

Bolsover District Council

Meeting of Council on 18th May 2022

ADOPTION OF THE TAXI LICENSING CCTV POLICY

Report of the Portfolio Holder for Environmental Health and Licensing

Classification	This report is Public
Report By	Charmaine Terry, Environmental Health Team Manager (Licensing), 01246 217228, charmaine.terry@ne-derbyshire.gov.uk
Contact Officer	Charmaine Terry, Environmental Health Team Manager (Licensing), 01246 217228, charmaine.terry@ne-derbyshire.gov.uk

PURPOSE/SUMMARY OF REPORT

To invite Council to adopt the draft Taxi Licensing CCTV Policy.

REPORT DETAILS

1. Background

- 1.1 The Council has a responsibility for licensing Hackney Carriages and Private Hire vehicles, drivers and operators within the district of Bolsover. The service is operated by the Joint Environmental Health Service across the Strategic Alliance with North East Derbyshire District Council. The current policies were published in 2018 and are currently in the process of being reviewed.
- 1.2 In July 2020 the Department for Transport (DfT) published the Statutory Taxi And Private Hire Vehicle Standards. Those standards acknowledged that Closed Circuit Television (CCTV) can provide a safer environment for the benefit of taxi and private hire vehicle passengers and drivers; and that licensing authorities should consider mandating CCTV if local circumstances indicate that such a policy would have a positive effect on the safety of taxi and private hire users and drivers. In recent years a number of local authorities have introduced mandatory CCTV as a requirement where local circumstances have indicated a need for it.

- 1.3 In response to the DfT's Statutory Taxi And Private Hire Vehicle Standards the General Licensing Committee were asked to consider a draft policy that introduces a mandatory requirement for taxis and private hire vehicles to have a CCTV system installed. After careful consideration the General Licensing Committee approved a draft policy for consultation.
- 1.4 In recent years there have been a number of investigations into child sexual exploitation both on a national and local level. Most notably are Alexis Jay's investigation into Child Sexual Exploitation in Rotherham and Louise Casey's follow up Report of Inspection of Rotherham Metropolitan Borough Council. Alexis Jay's inquiry found evidence of sexual exploitation of at least 1400 children between 1997 and 2013 in the Rotherham area.
- 1.5 Rotherham Metropolitan Borough Council is a neighbouring authority to Bolsover District Council and directly borders the Bolsover district. The Deregulation Act 2015 introduced provisions that allow a private hire operator to sub-contract work to another private hire operator licensed with a different local authority. It is therefore viable and legitimate that private hire operators licensed with Bolsover District Council could sub-contract work to those licensed by Rotherham Metropolitan Borough Council and vice versa. The close proximity of Rotherham to the Bolsover district makes this an even more likely scenario.
- 1.3 A public consultation was carried out and a full evaluation of the responses, together with the subsequently amended policy, were considered by the General Licensing Committee on 10 February 2022.
- 1.5 Members noted the responses to the consultation and that they felt the introduction of a mandatory requirement for CCTV in taxis is one which would have a positive effect on the safety of taxi and private hire users in the district.

2. Details of Proposal or Information

- 2.1 The draft Taxi Licensing Policy: CCTV has been drafted in line with the Department for Transport's Taxi and Private Hire Vehicle Licensing: Best Practice Guidance and Statutory Taxi and Private Hire Vehicle Standards.
- 2.2 Following a lengthy public consultation and member scrutiny a recommendation has been made to Council that the final draft policy, agreed by the General Licensing Committee on 10 February 2022, be adopted. The final draft policy can be found attached as Appendix 1.
- 2.3 In line with the final draft policy an Equality Impact Assessment and a Data Protection Impact Assessment have been carried out.

3. Reasons for Recommendation

- 3.1 Adopting a mandatory requirement for taxis and private hire vehicles to have CCTV installed can have the following benefits: -
 - deterring and preventing crime;
 - reducing the fear of crime;
 - assisting the police in investigating crime;

- assisting insurance companies in investigating motor vehicle accidents.

Introducing a mandatory requirement for CCTV will provide greater community confidence that taxis and private hire vehicles are safe and regulated.

4 Alternative Options and Reasons for Rejection

- 4.1 The alternative option is to not adopt the draft policy. However, given the districts close proximity to high profile investigations into child sexual exploitation, this may have negative effects on community confidence and safety and have other negative reputational impacts on the district.

RECOMMENDATION(S)

1. That Council approve the recommendation from the General Licensing Committee that the final draft Taxi Licensing Policy: CCTV be adopted.
2. That the Joint Environmental Health Service implement the policy to ensure that all licenced vehicles have CCTV installed by the end of April 2023.

Approved by Councillor Deborah Watson, Portfolio Holder for Environmental Health and Licensing

IMPLICATIONS:

Finance and Risk: Yes No

Details:

While the purchase of CCTV systems (an initial cost per vehicle of between £500 and £800) will be a burden which falls on vehicle proprietors there will be consequences for the authority including: -

- Purchase and maintenance of equipment allowing Council officers to access footage
- Training of vehicle inspectors to verify CCTV installation plus additional time taken to test vehicles
- The additional officer time incurred in obtaining and viewing footage from vehicles for investigation purposes
- Training of proprietors/drivers in their data protection obligations (as part of our responsibility as Data Controller for the CCTV footage)
- The additional officer time incurred in obtaining and viewing footage from vehicles where requested under data protection laws by anyone who is subject to recording (for any purpose whatsoever)

Eventual implementation of the policy will need those resource implications to be resolved. However some elements of the additional resource burden would be recoverable from the licence holders via an increase in licence application fees.

On behalf of the Section 151 Officer

<u>Legal (including Data Protection):</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: The Council must have reasonable grounds for introducing the policy. Statutory guidance indicates the policy will be reasonable unless compelling local reasons exist not to introduce it. Any such policy must also operate in a way that does not cause undue interference with the human rights of taxi occupants, and work in a manner compatible with the requirements of the ICO and SCC.		
On behalf of the Solicitor to the Council		
<u>Staffing:</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details: There are no staffing implications for this report.		
On behalf of the Head of Paid Service		

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet / Executive <input checked="" type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes Details: Public, member and other stakeholder consultation

Links to Council Ambition: Customers, Economy and Environment
All

DOCUMENT INFORMATION	
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Appendix No	Title
1	Taxi Licensing Policy: Hackney Carriage and Private Hire Vehicles (CCTV) (Draft)

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)

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