
REPORT TO:	ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	09 NOVEMBER 2023	CATEGORY: DELEGATED/ RECOMMENDED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	EMMA MCHUGH 01283 228745 emma.mchugh@southderbyshire.gov.uk	DOC:
SUBJECT:	CCTV IN PRIVATE HIRE VEHICLES POLICY	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1. Recommendations

- 1.1 Members note the report.
- 1.2 That Members approve the active monitoring of complaints and investigations by Licensing Officers with a view to assessing the need for mandatory CCTV in licensed vehicles on an ongoing basis.

2. Purpose of Report

- 2.1 To provide Members with the outcome of a consultation with interested parties on the mandatory provision of CCTV in private hire vehicles.

3. Detail

- 3.1 In 2020, the Department of Transport published the Statutory Taxi and Private Hire Standards ("the Standards"). The Standards required all licensing authorities to publish their consideration of the recommendations detailed in the Standards. As a result, the Private Hire Licensing Policy was amended and implemented from January 2021.
- 3.2 One outstanding area that was not addressed was the mandatory provision of CCTV in licensed vehicles. After consultation with interested parties, a report was brought before this Committee in November 2021. Due to the lack of evidence, Members decided not to make it mandatory for CCTV to be fitted in all licensed private hire vehicles within the District. Members approved the monitoring of the need for mandatory CCTV on an ongoing basis.
- 3.3 Whilst the Licensing Authority does not mandate the compulsory provision of CCTV in licensed vehicles any CCTV fitted in a licensed vehicle must comply with the requirements set out in the Council's CCTV in Private Hire Vehicle's Policy.

3.4 The Local Government Association (LGA) produced guidance on the introduction of mandatory CCTV for licensed vehicles in January 2019. Having considered the LGA guidance, there are several matters that must be evidenced when considering implementing the mandatory use of CCTV:

- There must be a strong evidence-based justification for policy which imposes the mandatory use of CCTV systems in licensed vehicles.
- Officers and Members must consider what is an appropriate and proportionate approach to CCTV, having regard to evidence of any need based on issues identified in their local area. The impacts on the driver privacy must be weighed in the balance when assessing proportionately.
- Officers need to be clear on the problems that need addressing and must be able to justify why these can only be effectively resolved by CCTV, as opposed to some less intrusive alternative solution. The assessment of proportionality and the justification for CCTV needs to be relevant to local circumstances and a local evidence base will be required to support any proposal.
- Is there a pressing social need and do we have evidence that this need must be addressed?
- Audio recording is considered more intrusive on privacy than cameras and will require stronger justification.
- Have alternative options been reviewed and is there evidence to show the only way to address the issue is using audio recording?

4. Consultation and Ongoing Monitoring

4.1 A consultation took place between 7th November and 9th December 2022. Information on the consultation and how to respond was sent to all licensed private hire drivers, vehicle proprietors and operators. In addition, a questionnaire was placed on the Council's website. A social media campaign also gave further information to the wider public on the consultation. The Police were contacted for information on incidents relating to taxis over the past 12 months within the District.

4.2 23 responses were received during the consultation. The responses are attached as **Appendix 1**.

4.3 Between November 2021 and May 2023, there were 66 incidents reported to the Police relating to taxis. Of the 66 incidents reported, CCTV would have assisted in 39 of the incidents however only one of the incidents could be directly related to a South Derbyshire private hire vehicle.

4.4 Between November 2021 and August 2023, there were 28 complaints received by the Licensing Authority in relation to licensed private hire drivers and vehicles. Out of the 28 complaints, it would have assisted Officers in 20 complaints to have had CCTV in the vehicle.

4.4 Having considered the LGA Guidance, Officers have concluded that there is not a strong evidence base to justify a mandatory requirement for CCTV in licensed vehicles at this time. Whilst Licensing Officers have received several complaints over the years where CCTV would have been helpful in resolving the complaint, this is not in itself considered to be a strong enough justification.

4.5 The cost implications of introducing a mandatory requirement for CCTV must also be considered. The cost to the trade would be in the region of £1,000 per vehicle. Covid and cost of living crisis has hit and continues to hit the licensed vehicle trade

particularly hard and adding to their costs at this time is not considered to be appropriate or necessary.

- 4.6 The Licensing Authority will continue to actively monitor and record all complaints and service requests where CCTV in a licensed vehicle would have been beneficial to the investigation of the complaint. This will be undertaken over a twelve-month period. The evidence will be reviewed annually by the Senior Licensing Officer and presented to Members accordingly.
- 4.7 Officers recognise the positive impact that CCTV would have as an additional safeguarding tool which would provide confidence, added protection and reassurance to both drivers and the public, however a strong evidence base is required before this can be progressed. The principal consideration must be one of public safety. Collating evidence in the required format will ensure that we have the strongest possible case for mandatory CCTV implementation in the future.
- 4.8 Public protection is paramount, yet it should be recognised and celebrated that we do not have an identified and pressing need for mandatory CCTV in South Derbyshire and the introduction of a mandatory requirement could be seen as excessively disproportionate at the present time.

5. Financial Implications

- 5.1 There are no financial implications to the Council.

6. Corporate Implications

Employment Implications

- 6.1 None

Legal Implications

- 6.2 None

Corporate Plan Implications

- 6.3 These proposals will continue to demonstrate to members of the public that the Council takes the protection of residents, children, and vulnerable adults seriously, which contributes to the theme of safety and security.

Risk Impact

- 6.4 None

7. Community Impact

Consultation

- 7.1 None

Equality and Diversity Impact

- 7.2 None

Social Value Impact

7.3 None

Environmental Sustainability

7.4 None

8. Background Papers

LGA Guidance on Mandatory CCTV in Licensed Vehicles
Department of Transport's Statutory Taxi and Private Hire Standards