was in full working order at the time. An example of the Authorised Officer Witness Statement that should be used for parking contraventions is included in Appendix 4. The Authorised Officer Statement also includes details of the evidence that is being produced (e.g. stills from video recording) and confirmation that these were produced in accordance with the Code of Practice. In order for the Authorised Officer to sign the declaration reference should be made to the CCTV Enforcement Log Sheet to determine the status of the equipment at the time at which the contravention was witnessed. An example of a CCTV Enforcement Log Sheet is included in Appendix 3.

b) Copy of the Penalty Charge/Notice to Owner

c) A case summary - This should include the relevant part of the regulation allegedly contravened and deal with any exemption claimed by the appellant.

d) Copies of any representations made and all correspondence

e) Copy of the Notice of Rejection

f) Still or video images of the Offence.

6.3.2 The list above is not exhaustive. As in any case before the Traffic Adjudicators, the Adjudicator may ask for other forms of evidence not mentioned above. The Councils will be given at least 21 days notice to

submit evidence for Appeals. The evidence must be with the Traffic Adjudication Office 7 days before the hearing date (if date of hearing known).

6.4 Adjournments

- 6.4.1 The Adjudicators have indicated that they will usually allow one 14 days adjournment of a postal case. They have therefore delegated authority to the Proper Officer's staff to deal with such requests, which should be sent in writing to the Parking and Traffic Appeals Service. Applications for adjournments for longer periods for postal cases or for personal cases must be made in writing with reasons to the Adjudicator.

7.0 SECURITY OF OPERATIONS

- 7.1 The CCTV traffic monitoring operations will be carried out in a secure and lockable Control Room. Control room may include a secure mobile control vehicle.
- 7.2 All monitoring, recording and control equipment will be located in this room or in the case of mobile CCTV in a secure mobile control vehicle. All 'evidence' and 'working' recordings witness statements and other records will be stored in secure and locked cabinets within this room or other secure environment.
- 7.3 Visitors may only access the Control Room when authorised by the Senior Officer named in Appendix 1 paragraph. 5.
- 7.4 A logbook will be maintained in the Control Room in which details of all events and visits will be entered.
- 7.5 If the Control Room is left unattended for any time or for any interval, no matter how short, the tape, disc and record storage cabinets and the recording equipment and its controls must be securely locked and inaccessible to any unauthorised person. Any alternative secure storage room must be subject to the same conditions of attendance.
- 7.6 Technical, maintenance and repair work will only be carried out under the supervision of a responsible officer of the Borough. Safe guards re maintenance of vehicle etc. passwords etc cameras disabled

8.0 PROCEDURES MANUAL

- 8.1 A CCTV Enforcement Procedures Manual listing duties, responsibilities and procedures to be followed will be available in the Control Room at all times. Access to that manual shall be restricted to officers who have responsibility for operating the system. The manual will be regularly updated to reflect current good practice.

9.0 OPERATING PERSONNEL

9.1 Responsibilities

- 9.1.1 Management responsibility for the operation of the system and observance of this Code of Practice resides with the Officers listed in Appendix 1 Paragraph 6.

9.1.2 All staff operating the system will be responsible for working in full accord with this Code of Practice and the CCTV Enforcement Procedures Manual. They will be subject to their employer's normal disciplinary procedures and will sign an acknowledgement that they have been trained in and understand the Code of Practice and the Procedures Manual. Breaches of this Code of Practice or of the Procedures will result in disciplinary action.

9.2 Selection and Training

9.2.1 All personnel permitted to operate the System will be selected in accordance with the Employer's or the external service providers Standard Recruitment Procedures for personnel who are obliged to work to rules of confidentiality.

9.2.2 They will be fully instructed in their responsibilities and role in operating CCTV.

9.2.3 All staff undertaking enforcement of traffic regulations using CCTV cameras must have successfully completed an approved training course.

9.2.4 Training will include: -

- all aspects of this Code of Practice
- all aspects of Control Room Procedures
- all aspects of equipment operation
- system audit procedures
- issue of PCN's
- knowledge of the areas of application in the Borough
- the necessary underpinning knowledge of Traffic Law
- Health & Safety

9.2.5 Full records of training and of assessments of competence will be kept according to the Employer's Standard procedures.

9.2.6 Operators will only be permitted to operate the system unsupervised when they have proved their competence according to the Employer's Standard Procedures.

10.0 AVAILABILITY OF THE CODE TO THE PUBLIC

10.1 Copies of this Code of Practice are publicly available in accordance with the Freedom of Information Act 2000. The Code can be inspected at the address given in Appendix 1 Paragraph 2. or view/downloaded via the Councils website at www.wirral.gov.uk

11.0 MONITORING AND REVIEW OF CODE

11.1 The enforcing Local Authority will prepare an annual report on the issuing of Penalty Charge Notices, which will be presented to the Department for Transport. These reports will be made available for public inspection either in writing or through the Local Authority's website. The Code of Practice will be reviewed and changed if it is deemed appropriate following this annual report or if requested by the 'Traffic Penalty Tribunal' Joint Committee.

12.0 CHANGES TO CODE

- 12.1 It is intended that this Code will be amended as necessary to ensure that it continues to reflect current good practice. Changes to the Code will be classified as minor and major. Any change, which affects the purposes for which cameras will be used or the type of equipment to be used, constitutes a major change.
- 12.2 Minor changes may only be made after the agreement of senior representatives concerned in the operation of the scheme. Changes of nominated Officers are minor changes.
- 12.3 Major changes to the Code may only be made with the authority of the appropriate Cabinet Member or Committee within the Authority.

13.0 QUERIES AND COMPLAINTS ABOUT CODE

- 13.1 Queries and complaints about this Code or its general operation should be sent to the address given in Appendix 1 Paragraph 3.
- 13.2 Queries or appeals against any specific Penalty Charge Notice (PCN) shall be made to the address shown on that PCN.

APPENDIX 1

PARTICULARS OF OPERATING AUTHORITY

1 Authority responsible for the Scheme

Wirral Borough Council

2 Local Address at which this Code of Practice can be inspected

*Technical Services Dept, Cheshire Lines Building, Canning Street,
Birkenhead, CH41 1ND*

3 Address to which queries and Complaints about the scheme should be sent

*Technical Services Dept, Cheshire Lines Building, Canning Street,
Birkenhead, CH41 1ND*

4 Senior Officer who can authorise copying and release of tapes

*Mike Wilkinson, Assistant Director
Phil Black, Enforcement Manager*

5 Senior Officer who can authorise access to Control Room, viewing of recordings and release of still images.

*Phil Black, Enforcement Manager
Steve Atkins, Parking Services Manager*

6 Officers responsible for operation of the system and observance of the Code of Practice:

Overall responsibility

Phil Black

Responsibility for day to day operations

*Steve Atkins (WBC)
Simon Hummer (NSL)*

Responsibility for Training

*Steve Atkins (WBC)
Simon Hummer (NSL)*

TRAFFIC REGULATION ORDERS RELEVANT TO THIS SCHEME

The Scheme applies to all Traffic Regulation Orders made and in operation within the borough of Wirral and specifically within the limits of the area defined within Statutory Instrument 2711, The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Wirral) Order 2003 as detailed below.

The whole of the borough of Wirral except -

- (a) the entire length of the M53, and its on and off slip roads, within the borough;
and
- (b) the Kingsway Tunnel Approach from its junction with the M53 at Junction 1 to the Kingsway Tunnel entrance, and its on and off slip roads and marshalling areas, within the borough;
- (c) the A5139 Docks Link Road, from its junction with Poulton Bridge Road to its junction with the A554;
- (d) the approaches to the Queensway Tunnel as follows -
 - (i) Tunnel Road from its junction with the A41 to the tunnel entrance;
 - (ii) from the junction with Conway Street and Hamilton Street, but not including the roundabout that forms the junction, to the tunnel entrance; and
 - (iii) the flyover from Borough Road to the tunnel entrance;
- (e) the Chester Street (Underpass) from its junction with Tunnel Road to its junction with Ivy Street; and
- (f) the Cross Town Link (Flyover), Birkenhead from its junction with Chester Street to its junction with Borough Road East.

EXAMPLE CCTV ENFORCEMENT LOG SHEET

CCTV Enforcement Log Sheet

Date:

CEO Operator Number:

Vehicle Number:

Shift Start Time:

Shift End Time:

Daily Deployed Hours:

Contraventions Recorded:

Signed:



Appendix 3

Date	CCTV Enforcement Log Sheet			
Start Time	End Time	Street Name	Location of CCTV vehicle (e.g. o/s number 10)	Location of CCTV Camera enforcement signs (e.g. Junction of A Road/B Road)



CCTV Enforcement Log Sheet

Date:

Page of

Time	Street	Location of vehicle	Restriction	Code	CEO	VRM
Make	Colour	Comments & Observations (including details of any non-traffic or parking related incidents to be referred to other partner e.g. Police)				
Review by	PCN Number					
		Reason for not issuing PCN				

Time	Street	Location of Vehicle	Restriction	Code	CEO	VRM
Make	Colour	Comments & Observations (including details of any non-traffic or parking related incidents to be referred to other partner e.g. Police)				
Review by	PCN Number					
		Reason for not issuing PCN				



Camera Operator Witness Statement (Parking Contraventions)

TPT Case No:

PCN No:

I can confirm that I am a Civil Enforcement Officer employed by NSL Services Group to undertake parking enforcement duties on behalf of Wirral Borough Council.

This statement is true to the best of my knowledge and belief. I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything that I know to be false or do not believe to be true.

The enclosed page of the log is a true statement of events recorded at the time of the contravention. I produce in evidence in the above case, video or stills from video. I certify that these were produced from a video recording made by a mobile CCTV camera on the date and at the location show on the log.

I further certify:

1. that this/these was/were produced in accordance with the Wirral Code of Practice for the Operation of CCTV Enforcement Cameras;
2. that the monitoring and recording equipment used at the location and time specified is a prescribed device approved by the Secretary of State under The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007;
3. that, to the best of my knowledge and belief, all conditions subject to which approval was given were satisfied;
4. that traffic signs to advise motorists that camera enforcement is taking place were placed at the limits of the enforcement area in a position clearly visible to approaching motorists.

Civil Enforcement Officer Number: _____

Initials: _____

Dated: _____