

Licensing Team

Tedder Hall, Manby Park
Louth, Lincolnshire LN11 8UP
Tel: 01507 601111
Fax: 01507 600206
Email: licensing@e-lindsey.gov.uk
www.e-lindsey.gov.uk

Implementing the Department for Transport's Statutory Taxi & Private Hire Vehicle Standards in Taxi & Private Hire Vehicle Licensing Services

CCTV in Licensed Vehicles

Why We Are Consulting?

The Department for Transport (DfT) published its 'Statutory Taxi & Private Hire Vehicle Licensing Standards' on 21 July 2020. The Council has a legal duty to have regard to the new minimum standards when undertaking its hackney carriage and private hire vehicle licensing function. With this in mind, a review of the Council's hackney carriage (taxi) and private hire vehicle (mini-cab) licensing services operation is currently being undertaken in line with the DfT document.

A copy of the DfT standards can be found on the GOV.UK website here:

www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards

The licensing standards indicate that the Licensing Authority should undertake an investigation on the proportionality of CCTV within licensed vehicles. On 23 November 2020, the Council's General Licensing Committee approved a 12-week public consultation about CCTV in licensed vehicles.



In particular, it should be noted that the DfT document states the following:

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.

Please ensure that you read all of this consultation covering document before beginning to answer the questions in this consultation.

Purpose of CCTV in Licensed Vehicles

The purpose of a taxi / private hire vehicle CCTV system should be to provide a safer environment for the benefit of the driver and passengers 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.

CCTV Cameras in Licensed Vehicles

The taxi and private hire trade provide a valuable service, particularly late at night when other forms of public transport are not available. Security for both drivers and passengers is of paramount importance to this Authority. Licensed drivers deal with strangers, often in isolated places and carry cash and may be at risk of violence and other offences such as non-payment of fares and verbal abuse.

With this in mind the hackney carriage and private hire trades are currently encouraged, by this Authority, to consider the installation of relevant CCTV systems in their vehicles on a voluntary basis. In encouraging installation on a voluntary basis, this Authority recognises that surveillance cameras can deter crime and are helpful when investigating complaints.

This consultation asks whether the Council should move away from the voluntary system and instead consider requiring all taxis and private hire vehicles to install CCTV.

In replying to this consultation, it is important to note that there is no current evidence of a prevalence of crimes being committed within taxis and private hire vehicles licensed with this Authority. Also, is likely that a high standard and robust CCTV system could cost between £500 and £1,000 per vehicle.

There are a number of licensing options available for the Council to consider:

- Compulsory fitting of CCTV in all licensed vehicles – with compulsory imposed controls.

- Optional fitting of CCTV in licensed vehicles – with Council imposed controls.
- Optional fitting of CCTV in licensed vehicles - without Council imposed controls.
- No CCTV systems to be allowed in licensed vehicles.

Before making any decision on CCTV in licensed vehicles the Council must consider any potential privacy issues.

This consultation was approved for issue by the Council's General Licensing Committee (consisting of Councillors) on 23 November 2020. The Report, detailing the matters considered by the Committee, can be found on the Council's website at:

<https://democracy.e-lindsey.gov.uk/ieListDocuments.aspx?CIId=118&MIId=6319&Ver=4>

If a blanket approach to CCTV is introduced by this Authority – that is requiring all taxis and private hire vehicles to install CCTV - then the Council would be responsible as the Data Controller for the data in each individual licensed vehicle and held liable for any breach of data protection by a driver/operator. In these circumstances the Council would have to specify the CCTV's technical and system requirements to ensure compliance requiring encrypted and secure data storage

This would inevitably mean increased costs to the Council in administration and monitoring compliance, with increased checks to ensure systems are correctly fitted and compliant, as well as increased enforcement activity ensuring cameras are active and data is stored correctly. Any increased expenditure in administration and enforcement could possibly be passed to the hackney carriage and private hire trade in vehicle and operator licence fees.

The Current Situation

A copy of this Authority's current CCTV policy can be found at the bottom of the consultation webpage. This Authority's current stance is to permit the optional fitting of CCTV in licensed vehicles - without Council imposed controls on the type of CCTV system. A number of proprietors, particularly in the Skegness area of the East Lindsey District, have already, installed CCTV in their licensed vehicles.

What Are Our Licensing Objectives?

As part of the licensing regime the Council is seeking to promote the following objectives when undertaking the hackney carriage and private hire vehicle licensing function:

- the protection of the public;
- the establishment of professional and respected hackney carriage and private hire trades;
- access to an efficient and effective public transport service;
- the protection of the environment;

- improved disability access and awareness.

This Consultation Opens On: 3rd December 2020

Date of Consultation Closure: 5th March 2021

Submission of Comments Regarding the Policy Consultation

All relevant comments regarding this consultation will be considered and will help to formulate the final policy document to be presented for consideration by the General Licensing Committee (consisting of Councillors). Your comments may also be published on the Council's website in Committee reports or in the Council's meeting minutes. They will not be shared with third parties.

If you require any further information or advice, regarding this consultation, please do not hesitate to contact the Licensing Team by email at: licensing@e-lindsey.gov.uk

Please put CCTV CONSULTATION in the subject line of your email.

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