

For publication

Hackney Carriage and Private Hire Licensing Policy -

Meeting: Appeals and Regulatory Committee

Date: 29 JUNE 2022

Cabinet portfolio: Health and Wellbeing

Report by: Licensing Manager

Policy Amendment

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1 PURPOSE OF REPORT

- 1.1 To consider the findings from a consultation with the taxi trade on whether Closed Circuit Television (CCTV) should be required in taxis and private hire vehicles licensed by the council.

2.0 RECOMMENDATIONS

- 2.1 Members determine whether CCTV should be mandated in our taxis and private hire vehicles.
- 2.2 If members decide to mandate the installation of CCTV, all reasonable costs of the council should be passed onto licence holders.

3.0 REASON FOR RECOMMENDATIONS

3.1 The consultation has concluded, and the recovery of costs is reasonable in the circumstances.

4.0 BACKGROUND

4.1 Current council policy permits CCTV in licensed vehicles in line with legislative requirements, but it does not mandate it.

4.2 The government publication [Statutory Taxi and Private Hire Vehicle Standards](#) requires all licensing authorities to consult in order to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users. The government expects recommendations from the report to be implemented unless there is a compelling local reason not to.

4.3 Members met on 15 December 2021 and authorised a consultation to ascertain the views of the trade and other consultees on whether there should be implementation of CCTV in taxis and private hire vehicles. The committee decided that the design of the consultation be brought back to a future meeting for approval.

4.4 On 27 April 2022 the committee approved a consultation process, facilitated by members of the council's corporate directorate. The consultation lasted for one month and has now ended, Appendix A contains the full report with the key elements highlighted below.

4.5 All licence holders were contacted, that is drivers, operators and vehicle proprietors together with key stakeholders such as the police, County Council and Sheffield City council. All district councils in Derbyshire were also contacted. A total of 1,240 questionnaires were circulated and 23 responses were received (2%).

4.6 To reach as many participants as possible the survey took place both online (via the link or QR code) and by paper.

4.7 Main findings

4.8 Most responses (21) came from licence holders.

4.9 When asked about potential positives for installing CCTV responses included:

- a) Protection and safety for both driver and passenger.
- b) Prevention and detection of crime.
- c) Safeguarding.
- d) Collection of evidence and a good backup in case something happens.
- e) Safety and reassurance.
- f) A deterrent to prevent non-payment of fares.

4.10 When asked about potential barriers or issues the respondent had identified, responses included:

- a) Cost (a recurring theme), not just for the licence holder but also for the council in its monitoring role.
- b) Safe keeping of images.
- c) Unscrupulous drivers who might use the footage for non-legal reasons.
- d) Issues around improper recording of audio.
- e) Length of time images could be stored.
- f) An additional cost on top of other rising costs.
- g) Intrusion of privacy.
- h) Data protection.

4.11 When asked if they had any other comments to make, responses included:

- a) The costs do not justify installation, again this was a recurring theme.
- b) CCTV should not be mandated, it should be left to the driver or operator.

- c) We allow tinted windows that prevent people looking in, so why have CCTV to protect the inside?
- d) The council should choose a cheaper option than Rotherham Council did.
- e) The council should pay for the installations.
- f) CCTV will reduce the number of taxis and private hire vehicles as people can't afford the costs.
- g) Unless the council is going to reduce other costs, such as moving to an annual MOT, then it should remain optional.
- h) The level of recorded crime does not justify CCTV being mandated.
- i) I think it's a good idea, but make sure there is a local, council approved installer.

4.12 As stated in previous reports, a licensing authority that mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data as the data controller and the purchase of CCTV systems will have cost implications for vehicle proprietors. The council would also assume the role of System Controller under the Protection of Freedoms Act 2012, these responsibilities would have significant cost implications for the council.

4.13 A current estimate for the installation of a CCTV system meeting the required standards is in the region of £500 - £800. This cost would be borne by the licence holder.

5.0 EQUALITIES IMPACT ASSESSMENT (EIA)

5.1 A full equalities impact assessment has not been completed at this stage, but if CCTV is mandated the council would have to conduct a full EIA.

6.0 RISK MANAGEMENT

6.1 A full risk management assessment has not been completed at this stage, but the issues of risk and proportionality are outlined in the body of the report.

7.0 RECOMMENDATIONS

- 7.1 Members determine whether CCTV should be mandated in taxis and private hire vehicles licensed by this council.
- 7.2 If members decide to mandate the installation of CCTV, all reasonable costs of the council should be passed onto licence holders.

Further information on this report is available from Trevor Durham, licensing manager at trevor.durham@chesterfield.gov.uk