

TEWKESBURY BOROUGH COUNCIL

Report to:	Licensing Committee (Special)
Date of Meeting:	25 August 2022
Subject:	Hackney Carriage (Taxi) and Private Hire Licensing Policy Review Stage 2 - CCTV
Report of:	Licensing Operations and Development Team Leader
Head of Service/Director:	Head of Community Services
Lead Member:	Lead Member for Clean and Green Environment
Number of Appendices:	One

Executive Summary:

That the Licensing Committee considers a consultation on whether CCTV would have a proportionate positive impact on public safety in the borough.

Recommendation:

To APPROVE a public consultation on CCTV in taxi and private hire vehicles as detailed at Appendix A to the report.

Financial Implications:

None arising directly from this report.

Legal Implications:

The Council will need to comply with public law consultation principles and with data protection legislation when undertaking the public consultation on the draft CCTV policy.

Environmental and Sustainability Implications:

None arising directly from this report.

Resource Implications (including impact on equalities):

None.

Safeguarding Implications:

None.

Impact on the Customer:

None.

1.0 INTRODUCTION

- 1.1** In October 2021, the Licensing Committee adopted the Gloucestershire Common Standards for taxi and private hire licensing for Tewkesbury Borough. These Common Standards reflect a first stage of work undertaken by the Gloucestershire Licensing Officer Group (GLOG) to consider and comply with the Statutory Standards issued by the Department of Transport in 2020. The Common Standards mainly relate to drivers and safeguarding issues.
- 1.2** Following on from that work last year, a second stage of the Common Standards is now being undertaken. This report considers the recommendation in the Statutory Standards about CCTV in taxi and private hire vehicles.

2.0 CCTV IN TAXI AND PRIVATE HIRE VEHICLES

- 2.1** The Statutory Taxi and Private Hire Vehicle Standards issued in 2020 state that Government expects the recommendations in the Standards to be implemented by local authorities unless there is a compelling local reason not to.
- 2.2** One of the recommendations not yet considered by Tewkesbury Borough Council is that *“All licensing authorities should consult 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, including children or vulnerable adults, and taking into account potential privacy issues.”*
- 2.3** The Department for Transport’s view is that CCTV can provide additional deterrence to prevent the potential risk to public safety and has an investigative value if there is an incident. Its view is that *“The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers.”*
- 2.4** However, the Standards also note that the imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. The report recognises that such a policy could impact on the privacy of the passenger and the driver. In addition, mandatory CCTV will have cost implications to the vehicle licence holder and introduce a responsibility to the Council to be the data controller for all data captured.

3.0 PROPOSED ACTION

- 3.1** GLOG has drafted a county consultation document that each authority can use to consult on this matter. The aim of the consultation is to identify if there is local evidence that would support each local authority introducing a mandatory CCTV policy.
- 3.2** The intention is that each of the Gloucestershire Licensing Authorities will use the same consultation document and consult at the same time; however, local outcomes to consultation may be different and each authority will need to make its own decision, based on local evidence, whether to introduce a mandatory approach.
- 3.3** **The** draft County CCTV Consultation Document is set out at Appendix A and it is recommended that the Committee approves undertaking this consultation for Tewkesbury Borough, the result of which will be reported back to the Committee so that a decision can be made whether to proceed with developing a mandatory CCTV policy.

4.0 CONSULTATION

- 4.1** In accordance with the Department of Transport's Statutory Taxi and Private Hire Standards, Tewkesbury Borough Council must undertake a consultation to consider whether local circumstances 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 taking into account potential privacy issues. The outcome of this consultation would then enable the Council to decide whether it would be proportionate to consider introducing mandatory CCTV.
- 4.2** The proposed consultation document drafted by GLOG is set out at Appendix A and, subject to approval by the Licensing Committee, a 12-week consultation will be carried out with all licence holders and stakeholders.

5.0 ASSOCIATED RISKS

- 5.1** None.

6.0 MONITORING

- 6.1** None

7.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

- 7.1** The Council's Corporate Plan.
Tewkesbury Borough Council's Hackney Carriage (Taxi) and Private Hire Licensing Policy – March 2022

Background Papers: [Department for Transport Statutory Taxi and Private Hire Vehicle Standards 2020](#)

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Appendices: Appendix A – CCTV Consultation Document