

Licensing (Liquor) CCTV Guidance

1. INTRODUCTION

1.1. Licensing (Scotland) Act 2005 section 142: Section 4. - Late Opening Conditions. A condition of regular extended hours beyond 0100 hours now includes mandatory CCTV provision to the satisfaction of the Chief Constable, in certain defined late night opening premises. **Note:** *some premises which do not have regular late licences, such as wedding venues, late opening restaurants etc. may not have the same requirement for CCTV provision as Pubs, Clubs, Nightclubs etc. however, at these premises in the interest of preventing and detecting crime such as fraud or theft, consideration to an appropriate level of meeting the requirements of CCTV coverage is advised.*

1.2. This specification documents the minimum requirements for CCTV systems to meet licensing requirements in the Police Service of Scotland area. This specification does not preclude additional cameras or features that may be added to the CCTV system as the management of the premises sees fit as long as these additional features comply with relevant legislation.

2. REFERENCES

2.1. Within this specification reference is made to Home Office and Information Commissioner Documents these should be read in conjunction with this specification (see Section 11).

3. DATA PROTECTION ACT

3.1. Notwithstanding any of the requirements contained in this document, systems MUST comply with the requirements of the Data Protection Act and subsequent GDPR Regulations. It is the responsibility of the premises owner to ensure this requirement is complied with.

4. CAMERA POSITIONS

4.1. **Required:** All points of entry to or exit from the premises must be captured by at least 1 fixed CCTV camera providing at images of at least 'Recognition' preferably 'Identification' quality of persons exiting / entering the premises.

4.2. **Required:** The cameras should be either tamper resistant or mounted in a way that makes them tamper resistant, with no visible wiring or protruding cables.

4.3. **Advised:** CCTV cameras are installed to cover external areas where patrons may be required to wait in line or congregate adjacent to points of entry. Audio capture is not mandatory, however, should be considered where operational requirements dictate.

4.4. **Advised:** CCTV cameras to cover other internal areas of high footfall and low supervision including customer/staff interaction areas, i.e. bars, counters etc. Audio capture should be considered where needs dictate. **Information:** All cameras covering areas of high footfall or customer staff interaction areas should give clear images at least of 'Recognition' preferably 'Identification' quality of all persons as defined in the 'Home Office CCTV Operational Requirements Manual'. The CCTV coverage of these advisable areas is not mandatory but is recommended.

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5. LIGHTING

5.1. **Required:** Lighting of sufficient luminance must be installed to fully support CCTV cameras at points of entry/exit.

5.2. **Required:** At points of entry or exit the lighting must be sufficient so that the perception of colour is relatively accurate (a minimum value of 60 on the Colour Rendition Index is advised).

5.3. **Advised:** A flat and consistent 'uniform' distribution of illumination to reduce shadowing.

6. RECORDING

6.1. **Required:** All CCTV cameras are to be recorded on digital video CCTV recorder(s) or an appropriate 'secure' cloud storage system.

6.2. **Required:** A minimum image capture rate of not less than 6 frames per second (higher preferable from 15fps up to 25fps, particularly at entrance or exit points/ queues/area of concern).

6.3. **Required:** Good quality CCTV images must be captured with a sufficient resolution to provide Recognition quality images. Recommendation is a resolution of 4 CIF.

6.4. **Required:** The digital video recorder or cloud storage must be capable of continued recording when a replay of images takes place.

6.5. **Required:** Images **must be retained** on the digital recorder or cloud storage for a period of at least 7 days or more to allow action to be taken if required, and as per the Information Commissioners recommendations of 'No longer than is necessary'.

6.6. **Advised:** If a greater retention period is chosen it should reflect the organisations own purposes and should be the shortest possible based on experience (Reference: The Information Commissioners CCTV Code of Practice).

7. IMAGE RETRIEVAL

7.1. **Required:** Retrieval of images from the digital video recorder or cloud storage must meet the following requirements:

i) The evidence must be able to be exported from the storage to one or more of the following media:

- ✓ USB memory stick or portable hard drive
- ✓ DVD
- ✓ CD

ii) The evidential image file must be accompanied on the export media (memory stick, hard drive, DVD or CD) by its **playing software** to be viewed in the format in which it was originally recorded.

iii) The playing software must be licence free.

iv) The playing software must be playable on the current **Windows** operating system.

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- v) The playing software and evidence must be playable from the media (memory stick, hard drive, DVD or CD) on which it is recorded and must not require installing, or any component part, on the PC on which it is played.
- vi) The playing software must not require access to the registry of the computer on which it is played.
- vii) The evidence must be initially saved without password protection.

7.2. **Advised:** Crown Office & the Procurator Fiscal Service (COPFS) have dictated that the acceptable standard for presentation of digital evidence in Court is MPEG4 (Version 3) .MP4 file extension, for video and MP3 for audio. It is recommended that systems are able to output to this format.

8. IMAGE VIEWING

8.1. **Required:** The CCTV system must include a method for viewing and reviewing images. This should be a CCTV / TV monitor which can be switched to view each CCTV camera individually.

8.2. **Required:** The set up and performance of each entry/exit camera must be easily confirmed.

8.3. **Required:** All point of entry or exit cameras must give clear 'Recognition' preferably 'Identifiable' images of all persons as defined in the 'Home Office CCTV Operational Requirements Manual'.

8.4. **Required:** All images captured must be clear, easily viewed and of sufficient playback quality to be used as evidence in Court.

8.5. **Advised:** The layout of the door entry arrangements should be such as to provide Pinch Points that will assist the CCTV system achieving consistent 'Recognition' preferably 'identifiable' images. These pinch points must **not** be achieved at the expense of health and safety considerations.

9. TRAINING

9.1. **Required:** Sufficient staff must be trained in the operation of the CCTV system, and at least one member of staff who is able to retrieve images for evidential purposes should be on duty at all times.

10. MAINTENANCE

10.1. **Required:** All faults must be rectified within a maximum of 7 days.

10.2. **Required:** A maintenance log must be kept reporting faults, their rectification and the systems maintenance schedule.

10.3. **Required:** The system must be tested and images checked on all business days to verify that all cameras are working satisfactorily, that lighting levels for the hours of darkness are appropriate, and if alterations are required this must be carried out as soon as possible. The result of the tests and any remedial alterations should be logged daily.

10.4. **Required:** A full set of Reference Manuals for all parts of the CCTV system should be held locally.

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11. REFERENCES

11.1 Home Office CCTV Operational Requirements Manual (2009)

11.2 The office of the Information Commissioner's CCTV code of practice *

* **Please note:** The ICO CCTV Code of Practice has not been updated since the Data Protection Act 2018 became law. The changes in the new 2018 law primarily refers to domestic use of CCTV and the previous versions which apply to commercial property use of CCTV has not changed. The ICO has advised that this guidance will be updated soon to reflect the changes. (April 2020).