

# Request for CCTV and disclosure footage

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**Version:** 2.0 (published)

**Last updated:** April 2026

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# Request for CCTV and disclosure footage

We normally only accept requests for footage from UK police staff, Solicitors, insurers or other bodies may also apply for CCTV footage on behalf of their Clients as the GDPR provisions do not apply to personal data where:

Pursuant to Schedule 2, Part 1 (5) of the Data Protection Act 2018 where disclosure of the data: -

1. is necessary for the purpose of, or in connection with, legal proceedings (including prospective legal proceedings),
2. is necessary for the purpose of obtaining legal advice, or
3. is otherwise necessary for the purposes of establishing, exercising or defending legal rights, to the extent that the application of those provisions would prevent the controller from making the disclosure.'

Individuals are entitled to make a Subject Access Request (SAR) for footage under GDPR, but this is unlikely to be helpful in cases of road traffic collisions and civil cases.

Please be aware that footage is held no longer than 31 days from time of incident. You should therefore submit your request within 21 days of the incident to allow sufficient time for the request to be received and processed before the footage is deleted.

Due to the time and resources needed to view and extract information related to CCTV requests, speculative and general requests for footage will not be processed. Requests for disclosure must be detailed and specify timings as accurately as possible within the hour to avoid time consuming and extensive reviews of the systems.

**Only requests submitted using the council's specified form will be accepted.**

## Processing and payment

Once we receive your submission, we aim to process the request within 10 working days. You will be informed if any footage is available and if we are able to disclose it. Any footage released is subject to the approved charges below.

**Please note: all requests for review of footage are chargeable whether footage is captured or not. No charge is made where footage for a Subject Access Request under GDPR Legislation.**

A footage release will not be progressed until we have received payment.

## Fees set for Luton council

	Item	Cost (£)
1	Copy of Photograph (per Photograph) (copy of a still image)	37
2	Copy of Photograph (additional Copies) (another copy of the same still image)	4.80
3.	Copy of Photograph (per disk) (such as supplied image on media)	25.50
4.	Copy of Audio Tape	45
5.	Copy of Video Tape	105.00
6.	Copy of Digital media on DVD	105.00
7	Copy of CD/ DVD	25.50
8	Request for review of footage - payable whether footage is found or not.	48.50

You will be advised when payment is required once your request(s) have been reviewed and approved.

Requests to view and disclosure of recorded images from any LBC CCTV or other surveillance camera system will normally be granted to organisations or specific individuals (Other Third Parties) that show they are a bona-fide applicant with a legitimate interest in the CCTV recordings and show valid reasons which must meet the purposes listed in Section 2 of the council's code of practice.

These are mainly (but not limited to) the following organisations:

- All UK police staff, (including Ministry of Defence and Military Police);
- Statutory authorities with powers to prosecute, (for example H.M. Revenue and Customs, councils, Trading Standards, Environmental Health, Licensing Service etc.);
- Solicitors or their legal representatives in criminal or civil proceedings; (**a fee will be charged**);
- Individuals representing themselves in judicial proceedings. **A fee will be charged.** Please be advised footage will only be released in accordance with DPA guidelines.
- Other agencies (for example insurance companies) according to purpose and legal status. **A fee will be charged** to cover costs of searching, copying and disclosure. Some requests may be treated

as a DPA Subject Access Request if an individual has authorised an SAR submission on their behalf.

A third-party request including members of the public (TPR) applicant should provide sufficient information to enable an assessment of type of request; (for example is it a data subject access request for 'personal data' or a general access request from a bona-fide entity?) and the relevant data to be located. Information that is too broad or covers extensive time periods making it difficult to locate the data will need to be revised and more specific. All requests for information will be scrutinised in detail. Viewing and disclosure of information will not be unduly obstructed, but Luton Council may refuse requests due to insufficient information or invalid reasons.

Or, it is deemed to be in the interests of the public, and they can provide accurate information about the time (**to within an hour**), date and place of the incident they are requesting footage of. The content of what will be provided by Luton Council is limited to still images of themselves and themselves only. We are unable to provide images of other people or vehicles as they are protected information. Evidence of who you are and the purpose for requesting this information will be required before information is released or shared.

Please use the councils CCTV footage request form which can be found on our CCTV procedure for the release of evidence webpage.

**Only requests submitted using the council's specified form will be accepted.**