

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE LICENSING COMMITTEE

MONDAY 21ST JULY 2025, AT 6.05 P.M.

PRESENT: Councillors J. Clarke, A. M. Dale, D. J. A. Forsythe, B. Kumar (during Minute No's 1/25 and part of 7/25), E. M. S. Gray (substituting for Councillor J. Elledge), D. Hopkins, C.A. Hotham (during Minute No's 1/25 and part of 7/25), R. J. Hunter, P. M. McDonald, B. McEldowney, S. A. Robinson, K. Taylor and P. J. Whittaker

Officers: Mrs. V. Brown, Mr. N. McMenamin, Worcestershire Regulatory Services and Mrs. P. Ross

1/25

ELECTION OF CHAIRMAN

RESOLVED that Councillor J. Elledge be elected Chairman of the Committee for the ensuing municipal year.

2/25

ELECTION OF VICE-CHAIRMAN

RESOLVED that Councillor B. McEldowney be elected Vice-Chairman of the Committee for the ensuing municipal year.

3/25

APOLOGIES

An apology for absence was received from Councillor J. Elledge, with Councillor E.M.S Gray in attendance as the substitute Member.

4/25

DECLARATIONS OF INTEREST

There were no declarations of interest.

5/25

MINUTES

The minutes of the Licensing Committee meeting held on 24th March 2025 were submitted.

RESOLVED that the minutes of the Licensing Committee meeting held 24th March 2025, be approved as a correct record.

6/25

REVIEW OF MANDATING CCTV IN TAXIS

The Principal Officer, Licensing, Worcestershire Regulatory Services (WRS), presented the report to Members. The purpose of the report was to review the mandating of CCTV in taxis.

Members were informed that on 1st September 2022 Bromsgrove District Council had 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.

The Council already had a voluntary CCTV option in place for all vehicle owners. On introduction of the policy in 2022 Officers had advised that they would monitor intelligence and would engage with partners to ensure that the policy remained in line with what the data was showing us.

The Principal Officer, Licensing, WRS, drew Members' attention to page 16 of the main agenda pack, which referenced that in February 2019 The Department for Transport (DfT) had 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 who had responsibility for the regulation of the taxi and private hire vehicles, on how their licensing powers could be exercised in order to safeguard children and vulnerable adults.

The Guidance was then published in 2020 and set out a framework of policies that licensing authorities "must have regard" to when exercising their functions. These functions included developing, implementing, and reviewing their taxi and PHV licensing regimes, one of which was the installation of CCTV in licensed hackney carriage and private hire vehicles.

The consultation document acknowledged the potential risk to public safety when passengers travelled in taxis and PHVs and stated that it was the DfT's view that CCTV could provide an additional deterrence to prevent this and investigative value when it did. They further stated that the use of CCTV could 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

As part of the consultation on the Statutory Taxi Standards undertaken in 2022, Officers had 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 were included in any discussions if taken forward.

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.

Members were asked to note that, as detailed in the report, at the present time only a small number of licensing authorities (7%) had made it a legal requirement for all taxi and private hire vehicles to be fitted with mandatory CCTV systems. These authorities had been able to demonstrate through evidence and intelligence that such a policy was necessary.

The Council's current policy which came into effect on 1st September 2022 was consulted upon and stated that the Council recognised that CCTV systems could act as an additional safeguard, providing protection, confidence and reassurance to the public, when travelling in a hackney carriage or private hire vehicle as well as to drivers, who could also be victims of violence and abuse.

Furthermore the current policy allowed the proprietor of any vehicle, which had been 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.

Officers had assessed the complaints data received by WRS and the context of information received alongside the data from the current WRS Strategic assessment. On evaluation it was evident that the number of complaints received were more directed at driver behaviour or vehicle standards than they were connecting a driver to a serious offence or safeguarding issue such as assault, sexual assault, sexual harassment, or substance misuse.

The Principal Officer, Licensing, WRS referred to the incidents that had taken place in Rotherham and Telford and that with the evidence received and following prosecutions, that this was pivotal in the decision

to make CCTV mandatory in all hackney carriage and private hire vehicles licensed in those areas.

Officers had determined that there was currently not a requirement or need for mandatory CCTV in taxis in the District. However, Members were reassured that Officers would continue to monitor and periodically review this.

In response to questions from the Committee, the Principal Officer, Licensing, WRS confirmed that:

- The cost to purchase and install CCTV equipment in hackney carriage and private hire vehicles could be anywhere in the region of £500 to £1,200.
- Any CCTV system installed under the Council's voluntary CCTV policy, would have to meet all of the required industry standards, by being compliant with the requirements of the Data Protection Act 2018 and the Information Commissioner's Office.

Members stated that the use of CCTV would be of benefit in protecting both the drivers and passengers safety. Members were surprised that drivers did not want / have CCTV in their licensed vehicles to protect themselves.

The Principal Officer, Licensing, WRS agreed to find out how many drivers licensed by the Council had CCTV in their vehicles and were registered under the Council's Voluntary policy.

Councillor P. M. McDonald added that as detailed in the agenda papers, only 17% of victims reported incidents, so maybe the Council was not aware of a need to mandate CCTV in taxis, as not all incidents were reported.

The Principal Officer, Licensing, WRS, explained that Officers worked with partners, including the Police with monitoring incidents. All partners worked closely and took their safeguarding policies seriously.

If there was a will from Licensing Committee Members to mandate CCTV in taxis, this would need to go out for consultation to all relevant stakeholders. The responses, all of the information received, and any evidence gathered would then be reported back to Licensing Committee Members. The Principal Officer, Licensing, WRS, reiterated that there would need to be enough information and evidence in order to mandate CCTV in taxis, as Council policies could be judicially reviewed.

Some Members commented that should they just be noting the contents of the report as presented, or should Members be taking proactive and preventative measures to protect the travelling public and taxi drivers.

Other Members commented that whilst the points and concerns raised by some Members during the course of the debate were very valid, the Council was responsible for licensing drivers / vehicles in the District. With the current cost of living crisis and Uber taking business away from local drivers, it would be unfair to put such costs onto drivers by mandating CCTV. Until there was a national policy don't mandate CCTV in Bromsgrove. Some Members also suggested monitoring for a further 12 months and a report with a further report being presented following the 12 month period.

Members asked the Principal Officer, Licensing, WRS, if he was aware as to what the taxi trade felt about mandating CCTV in taxis. In response, Members were informed that the taxi trade were reluctant for CCTV in taxis to be made mandatory.

The Principal Officer, Licensing, WRS, reminded Members that there was a full set of procedures and checks for applicant's and licensed drivers to adhere to, in order to be deemed a 'Fit and Proper person' to hold such a licence. An enhanced Disclosure and Barring Service (DBS) check was also required. Taxi driving was also classed as a 'notifiable occupation,' whereby if a taxi driver was arrested, charged, convicted or was the subject of a police investigation, the police were required to notify the relevant licensing authority; in order to ensure public safety.

Members briefly discussed less expensive options, such as dashcams or potential incentives for drivers to install CCTV or promoting the Council's current voluntary CCTV policy.

With the Principal Officer, Licensing, WRS, reiterating that systems were required to be complaint, as highlighted during the course of the meeting. Other Worcestershire authorities also had voluntary CCTV policies and had received similar reports with regards to mandating CCTV in taxis, which had shown that currently there was no evidence to mandate CCTV, and that licensed drivers were finding it difficult with ever increasing costs and competition from Uber.

As stated in the report, the initial Guidance highlighted that licensing authorities who legally required the installation of CCTV systems in taxis and PHV would be fully responsible for any data obtained; they in effect would become the "System Operator" and the "data controller."

In response to further questions from Committee Members with regards to intelligence received from the police and if needed, how quickly could the Council mandate CCTV in taxis; the Principal Officer, Licensing, WRS, stated that going forward, any evidence or intelligence received, or an increase in the number of complaints received in respect of safeguarding; Licensing Officers would monitor this closely and a change in policy could be implemented quite quickly.

Members then discussed if further consultation with the taxi trade was needed in order to seek their opinion and to understand as to why licensed drivers appeared to be reluctant to install CCTV. Was this due to the cost implications or the possibility that not all licensed drivers were fully aware of the Council's current voluntary CCTV policy.

The Council's Legal Advisor asked Members to be more specific. Officers had informed Members that currently there was no evidence to mandate CCTV in taxis in the District. All stakeholders would have to be consulted should Members require a new draft policy on mandating CCTV in taxis. Were Members asking for this and were Members just seeking the taxi trades views and opinion of CCTV in taxis.

Members agreed that they were just seeking the views of the taxi trade on CCTV in taxis, and requested that Licensing Officers, WRS, use a light touch approach and liaise with the Bromsgrove Taxi Association /taxi trade with regards to CCTV in taxis. With the outcomes of the light touch engagement being reported back to the scheduled meeting of the Licensing Committee on 10th November 2025.

Members further requested that a representative from the Bromsgrove Taxi Association be invited to the Licensing Committee meeting on 10th November 2025, in order to address Committee Members and respond to any questions from Licensing Committee Members.

With the agreement of the Vice-Chairman, the Democratic Services Officer explained that there was currently no procedure rules / processes in the Council's Constitution with regards to Public Speaking at Licensing Committee meetings.

The Democratic Services Officer further advised the Committee that she would seek further legal advice on Public Speaking at Licensing Committee meetings.

RESOLVED that

- a) Licensing Officers, WRS, carry out a light touch engagement with the Bromsgrove Taxi Association / taxi trade, on CCTV in taxis,
- b) the outcome of the light touch engagement be reported back to the scheduled meeting of the Licensing Committee on 10th November 2025, and
- c) the Democratic Services Office seeks further legal advice on enabling Public Speaking at Licensing Committee meetings and report back to Licensing Committee Members as soon as possible.

Members received a report, for noting, on the Deregulations Act 2015 and the effect on taxi and private hire licensing.

The Principal Officer, Licensing, Worcestershire Regulatory Services (WRS) presented the report and in doing so, informed the Committee; that at a meeting in mid-2024 with the Taxi Representatives in Bromsgrove, concerns were raised by Bromsgrove's hackney carriage trade members regarding the rising number of Uber vehicles which were entering and working in and around the district. Concerns were also raised in relation to the regulations which were implemented that allowed Uber to operate in other local authority areas, under its current business model.

Since the majority of these Uber private hire vehicles were licensed by Wolverhampton City Council (WCC) Licensing Officers wrote to WCC asking for support and had since carried out joint enforcement activity in Bromsgrove's Nighttime Economy with WCC officers. The enforcement activity was to ensure that any vehicles licensed by WCC entering and working in the district, were meeting the requirements as set out in this report and working within the regulations.

Licensing Committee Members had requested a reminder of the legislation that was introduced that enabled Uber's operating model.

Members' attention was drawn to paragraphs 3.7 and 3.8 (page 57 of the main agenda pack), which detailed that:-

'It has always been the case that a taxi or private hire vehicle had the "right to roam" meaning that they are not limited or restricted to simply working within their controlled district, this meant that a driver and vehicle licensed by a Local Authority could work anywhere in the country on a pre-booked basis. It has also always been the case that a resident of one area could make a booking with a private hire operator licensed in a totally different area and that an operator could lawfully accept the job and dispatch a driver and vehicle licensed by their local authority into the local authority area where the passenger wanted to be picked up.

The Deregulation Act 2015 however, further enabled a private hire operator licensed by one Local Authority to accept a booking and then sub-contract it to another operator licensed by a different Local Authority (previously they could only sub-contract to an operator licensed by the same Council as them).'

Since its implementation in 2015, many private hire operators had taken advantage of the freedoms which the Deregulation Act 2015 had introduced. Companies had set up satellite offices in other cities and neighbouring districts and were now sub-contracting private hire bookings to themselves and dispatching a vehicle and driver licensed by that local authority.

The Government's intention when implementing the Deregulation Act 2015 was to encourage free trade across district council borders, which inevitably had led to the current situation within the UK. The Government did not see this as problematic, as it had achieved what it intended to with the introduction of the Act, so it was not a loophole as many people seemed to state, hence within Bromsgrove District Council it was now commonplace to see vehicles and drivers licensed by other local authorities undertaking pre-booked journeys in the District.

Concerns had been raised by Bromsgrove's taxi drivers that vehicles and drivers licensed by other local authorities were plying for hire in Bromsgrove. As detailed in the preamble above, provided that a private hire vehicle and driver (and operator) were properly licensed by a local authority they could wait in any location for a booking to be dispatched to them quite legally. A recent legal case taken by Reading Borough Council against Uber drivers licensed by Transport for London (TfL) who were waiting in Reading for bookings had confirmed that, as long as they were not actively "plying for hire," a private hire or hackney carriage vehicle could wait anywhere for a booking, provided that they were parked lawfully.

In response to questions from Members, the Principal Officer, Licensing, WRS highlighted that WRS Licensing Officers worked closely with WCC Licensing Officers. With regards to Uber drivers plying for hire, some information and complaints had been received from passengers.

(It was noted that at this stage in the meeting Councillors B. Kumar and C. A. Hotham left the meeting room, having notified the Vice-Chairman at the commencement of the meeting, that they both had prior commitments).

Uber vehicles and drivers, could now regularly be found working in and around Worcestershire, including Bromsgrove. Officers had and would continue to engage with WCC if any further issues were identified by intelligence or enforcement operations.

Members referred to the National Taxi Standards, as detailed in paragraph 3.15 (page 58 of the main agenda pack), which stated that

'The National Taxi Standards introduced in September 2022 created a National Register of Taxi Licence Revocations and Refusals (NR3). NR3 contains information relating to any refusal to grant, or revocation of a hackney carriage/private hire driver licence. This information is important in the context of a subsequent application to another Authority for a drivers' licence by a person who has had their licence refused or revoked in the past. All of the licensing authorities within Worcestershire, including Bromsgrove have signed up to and are utilising NR3'.

The Principal Officer, Licensing, WRS, explained that Licensing Officers referred to the NR3, which was not just for criminal convictions, but also detailed poor customer service and overcharging. Licensing Officers

would liaise with the relevant local authority in order to ascertain as to why a driver / individual was included on the NR3.

Members were reassured that taxi drivers were included under the governments 'The Notifiable Occupations Scheme.' Whereby professions or occupations which carried special trust or responsibility, in which the public interest in the disclosure of conviction and other information by the police generally outweighed the normal duty of confidentiality owed to the individual.

The police would therefore notify Licensing Officers in relation to all recordable convictions, cautions, reprimands and final warnings, for the purpose of the prevention and detection of crime and for the protection of the vulnerable and children.

Some Members commented that it was not a level playing field if Uber drivers were waiting in the district for bookings. Also members of the travelling public may not always be aware as to whether a licensed vehicle was a hackney carriage or private hire vehicle. Some local authorities used the same livery / branding for hackney carriages licensed by them, in order to make people aware and to raise their profile.

Members further referred to Geofencing (page 60 of the main agenda pack), and the possibility of Uber limiting their operations in the UK's districts. The Principal Officer, Licensing, WRS, stated that Officers had contacted Uber and that Uber were not interested in Geofencing or limiting their operations anywhere in the UK.

Members further referred to app based private hire taxi bookings and that younger people preferred this way of booking a taxi.

RESOLVED that the contents of the report on the Deregulation Act 2015 and its effect of taxi and private hire licensing, be noted.

8/25

LICENSING COMMITTEE WORK PROGRAMME

The Committee considered the Work Programme for 2025/26.

Members agreed that as detailed in the preamble above, that following Licensing Officers (light touch) engagement with the Bromsgrove Taxi Association / Taxi Trade, on CCTV in taxis, it was

RESOLVED that

- a) a further report on 'Mandating CCTV in Taxis' be presented to the Licensing Committee meeting scheduled for 10th November 2025, and
- b) the Licensing Committee Work Programme 2025/2026 be updated to reflect this.

9/25

TO CONSIDER ANY OTHER BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE HEAD OF LEGAL, EQUALITIES AND DEMOCRATIC SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING

There was no urgent business.

10/25

ANY ENFORCEMENTS / APPEALS UPDATES

There were no Enforcement / Appeals updates.

The meeting closed at 7.10 p.m.

Chairman