

BROMSGROVE DISTRICT COUNCIL

**Licensing Committee
2025**

21 July

Review of Mandating CCTV in Taxis.

Relevant Portfolio Holder	Councillor K. Taylor
Portfolio Holder Consulted	No
Relevant Assistant Director	Simon Wilkes – Director of Worcestershire Regulatory Services
Kiran Lahel	Job Title: Licensing and Support Services Manager Contact email: kiran.lahel@worcsregservices.gov.uk Contact Tel: 01562 738067
Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Council Priority	
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

Members are asked to note the contents of the report.

2. BACKGROUND

- 2.1 On the 1st September 2022 Bromsgrove District Council introduced The Statutory taxi and private hire vehicle standards ('The Standards'). The Standards were published in July 2020 and included the use of CCTV as an area for Local Authority discussion.
- 2.2 This authority has a voluntary CCTV option already in place for all vehicle owners. On introduction of the policy in 2022 officers advised that they would monitor intelligence and engage with partners to ensure the policy remained in line with what the data was showing us.
- 2.3 Officers advised they would bring back a report once the policy had been embedded and would then review the decision to ensure the authority was doing what it needed to in protecting the general public.

3. OPERATIONAL ISSUES

- 3.1 In February 2019 The Department for Transport (DfT) carried out a consultation exercise to gather views and evidence on measures for

inclusion within their statutory guidance for licensing authorities “Taxi and Private Hire Vehicle Licensing: Protecting Users”. The guidance was published to assist local licensing authorities in England and Wales which have responsibility for the regulation of the taxi and private hire vehicles, on how their licensing powers can be exercised in order to safeguard children and vulnerable adults.

- 3.2 The Guidance which went through a consultation process and was then published in 2020 sets out a framework of policies that licensing authorities “must have regard” to when exercising their functions. These functions include developing, implementing, and reviewing their taxi and PHV licensing regimes, one of which is installation of CCTV in licensed hackney carriage and private hire vehicles.
- 3.3 The consultation document acknowledged the potential risk to public safety when passengers travel in taxis and PHVs and stated that it was the DfT’s view that CCTV can provide an additional deterrence to prevent this and investigative value when it does. They state that the use of CCTV can provide a safer environment for the benefit of taxi/PHV passengers and drivers by: -
- deterring and preventing the occurrence of crime
 - reducing the fear of crime
 - assisting the police in investigating incidents of crime
 - assisting insurance companies in investigating motor vehicle accidents
- 3.4 At the present time it is noted that only a small number of licensing authorities have so far made it a legal requirement (7%) for all taxi and private hire vehicles to be fitted with mandatory CCTV systems. These authorities have been able to demonstrate through evidence and intelligence that such a policy was necessary. More recently these have included Barnsley Council, Portsmouth and Southampton, Cambridge City and South Cambridgeshire District Council. Swindon Borough Council did mandate it but reversed the decision due to a number of challenges.
- 3.5 The initial Guidance highlighted that licensing authorities who legally require the installation of CCTV systems in taxis and PHV will be fully responsible for any data obtained; they in effect become the “System Operator” and the “data controller”.
- 3.6 An extract of the final guidance relating to the installation of CCTV in licensed vehicles can be seen at “**Appendix 1**”.
- 3.7 As part of the consultation on the Statutory Taxi Standards undertaken in 2022 officers proposed that if this element of the standards was to be

considered in detail, then it would need to be looked at as a separate project. Officers advised that there would be a lengthy consultation process required to ensure all stakeholders are included in any discussions if taken forward.

- 3.8 The Local Government Association in an effort to assist those local licensing authorities considering regulating the use of CCTV in licensed vehicles have published further guidance “Developing an approach to mandatory CCTV in taxis and PHVs”. This guidance touches on many of the points which have been considered by Members previously. A copy of the LGA guidance is attached at “**Appendix 2**”.
- 3.9 The responses received from the consultation undertaken by Bromsgrove District Council between 12 February 2019 and 22 April 2019 on its draft Hackney Carriage and Private hire licensing policy did not lead officers to believe that CCTV was an area to be explored further by officers.
- 3.10 The current policy that came into effect on 1st September 2022 has been consulted upon and states that the Council recognises that CCTV systems can act as an additional safeguard, providing protection, confidence and reassurance to the public when they are travelling in a hackney carriage or private hire vehicle as well as to drivers, who can also be victims of violence and abuse.
- 3.11 Current policy allows the proprietor of any vehicle that it has authorised to be used as a hackney carriage or private hire vehicle to install CCTV cameras in their vehicle subject to the following requirements:
- No installation of a CCTV system shall take place within a licensed vehicle unless the proprietor of the vehicle has notified the Council in advance.
 - All CCTV systems which are installed into licensed vehicles must be compliant with the requirements of the Data Protection Act 2018. The system must also be compliant with the Information Commissioner’s requirements in respect of registering the system and the capturing, storing, retaining and using any recorded images.
- 3.12 Initial enquiries by officers have revealed that the cost to purchase and install CCTV equipment in hackney carriage and private hire vehicles can be anywhere in the region of £500 to £1200. Many local

authorities state the minimum equipment specification and also provide an approved suppliers list.

- 3.13 All Licensing authorities are asked to consider if local circumstances suggest that having CCTV as part of the condition of a licence will have a positive effect. DfT and the Local Government Association (LGA) both stress that consultation in the driver community is essential. At this point in time only a small minority of authorities have imposed this rule. Mainly those that have experienced cases of child exploitation.
- 3.14 Officers have assessed the complaints data received into WRS and the context of information received alongside the data from the current WRS Strategic assessment. On evaluation it is evident that the number of complaints received are more directed at driver behaviour or vehicle standards than they are connecting a driver to a serious offence or safeguarding issue such as assault, sexual assault, sexual harassment, or substance misuse.
- 3.15 The introduction of safeguarding training for taxi drivers has also been introduced in order to mitigate such situations and covers both drivers' personal safety and safeguarding responsibilities.
- 3.16 Officers have a proactive working relationship with West Mercia police colleagues and taxi matters are discussed regularly and their intelligence analysts have also examined their own data and complaints information and there is no evidence that has been presented to officers whereby a change in the Council's current position is necessary.
- 3.17 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 appropriate strong justification.
- 3.18 Other Local Authorities have chosen this route as stated above as evidence has proven that there is a problem however officers have a presence at both the North Worcestershire Safeguarding Partnership meeting and Safer Worcestershire Board where information regarding complaints can be analysed and any concerns discussed in an open forum.
- 3.19 Some Local Authorities have taken an alternative view like Bromsgrove District Council and operate a voluntary CCTV scheme which allows vehicle proprietors the choice of whether they wish to install CCTV equipment in their licensed vehicle. However, should they choose to install the equipment they are required to adhere to the Council's adopted CCTV policy, in which it specifies an approved system and an approved supplier. The policy also gives details on the rights of

privacy, Data Protection, Human Rights and the management of information etc. Wolverhampton City Council, Leeds City and Telford and Wrekin Council all have taken this approach.

- 3.20 It is important to note that if the officers in partnership with external agencies felt there was a requirement for mandating CCTV in taxis they would bring the data and evidence to consider without delay to the Licensing Committee in order to proactively safeguard the travelling public.

4. FINANCIAL IMPLICATIONS

- 4.1.1 The costs associated with carrying out any recommended consultation will be met from existing budgets held by Worcestershire Regulatory Services.
- 4.1.2 The cost associated with the introduction of CCTV equipment and ongoing running costs will need to be met by the licence holder or by alternative means.

5. **LEGAL IMPLICATIONS**

- 5.1 All CCTV systems which are installed into licensed vehicles must be compliant with the requirements of the Data Protection Act 2018. The system must also be compliant with the Information Commissioner's requirements in respect of registering the system and the capturing, storing, retaining and using any recorded images.

6. **OTHER - IMPLICATIONS**

Relevant Council Priority

- 6.2 Any policy introduction would need to have regard for and align with the Council's corporate policy in relation to data protection and information management.

Climate Change Implications

- 6.3 There are no Climate change implications

Equalities and Diversity Implications

- 6.4 The Licensing Committee will ensure it has regard to the desirability of exercising its functions regarding the need to eliminate discrimination and to increase equality of opportunity. On this occasion no Equality Implications have been identified.

7. **RISK MANAGEMENT**

- 7.1 If the council fails to review its policy in line with the Department for Transport's recommendations it may be challenged by the Police and Crime Commissioner and Department for Transport through audit or policy review.

8. **APPENDICES and BACKGROUND PAPERS**

- Appendix 1 Extract of the final DFT guidance on CCTV
Appendix 2 A copy of the LGA guidance

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Please record the name of the relevant Portfolio Holder who has signed off the report here.	Please give the date they signed off the report here.
Lead Director / Assistant Director	Please record the name of the relevant lead Director / Assistant Director who has signed off the report here.	Please give the date they signed off the report here.
Financial Services	Please record the name of the relevant Officer in Financial Services who has signed off the report here.	Please give the date they signed off the report here.
Legal Services	Please record the name of the relevant Officer in Legal Services who has signed off the report here.	Please give the date they signed off the report here.
Policy Team (if equalities implications apply)	If applicable, please record the name of the relevant Officer in the Policy team who has signed off the report here.	If applicable, please give the date they signed off the report here.
Climate Change Team (if climate change implications apply)	If applicable, please record the name of the relevant Officer in the Climate Change team who has signed off the report here.	If applicable, please give the date they signed off the report here.