

Weight Restriction Enforcement ANPR Camera System

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Statement of compliance with the Home Office Surveillance Camera Code of Practice

1. Background

The secretary of State has issued a Surveillance Camera Code of Practice (“the code”) under section 30 of the Protection of Freedoms Act 2012. The code provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities which include Local Authorities.

The Royal Borough of Windsor and Maidenhead has installed an Automatic Number Plate Recognition camera at Chobham Road Bridge, Sunningdale. This statement addresses the requirements of the code in relation to this system.

2. Purpose, Aim and Need

A 7.5 tonne weight limit was introduced on the railway bridge in Chobham Road, Sunningdale by an order made under the Road Traffic Regulation Act 1984. The order was made as the authority believed that an order was necessary for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of such danger arising.

The order was made to address the local residents and Parish Council’s concerns that the bridge narrows and forms part of the S-bend in the road and therefore large vehicles posed a danger as they were unable to cross the bridge without travelling across the centre white line into the path of oncoming vehicles.

Contravention of this weight limit is an offence under The Royal Borough of Windsor and Maidenhead (Chobham Road, Sunningdale) (7.5 Tonnes Weight Restriction) Order 2016 and section 5(1) of the Road Traffic Regulation Act 1984. Drivers are alerted to the weight restriction on the road through extensive signage in and around the area.

The weight restriction is enforced primarily by The Royal Borough of Windsor and Maidenhead Trading Standards Service. Historically the monitoring of traffic using the bridge was done through visual observation by members of the local community or Trading Standards staff. Such activities were undertaken in September 2016 and then a temporary ANPR was used in March 2017. As a result of these activities and the continued evidence of breaches of the order it was decided that a permanent ANPR was needed to monitor the bridge.

The ANPR (Automatic Number Plate Recognition) camera provides for 24/7 monitoring of the traffic using the bridge. The purpose of the camera is to capture images of vehicles that use the bridge in contravention of the weight restriction. This will enable the effective investigation of the circumstances of any potential contravention and legal action to be instigated if appropriate.

The aim of the cameras is also to deter drivers of vehicles which exceed the weight limit from using the bridge, which is achieved by signage and warnings for drivers. It is necessary to have capability to identify drivers of vehicles who contravene the regulations and for them to be aware that these contraventions will be recorded and formal action could be taken.

The camera will remain in place and operative until such time as a reduction in contraventions are so infrequent that the continual monitoring of the bridge is no longer necessary or proportionate.

3. Privacy

The privacy notice describing the information journey for the personal data processed for this purpose is published to the RBWM website:

https://www3.rbwm.gov.uk/download/downloads/id/4637/privacy_notice_anpr_camera.pdf

The privacy notice explains that the camera will gather individuals' information, namely the recording of images of vehicles, their number plates and their drivers. The privacy notice shows the information journey for the personal data captured.

Further processing will result in information being obtained from other sources about the driver and the purpose of the journey. Images of vehicles and separate photos of their number plates which are believed to be in contravention of the weight restriction will be stored; there will be no audio capture. Occasionally images of other vehicles crossing the bridge may be inevitably captured. Intrusion is necessary for the enforcement of the restriction and the level of intrusion will be minimised as far as possible in the cameras configuration.

There are no footpaths or pedestrianised areas in the vicinity of the bridge which is covered by the ANPR and therefore it is unlikely to capture images of pedestrians. The camera will be visible as well as signage advertising its presence.

The camera does not record sound and is not capable of hearing sound.

4. Transparency

Information about the use of the camera system will be published on the Boroughs website along with a contact point for further enquiries. Details of how to make a complaint about the actions and decisions of the Council are available on the main council website. This policy will be published on the Councils website.

5. Accountability

The individual with overall responsibility for the operation of the camera system and for ensuring there is appropriate transparency over its purpose, deployment and reviewing how effectively it meets its purpose is the Trading Standards & Licensing Manager. The Trading Standards & Licensing Manager can be contacted via email: trading.standards@rbwm.gov.uk

6. Policies and Procedures

Captures gathered by the camera system will only be accessible to Trading Standards staff and the Council's legal advisors and only to the extent necessary for the Council to enforce the weight

restriction. Access to the data and images and the use thereof will be communicated via a written instruction to all who need to comply with them.

7. Data Retention and security

The camera sends images via an SFTP server to Trading Standards. The data is encrypted in accordance with the latest DES and AES standards. The camera is configured to capture images of vehicles which would exceed the maximum gross weight and associated data files showing date and time the recordings were made. They are held by the system provider temporarily until downloaded to Trading Standards.

Once downloaded by Trading Standards this data will be held within the Council's network which is only accessible by Council Staff. The data will be held in an area of the Council's network that Trading Standards access. Once saved on the Council's system the data is subject to the Council's information governance policies and procedures.

Trading Standards will retain the data in accordance with existing procedures for retention and use of material gathered in the course of investigations.

8. Data Disclosure

Data obtained by the camera will only be used for the purpose of investigations into suspected contraventions of the weight restriction. Trading Standards staff will only access the data as necessary for this process and associated administration processes. Information will only be disclosed to other parties such as the DVLA and council's legal advisors when necessary in order to investigate and prosecute where appropriate contraventions of the weight restriction. Information gathered by the system will not be disclosed for other purposes unless permitted under the Data Protection Act 2018, the General Data Protection Regulation or as permitted under other legislation such as Counter Terrorism Act 2008.

Any request from third parties for information obtained by the camera will be considered by the Trading Standards & Licensing Manager in consultation with the Council's Legal Advisors.

Aggregated non- personal data may be published to show the outputs of the camera (eg total number of suspected contraventions identified by the camera system in a period).

9. Review and Audit

This policy will be reviewed annually. The review will take account of use of the system and outcomes achieved as a result and will consider the necessity of the camera system remaining in use and its effectiveness in achieving the purpose for which it was installed.