



East Cambridgeshire District Council

Meeting: Licensing Committee

Time: 10:00am

Date: Monday 4 September 2023

Venue: Council Chamber, The Grange, Nutholt Lane, Ely, CB7 4EE

Enquiries regarding this agenda: Hannah Walker

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Committee membership

Quorum: 5 members

Conservative members

Cllr Christine Ambrose Smith
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Keith Horgan (Vice-Chairman)
Cllr Julia Huffer (Chairman)
Cllr Kelli Pettitt

Conservative substitutes

Cllr Ian Bovingdon
Cllr Bill Hunt
Cllr Alan Sharp

Liberal Democrat members

Cllr Charlotte Cane
Cllr Mark Inskip
Cllr John Trapp (Lead Member)
Cllr Alison Whelan
Cllr Gareth Wilson

Liberal Democrat substitutes

Cllr Chika Akinwale
Cllr Lorna Dupré
Cllr Caroline Shepherd

Lead Officer: Liz Knox, Environmental Services Manager

AGENDA

- 1. Apologies and substitutions** [oral]
- 2. Declarations of interests** [oral]

To receive declarations of interests from Members for any items on the agenda in accordance with the Members Code of Conduct.

3. Minutes

To confirm as a correct record the minutes of the meetings of the Licensing Committee held on 14 December 2022 and 25 May 2023.

4. Chairman's announcements [oral]

5. CCTV in taxis consultation

6. Taxi licensing policy - update

7. Senior Licensing Officer's update [oral]

8. Forward agenda plan

Notes

1. Members of the public are welcome to attend this meeting. If you are visiting The Grange during normal working hours you should report to the main reception desk. If you come to an evening meeting please enter via the door in the glass atrium at the back of the building.

Admittance is on a "first come, first served" basis and public access will be from 30 minutes before the start time of the meeting. Due to room capacity restrictions, members of the public are asked, where possible, to notify Democratic Services (democratic.services@eastcambs.gov.uk or 01353 665555) of their intention to attend a meeting.

The livestream of this meeting will be available on [the committee meeting's webpage](http://www.eastcambs.gov.uk/meetings/licensing-committee-04092023) (www.eastcambs.gov.uk/meetings/licensing-committee-04092023). Please be aware that all attendees, including those in the public gallery, will be visible on the livestream.

2. The Council has adopted a 'Purge on Plastics' strategy and is working towards the removal of all consumer single-use plastics in our workplace. Therefore, we do not provide disposable cups in our building or at our meetings and would ask members of the public to bring their own drink to the meeting if required.

3. Fire instructions for meetings:

- if the fire alarm sounds, please make your way out of the building by the nearest available exit, which is usually the back staircase or the fire escape in the Chamber and do not attempt to use the lifts
- the fire assembly point is in the front staff car park by the exit barrier
- the building has an auto-call system to the fire services so there is no need for anyone to call the fire services

The Committee Officer will sweep the area to ensure that everyone is out.

4. Reports are attached for each agenda item unless marked "oral".
5. If required, all items on the agenda can be provided in different formats (such as large type, Braille or audio tape, or translated into other languages), on request, by calling main reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk

6. If the Committee wishes to exclude the public and press from the meeting, a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining item no(s). X because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item(s) there would be disclosure to them of exempt information of Category X of Part I Schedule 12A to the Local Government Act 1972 (as amended).”



AGENDA ITEM 3a

Minutes of a meeting of the Licensing Committee held in the Council Chamber at The Grange, Nutholt Lane, Ely on Wednesday 14th December 2022 10.00am.

PRESENT

Cllr Julia Huffer (Chairman)
Cllr Christine Ambrose-Smith
Cllr David Ambrose-Smith
Cllr Lavinia Edwards
Cllr Simon Harries
Cllr Mark Inskip
Cllr Alec Jones
Cllr Jo Webber (Vice-Chairman)
Cllr Gareth Wilson

OFFICERS

Stewart Broome – Senior Licensing Officer
Liz Knox – Environmental Services Manager
Maggie Camp – Director Legal
Adeel Younis - Legal Assistant
Tracy Couper – Democratic Services Manager
Hannah Walker – Trainee Democratic Services Officer

IN ATTENDANCE

0 members of the public

33. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Alan Sharp and Sue Austen.

34. DECLARATIONS OF INTEREST

No declarations of interest were made.

35. MINUTES

It was resolved:

That the Minutes of the Licensing Committee meeting held on 15 November 2022 be confirmed as a correct record and be signed by the Chairman.

36. CHAIRMAN'S ANNOUNCEMENTS

The Chairman wished everyone a Happy Christmas and New Year.

37. CCTV IN TAXIS CONSULTATION

The Committee considered a report, X127 previously circulated, that detailed the need to consult the installation of CCTV in vehicles. The report included three appendices, the Consultation Document as Appendix 1, Consultation questions

to licence holders as Appendix 2, Consultation questions to the public as Appendix 3.

The Senior Licensing Officer referred to the Statutory Taxi and Private Hire Vehicle Standards guidance, implemented in July 2020, to protect all passengers and users of taxis and private hire transport services. The report asked Members to consider consulting on the installation of CCTV in vehicles to find out if this would have either a positive or an adverse net effect on the safety of taxi and private hire users, including children or vulnerable adults, and potential privacy issues. It was also highlighted that the statutory guidance allows for the installation of CCTV to provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers.

The Senior Licensing Officer explained the nature of the work conducted by hackney carriages and private hire including school run services, and transport for children or adults with special educational needs and disabilities (SEND). He explained that other authorities had considered compulsory CCTV usage already, and had raised the following factors in their decision making such as increased number of taxi-related crime, ranging from fare dodging to serious assaults, threats and assaults on drivers. Other reasons for the introduction of compulsory CCTV included deterring taxi and private hire drivers from abuse of exploiting children or vulnerable adults, protecting taxi and private hire drivers from false malicious allegations, reduce the fear of crime for drivers, giving public confidence, and deterring hate crime.

The Senior Licensing Officer highlighted other issues related to in-vehicle CCTV systems such as invasion of privacy for passenger or drivers, the potential misuse of information, ability for systems to be hacked, the security of the individual CCTV systems, and the consistency of operating in-vehicle CCTV systems. He advised Members that the number of complaints/allegations reported to the Council's Licensing Authority were very low and fell within numbers 1 to 10. As numbers were low, the Council currently allowed discretionary in-vehicle CCTV in taxis to be used providing the vehicle licence holder complies with the conditions set out in local policy, including human rights laws, privacy laws, and as set out in the Information Commissioner's Office (ICO). He highlighted that the licence holder would remain the data controller and processor at present.

The Senior Licensing Officer advised Members of the legal and cost implications of compulsory installation, he added that if a blanket approach was taken then the Council would be responsible as the data controller for the data in each individual licensing vehicle, and held liable for any breach of data protection by a driver/operator. He emphasised the increased costs to the Council to administer and monitor compliance with increased checks to ensure systems were fitted correctly. He advised Members that any increased expenditure in administration and enforcement could be passed onto hackney carriage and private hire trade in vehicle and operator licence fees, which then was likely be passed onto the end user. A legal implication of making CCTV compulsory would be if the licence holder and/or the driver committed a breach of their licence condition that is considered an offence, the vehicle would be taken off the road for the issue to be resolved, and could result in a loss of earnings for those

affected. He summarised by advising Members if this scheme were to be introduced it would need reviewing from time to time.

The Chairman then invited Members to ask questions to the Senior Licensing Officer. A Member asked whether it would be the responsibility of the licence holder to control holding the CCTV footage and were there any regulations relating to this. The Senior Licensing Officer advised Members that currently CCTV would be voluntary and there would be conditions added onto the licence to ensure the CCTV would be facing dashboard level. However, if the consultation responses resulted in a decision to proceed with compulsory CCTV, then he would have discussions with the Data Protection Officer at the Council to confirm compliance with ICO rules and Human Rights, to ensure the CCTV footage is encrypted and accessed only through the Council's system.

A Member queried if the Council were to take a blanket approach to CCTV what types of systems and storage would be used, what would be the regulations around storing CCTV data, and did any licensed vehicle already have CCTV installed. The Senior Licensing Officer advised Members that those issues would be addressed when consultation responses had been received and consideration was given to whether to proceed with compulsory CCTV. He explained it was likely that after 31 days if there were no incidents, the CCTV footage would be overwritten, and the system would run in line with in-house and industry standards.

A Member asked whether other local authorities already had adopted CCTV as compulsory, and whether it was just mostly in cities. The Senior Licensing Officer advised that he currently did not have details as to how many authorities were using CCTV in taxis, compulsory or not, but he was aware of large cities such as Milton Keynes, Rotherham, and the centre of London that have CCTV mandated.

A Member queried what would happen if a Taxi driver were to lose CCTV usage due to a fault. The Senior Licensing Officer explained that there would be conditions set for licence holders to tell the Licensing Authority. However, he was not aware of a Taxi or private hire having CCTV in their vehicle currently. Members commented on other Councils who had exempted Executive Hire from having CCTV, and asked the Senior Licensing Officer to include a question in the consultation to the public.

Members discussed how the consultation would be promoted to the public, they suggested that the Councils Communication Team could publicise the consultation through social media, outreach to disability groups, and to Parish Councils. The Environmental Services Manager advised Members that copies of the questionnaire could be available at the library and at Doctor surgeries for those who cannot respond digitally. The Senior Licensing Officer advised Members he would take these suggestions on board, he advised Members that the questionnaire would be circulated to the Council's consultee list, to Parish and Ward councillors, published on the Council website, and on the notice board in the Council's reception.

A Member then asked whether it would be an all or nothing approach, and if CCTV in taxis could be discretionary rather than compulsory. The Senior Licensing Officer advised Members that the CCTV would be a condition on the

licence and not on the drivers, and may be considered more appropriate for Hackney Carriages because there would be no booking records for vehicles taken from a rank, whereas for private hire vehicles which would have booking records there may be considered less of a reason to have CCTV. In light of their discussion, Members requested to add an additional question to the public questionnaire to ask whether making CCTV compulsory would result in members of the public using a taxi less.

A Member commented that the consultation for the public should be aimed at taxi users, and suggested that taxi drivers should be able to give their customers the questionnaire to complete. The Member added the suggestion of asking the public how regularly they use taxis in the questionnaire, and the Senior Licensing Officer agreed to add this as an additional question.

It was resolved [unanimously]:

That a consultation exercise to obtain opinion on whether the introduction of compulsory CCTV would have a positive or an adverse net effect on the safety of taxi and private hire vehicle users (including drivers) be carried out, based upon the consultation documents at Appendix 1 to 3 of the submitted report and 3 additional questions on a possible exemption for Executive Hire/Chauffeur class vehicles in both questionnaires; the level of taxi usage by respondents; and whether making CCTV compulsory would result in members of the public using a taxi less in the public questionnaire.

38. **SENIOR LICENSING OFFICER'S UPDATE**

The Committee considered a verbal report informing Members that the Animal Welfare prosecution was continuing, and the Licensing Team were working towards the Court deadlines.

Members were also notified that the Licensing Team had been successful in advertising for an additional resource, for a part time 6-month fixed term position to meet the demand partly associated with the transfer of a new Operator to the District.

39. **FORWARD AGENDA PLAN**

The Committee received its Forward Agenda Plan.

It was resolved [unanimously]:

That the Forward Agenda Plan be noted and the 18th January 2023 meeting of the Committee be cancelled.

The meeting concluded at 10.37am

Chairman.....

Date:



East Cambridgeshire District Council

Minutes of a Meeting of the Licensing Committee held at The
Grange, Nutholt Lane, Ely, CB7 4EE at 7:32pm on Thursday
25th May 2023

PRESENT

Cllr Christine Ambrose Smith
Cllr Charlotte Cane
Cllr Lavinia Edwards
Cllr Martin Goodearl
Cllr Keith Horgan
Cllr Julia Huffer
Cllr Mark Inskip
Cllr Kelli Pettitt
Cllr John Trapp
Cllr Alison Whelan
Cllr Gareth Wilson

OFFICERS

John Hill – Chief Executive
Sally Bonnett – Director Community
Maggie Camp – Director Legal Services
Isabel Edgar – Director Operations
Emma Grima – Director Commercial
Ian Smith – Director Finance
Tracy Couper – Democratic Services Manager
Caroline Evans – Senior Democratic Services Officer

1. TO ELECT A CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

Cllr Julia Huffer was nominated as the Committee Chairman by Cllr Keith Horgan and seconded by Cllr Lavinia Edwards.

There being no other nominations, it was resolved:

That Cllr Julia Huffer be elected as Chairman of the Licensing Committee for the municipal year 2023/24.

2. TO ELECT A VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR

Cllr Keith Horgan was nominated as the Committee Vice-Chairman by Cllr Julia Huffer and seconded by Cllr Lavinia Edwards.

There being no other nominations, it was resolved:

That Cllr Keith Horgan be elected as Vice-Chairman of the Licensing Committee for the municipal year 2023/24.

3. LICENSING (STATUTORY) SUB-COMMITTEE

The Chairman drew Members' attention to the proposed appointments to the Licensing (Statutory) Sub-Committee, as detailed in the agenda papers, and stated that the name of the Liberal Democrat substitute would be added in due course.

It was resolved:

That the following appointments be made to the Licensing (Statutory) Sub-Committee for 2022/23:

Conservative Members (2) and substitutes

Cllr Lavinia Edwards
Cllr Keith Horgan

Cllr Martin Goodearl (substitute)
Cllr Julia Huffer (substitute)

Liberal Democrat Member (1) and substitute

Cllr Charlotte Cane

tbc (substitute)

4. LICENSING (NON-STATUTORY) SUB-COMMITTEE

The Chairman drew Members' attention to the proposed appointments to the Licensing (Non-Statutory) Sub-Committee, as detailed in the agenda papers.

It was resolved:

That the following appointments be made to the Licensing (Non-Statutory) Sub-Committee for 2022/23:

Conservative Members (3)

Cllr Martin Goodearl
Cllr Julia Huffer
Cllr Kelli Pettitt

Liberal Democrat Members (2)

Cllr John Trapp
Cllr Gareth Wilson

The meeting concluded at 7:35pm.

Chairman.....

Date.....

TITLE: CCTV IN TAXIS CONSULTATION

COMMITTEE: LICENSING COMMITTEE

DATE: 4 SEPTEMBER 2023

AUTHOR: SENIOR LICENSING OFFICER

Report Y33

1.0 ISSUE

1.1 This report asks the Committee to consider the responses to the “Introduction of mandatory in-vehicle CCTV in hackney carriages and private hire vehicles” consultation, which took place between 16th December 2022 and 13th March 2023, in accordance with the requirements of the Department for Transport’s Statutory Taxi and Private Hire Vehicle Standards document.

2.0 RECOMMENDATION(S)

2.1 Members are requested to note the content of this report, and resolve either that:

i) The evidence suggests there are local circumstances which indicate that the installation of CCTV in vehicles would have a positive net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, taking into account potential privacy issues, and instruct officers to prepare a Data Protection Impact Statement, along with CCTV conditions to be considered at a future committee;

Or that:

ii) The evidence falls short of the level necessary to mandate CCTV in licensed vehicles at this time, and Members agree to update the existing CCTV condition contained in the taxi licensing policy with the proposed condition contained in paragraph 5.8 of this report.

3.0 BACKGROUND

Department for Transport (DfT) Statutory Standards

3.1 The Department for Transport (DfT) published its Statutory Taxi and Private Hire Vehicle Standards in July 2020 with a strong focus to protect all passengers and users of taxis and private hire transport services.

3.2 The statutory guidance makes it clear that the Government expects the recommendations contained within it to be implemented unless there is a

compelling local reason not to. To this end, the Council implemented a large number of these measures in 2020.

3.3 The Statutory Guidance also states:
“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.

3.4 As a result of this obligation placed upon the Council, officers consulted with the following groups between the 16th December 2022 and 13th March 2023:

- ECDC licence holders
- Those persons listed on the ECDC transport consultation list
- Parish Councils
- Ward Cllrs
- Local and national charities, organisations, and representative bodies
- Responsible authorities
- General public via the Council’s website and via the main library.

The results of this consultation are set out in section 4 to this report.

3.5 Sections 7.7 to 7.13 relating to CCTV, and the full CCTV Annex taken from the Statutory Guidance can be found in **Appendix 1**. The link to the full document can be found in the background document section at the end of this report.

4.0 SUMMARY OF CONSULTATION RESPONSES

4.1 A total of 35 responses were received. 20 from drivers licensed with the Council, 10 from members of the public, 3 from private hire operators licensed with the Council, and two from external organisations. Whilst this was not as high a response as officers would have liked to see, it is a higher response than some other Council’s have received running a similar level of consultation.

4.2 Tables 1, 2 and 3 below summarise the responses from the drivers, public and private hire operators. **Appendix 2** contains the two organisational responses.

Table 1

CCTV questionnaire – Licence Holders		Yes	No	N/A	Not answered
1	Do you always feel safe whilst working as a licensed driver?	19	1	0	0
2	Do you feel more vulnerable at night?	7	12	1	0

3	Have you been threatened or verbally abused in the last two years?	3	17	0	0
4	Have you been physically harmed by a passenger in the last two years?	0	20	0	0
5	Has a passenger refused to pay a fare in the last two years?	5	14	0	1
6	Have you been a victim of racial abuse while driving your vehicle for work?	2	17	0	1
7	Do you have in vehicle CCTV fitted in your vehicle already?	6	14	0	0
8	<p>Would you support making CCTV a compulsory part of the Council's licensing conditions?</p> <p><input type="checkbox"/> Hackney Carriages only 1 <input type="checkbox"/> Private Hire vehicles only 0</p> <p><input type="checkbox"/> Both 3 <input type="checkbox"/> None 16</p>				
9	If you have indicated that you would support private hire vehicles having CCTV in question 8, do you also support private hire vehicles holding "executive hire" exemption certificates to be required to have CCTV?	2	2	0	0
10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?	15	2	0	3

Table 2

CCTV questionnaire – Operators		Yes	No	N/A	Not answered
1	Have you had any of your drivers report incidents to you where they stated they didn't feel safe whilst driving for your company?	0	3	0	0
2	Have any of your drivers reported to you that they've been threatened or verbally abused in the last two years?	0	3	0	0
3	Have any of your drivers been physically harmed by a passenger in the last two years?	0	3	0	0

4	Has a passenger refused to pay a fare in the last two years?	1 Once	2	0	0
5	Do you have in vehicle CCTV fitted in any of your vehicles already?	1 One	2	0	0
6	In which of the following vehicle types would you support making CCTV a compulsory part of the Council's licensing conditions?				
	<input type="checkbox"/> Hackney Carriages (HC) only 0 <input type="checkbox"/> Private Hire (PHV) vehicles only 0 <input type="checkbox"/> Both HC and PHV 0 <input type="checkbox"/> None 3				
7	If you have indicated that you would support private hire vehicles having CCTV in question 6, do you also support private hire vehicles holding "executive hire" exemption certificates to be required to have CCTV?	0	0	0	3
8	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for operators to comply?	1	2	0	0

Table 3

CCTV questionnaire – Public – Please answer these questions from your experiences as a user or non-user of a taxi or private hire vehicle specifically licensed by East Cambridgeshire District Council.		Yes	No	N/A	Not answered
1	Do you always feel safe whilst travelling in a licensed vehicle?	9	1	0	0
2	Do you feel more vulnerable at night?	4	6	0	0
3	Have you been threatened or verbally abused by a taxi driver whilst engaged in a journey in the last two years?	0	10	0	0
4	Have you been physically harmed by a taxi driver whilst engaged in a journey in the last two years?	0	10	0	0

5	Have you experienced any perceived prejudice from a taxi driver due to having a physical or mental health condition in the last two years?	0	10	0	0
6	Have you suffered racial abuse from a taxi driver of a licensed vehicle?	0	10	0	0
7	Have you been over-charged, or had to challenge the fare for your journey in the last two years?	3	7	0	0
8	Has the absence of compulsory CCTV in a licensed vehicle made you decide to use another form of transport when planning your journey?	2	8	0	0
9	Would you use taxis more if CCTV was made compulsory?				
	<input type="checkbox"/> More 4 <input type="checkbox"/> Less 0 <input type="checkbox"/> Same 6				
10	Would you support making compulsory CCTV a part of the Council's licensing conditions?				
	<input type="checkbox"/> Hackney Carriages only 1 <input type="checkbox"/> Private Hire (pre-booked) vehicles only 0 <input type="checkbox"/> Both 6 <input type="checkbox"/> None 3				
11	If you have indicated that you would support private hire vehicles having CCTV in question 10, do you also support private hire vehicles holding "executive hire" exemption certificates to be required to have CCTV?	6	0	0	0
12	Would your answer to question 10 and 11 change if the costs incurred in this resulted in higher fares to you the end user?	1	6	3	0
13	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?	9	1	0	0

14	How often do you use the services of a taxi?			
	Vehicle type	Per week (average)	Per month (average)	Per year (average)
	Hackney carriage (immediate hire)	0	0	2
		0	0	1
		0	0	0
		0	1	12
		0	0	2
		0	0	8
		1	4	52
		5	20	320
		0	1	12
		1	1	3
	Private hire (Advanced bookings only)	0	0	2
		0	0	0
		0	2	24
		0	1	12
		0	0	6
		0	0	2
		1	4	52
		0	0	0
		0	1	11
		1	1	3

- 4.3 The last question on all of the consultation documents was an open question asking respondents to provide a brief summary of anything they considered would have either a positive or negative effect on the safety of taxi and private hire drivers and users. The main points raised in answer to this question related to the following areas, privacy concerns, data handling/protection/security concerns, cost and associated time off the road concerns, possible loss of some contracts, such as Special Education Needs transport (SEND) or business people who do not wish to be recorded. Positive submissions stated they felt it would resolve any contentious issues, and may provide improved safety. The full responses to this question can be found in **Appendix 3**.
- 4.4 The overwhelming response from ECDC licensed drivers is that they currently feel safe whilst working, with only 15% (3 of 20) reporting they have been verbally abused, and none reported being physically abused whilst carrying out their work. Only 20% (4 of 20) have indicated that they would support mandatory CCTV at this time.
- 4.5 It is a similar response from ECDC licensed operators, with none wishing to see mandatory CCTV introduced.
- 4.6 90% (9 of 10) public respondents stated that they felt safe in an ECDC vehicle, none reported any issues relating to verbal or physical harm,

prejudice or racial abuse, whilst 40% (4 of 10) stated they did feel more vulnerable at night. 80% (8 of 10) said the absence of CCTV had not put them off using an ECDC taxi, whilst 40% (4 of 10) said they may use taxis more if mandatory CCTV was introduced.

- 4.7 Witcham Parish Council concluded that they felt CCTV would be beneficial, but did not provide any evidence or reasoning for arriving at this decision.
- 4.8 The Licensed Private Hire Car Association (LPHCA) which represents the national, regional and local interests of Private Hire and Hackney Carriage licence holders submitted a detailed written response (**Appendix 2**). The LPHCA position is that they are not anti-CCTV, but they do not support the blanket mandating of CCTV in taxis across the board. After consulting its own membership, the LPHCA has adopted the position taken by Transport for London (TfL), who leave the decision as to whether to install CCTV down to the licence holder, providing they comply with the CCTV requirements laid down by TfL. The response also sets out a number of areas of concern headed, Cost, Data Management, Serious Driver Shortages, and Privacy.

5.0 CONCLUSION

- 5.1 The Local Government Association has published a “Developing an approach to mandatory CCTV in taxis and PHVs” document to assist Councils to determine whether or not to mandate CCTV. The underlying theme in this document is evidence. In order to consider mandating CCTV, there needs to be clear evidence of an overwhelming need for CCTV within the Council’s area. Suggested ways to obtain this evidence include crime statistics, trade by in, public buy in, and the number of complaints received by the Council.
- 5.2 Officers have been unable to obtain any crime statistics specifically relating to ECDC licence holders, and there was no official consultation response from Cambs Policing. Cambs Policing are very engaged in public safety and work closely with the Licensing Authority. From the absence of any formal response, it has been assumed that the numbers of incidents are very low. This would be supported by officers of the licensing authority who are only aware of two reports in the past 8 years of drivers being arrested, and one of a driver being assaulted whilst working. In these specific incidents, CCTV would have likely prevented the incident, or speeded up the enforcement process.
- 5.3 Overall, the number of complaints reported to officers over the past eight years are very low, averaging around half a dozen a year, and of those complaints the number where mandatory CCTV may have prevented the incident or resulted in a different enforcement outcome are even lower, as most complaints relate to poor driving, as opposed to driver/customer interaction.

- 5.4 The consultation exercise also shows very low evidence of trade buy-in, and also demonstrates a very low level of evidence of buy in from the public.
- 5.5 In addition to evidence, the Licensing Authority is required to have regard to the Regulator's Code of Conduct that came into statutory effect in 2014.

A link to the regulators code can be found in the background documents section at the bottom of this report.

- 5.6 The Regulators Code states:

Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities, and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means.

Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

Regulators should take an evidence-based approach to determining the priority risks in their area of responsibility.

- 5.7 Given the lack of evidence of an overwhelming underlying issue either with those individuals licensed by the Council's at this time, or those who use the taxi trade and may wish to cause harm to our licensed drivers, along with the related privacy, cost and data management concerns/implications that have been raised, the conclusion appears to officers to suggest that mandating CCTV in the licensed fleet at this time would be disproportionate, and therefore, it should not go ahead at this time.
- 5.8 Based on the evidence available Officers would suggest improving the existing CCTV condition to read as below:

Current policy wording of CCTV condition

Where CCTV is installed in a Vehicle the Licensee must ensure that a sign is displayed in a prominent position in the vehicle so that passengers are made aware of the presence of the camera.

The Licensee shall ensure that all CCTV systems comply with data protection laws and any cameras are mounted at a level equal to or greater than the level of the dashboard, and directed at face height.

Proposed policy wording of CCTV condition

Where CCTV is installed in a licensed vehicle or a licensed operator base, the Licensee must ensure that a sign is displayed in a prominent position in the

vehicle or base, so that passengers/customers are made aware of the presence of the camera.

The Licensee shall ensure they, and any CCTV system installed in a licensed vehicle or operator base, complies with data protection laws and relevant codes of practice, and any cameras in a licensed vehicle are mounted at a level equal to or greater than the level of the dashboard, and directed at face height.

It will be a requirement to provide footage captured by the camera(s) to an officer of the council, or Police providing any such request is lawfully made.

6.0 LEGAL and COST IMPLICATIONS

- 6.1 If a blanket approach to CCTV is introduced requiring our licensed vehicles to install CCTV, prior to any introduction the Council would be required to produce a Data Protection Impact Assessment (DPIA), as this type of data processing/controlling is likely to result in a high risk, and where any high risks cannot be mitigated, this DPIA would need to be submitted for the Information Commissioner's Office approval. A CCTV policy setting out the system requirements, who it will impact, the operating parameters, access controls, and the implications of not complying. This would require further work, and therefore, further costs to the Council.
- 6.2 Once in place, 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. This would inevitably mean increased costs to the Council in administration and monitoring compliance, with increased checks being made 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 be passed to the hackney carriage and private hire trade in vehicle and operator licence fees, which in turn is likely to be passed onto the end user(s).
- 6.3 In addition to increased costs to the Council, there would be increased costs to the trade themselves, as it is estimated that a suitable CCTV system would cost in the region of £500 to purchase, and there would also be ongoing costs whenever a vehicle needs to be updated or faults occur. Any increase in direct costs incurred by the trade will inevitably be passed onto those using the service.
- 6.4 Another legal implication of making CCTV compulsory is that any failure in the system would require the vehicle to be taken off the road whilst the issue was resolved in order to avoid the licence holder and the driver (when the driver is not the vehicle licence holder) committing a breach of licence condition that is considered an offence. This could result in a loss of earnings for those affected, whilst a suitable vehicle is located.

6.5 Finally, any scheme introduced would require reviewing from time to time to ensure it is still considered necessary. This could be tied into future reviews of the general taxi licensing policy, but is still likely to cause an additional cost to the authority, which would either need to be absorbed or passed onto the trade via the licensing fees.

7.0 EQUALITY

7.1 This policy applies to all regardless of gender, age, disability, religious belief, race or ethnic minority or sexual orientation. No overall impacts have been identified across the equality strands within this report.

8.0 APPENDICES

Appendix 1	Statutory Guidance excerpts
Appendix 2	Organisational responses
Appendix 3	Responses to open question

Background Documents

[DfT's Statutory Taxi and Private Hire Vehicle Standards 2020](#)

[Developing an approach to mandatory CCTV in taxis and PHVs](#)

[Regulators' Code](#)

Location

Room SF208
The Grange,
Ely

Contact Officer

Stewart Broome
Senior Licensing Officer
(01353) 616477

In-vehicle visual and audio recording – CCTV

7.7 Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.

7.8 The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle 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.

7.9 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.

7.10 While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the [Crime Survey for England and Wales](#) only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.

7.11 The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.

7.12 CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or

drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

- 7.13 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 appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).

Annex – CCTV Guidance

It is important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data – the data controller. It is important that data controllers fully consider concerns regarding privacy and licensing authorities should consider how systems are configured, should they mandate CCTV (with or without audio recording). For example, vehicles may not be exclusively used for business, also serving as a car for personal use - it should therefore be possible to manually switch the system off (both audio and visual recording) when not being used for hire. Authorities should consider the Information Commissioner's view on this matter that, in most cases, a requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

The Home Office '[Surveillance Camera Code of Practice](#)' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and;
- compliant with any relevant legal obligations

The Code also sets out 12 guiding principles which, as a 'relevant authority' under section 33(5) of the [Protection of Freedoms Act 2012](#), licensing authorities must have regard to. It must be noted that, where a licence is granted subject to CCTV system conditions, the licensing authority assumes the role and responsibility of 'System Operator'. The role requires consideration of all guiding principles in this code. The failure to comply with these principles may be detrimental to the use of CCTV evidence in court as this may be raised within disclosure to the Crown Prosecution Service and may be taken into account.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its '[Passport to Compliance](#)' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a [code of practice](#) which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a [self-assessment tool](#) to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a [certification scheme](#); authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The [Data Protection Act 2018](#) regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Licensing authorities, as data controllers, must comply with all relevant aspects of data protection law. Particular attention should be paid to the rights of individuals which include the right to be informed, of access

and to erasure. The ICO has provided detailed [guidance](#) on how data controllers can ensure compliance with these.

It is a further requirement of data protection law that before implementing a proposal that is likely to result in a high risk to the rights and freedoms of people, an impact assessment on the protection of personal data shall be carried out. The ICO recommends in [guidance](#) that if there is any doubt as to whether a Data Protection Impact Assessment (DPIA) is required one should be conducted to ensure compliance and encourage best practice. A DPIA will also help to assess properly the anticipated benefits of installing CCTV (to passengers and drivers) and the associated privacy risks; these risks might be mitigated by having appropriate privacy information and signage, secure storage and access controls, retention policies, training for staff how to use the system, etc.

It is essential to ensure that all recordings made are secure and can only be accessed by those with legitimate grounds to do so. This would normally be the police if investigating an alleged crime or the licensing authority if investigating a complaint or data access request. Encryption of the recording to which the licensing authority, acting as the data controller, holds the key, mitigates this issue and protects against theft of the vehicle or device. It is one of the guiding principles of data protection legislation, that personal data (including in this context, CCTV recordings and other potentially sensitive passenger information) is handled securely in a way that 'ensures appropriate security', including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

Licensed Private Hire Car Association



[REDACTED]
[REDACTED]
[REDACTED]
Taxi & PHV Licensing
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire CB7 4EE

BY EMAIL

12 March 2023

Dear Taxi & PHV Licensing,

CCTV in Licensed Vehicles – Consultation (call for evidence)

I write as Chair of the Licensed Private Hire Car Association (“The LPHCA”) as a primary trade body that endeavours to represent the best interests of licensed Private Hire Vehicle and Taxi (also known as Hackney Carriage) operators that take pre-bookings at national, regional and local levels.

Thank you for including primary stakeholders like us in the scope of your CCTV in Licensed Vehicles call for evidence consultation and for adhering to consultation best practice by having a 12-week consultation period.

There is, from our considerable research, very little evidence to suggest that CCTV in Licensed Taxis and Private Hire Vehicles, improves safety for passengers or drivers. In fact, the downsides outweigh the perceived benefits in our view, particularly with regard to cost versus possible benefits and the difficulties facing the trade post-pandemic.

Before responding, I personally endeavoured to contact every East Cambridgeshire District Council licensed operator and managed to speak personally to nine of the thirteen currently believed to be licensed. Where I could not get through and where possible I left my details for call-backs.

The nine operators, including the very largest ones that I spoke to, which probably make up well over 90% of companies by driver numbers, were unanimous in not wanting mandatory CCTV in Licensed Taxis and Private Hire Vehicles in East Cambridgeshire. All operators that I have contacted will be sent a copy of this response to your consultation.

Amongst the comments were many that we were already aware of including, the time and cost of the equipment, its installation, removal & reinstallation, the loss of privacy, the need to have stickers on windows and following the complex rules of when it can be used and much more.

If a driver breaks down or needs insurance repairs, they effectively become out of work as replacement licensed vehicles may not have CCTV installed. Other costs include the increase in licensing fees and management costs by the council, which will inevitably increase fares and ironically council’s own costs for their own and/or County Council’s transport costs.

One particular thing that is often missed where CCTV has been installed, is the Special Educational Needs and Disability (SEND) transport sector costs and requirements. The spend on Licensed Taxis and Private Hire Vehicles is currently already very high UK wide and [REDACTED] Chair of ATCO has stated:

“The association of coordinating transport officers for school contracts equates to around £900m of upper-tier local authority spending per annum. The demand on that service has increased by 100% in the past 8 years and is set to increase further. The majority of that spend is procured from each local authority’s local hackney and private hire trade, who, under contract, provide a valuable service to some of the most vulnerable members of our society”.

The LPHCA has recently been alerted to the fact that Licensing Authorities and County Councils may have failed to consider the need to get parental and/or other consent for the surveillance of children and vulnerable adults whilst transporting them. It has been suggested by a member that this requirement alone has prevented a County Council from mandating CCTV for SEND Transportation, which as stated above is growing.

Licensed Private Hire Car Association



The Biometrics and Surveillance Camera Commissioner's View

The Biometrics and Surveillance Camera Commissioner has published responses to two consultations on the use of CCTV in taxis and private-hire vehicles, and there are rightly extremely onerous requirements and duties that licensing authorities must follow. There are also many regulatory requirements, including the expectation of impact assessments before a licensing authority can make provision for CCTV in Taxis and Private Hire Vehicles under licensing provisions.

The LPHCA is currently assessing where the recommendations of the Biometrics and Surveillance Camera Commissioner by Licensing Authorities have not taken place, alongside the recently discovered potential duty to seek parental and/or other consent for the surveillance of children and vulnerable adults whilst transporting them.

In response to Government and Transport for London Consultations the Commissioner () warned that requiring the installation of CCTV in taxis as a blanket licensing condition may be disproportionate and the recording of audio required even greater justification.

A useful link to the full obligations of licensing authorities and The Biometrics and Surveillance Camera Commissioner's thoughts alongside further links therein can be seen below.

<https://www.cctvusergroup.com/post/bssc-warns-against-blanket-requirement-for-cctv-in-taxis>

For your information, Transport for London does not mandate CCTV following widespread consultation and after taking into consideration and studying the Commissioner's response.

Whilst the Commissioner has naturally set out the privacy, legal and best practice requirements, the LPHCA has several further points to make below.

- **Cost** - The cost of buying and installing CCTV alone in year one has been reliably estimated as over £500 once all the considerations are taken into account. There are also ongoing costs for drivers and the licensing authority with regard to CCTV, some of which will clearly impact upon licensing fees and ultimately fares.
- **Data management** - There are several potential problems around GDPR and who is the data controller. At an Institute of Licensing (IoL) event that I attended, there were quite divided views between two large licensing authority's Heads of Licensing. At a very recent licensing authority's trade representatives meeting, a large trade union was contending that the driver should be the data controller.

There are now to our knowledge at least four entities that are cited as potential data controllers, Licensing Authorities, Licensed Operators and Licensed Drivers and even the registered keepers of licensed vehicles who may for example hire to the trade.

- **Serious Driver Shortages** - It is widely known that there is a massive downturn in licensed Taxis and Private Hire Vehicle operators and drivers post-pandemic. This is evidenced by the Department for Transport's Taxi and Private Hire Vehicle latest statistics <https://www.gov.uk/government/collections/taxi-statistics>. Our research shows costs and regulatory requirements as primary causes of shortages. Several of our members have indicated that the mandating of CCTV would be a burden they could not survive.
- **Privacy** – We know that many businesses and private customers who book Private Hire Vehicles do so because they want Privacy. Private Hire Vehicles are just that, Privately Hired and they do not want intrusion in the private space of a vehicle whose driver and passenger assistant, where utilised, are heavily vetted via an enhanced Criminal Record Check by the Disclosure and Barring Service (DBS). From an industry perspective, we do not want to send the message out that passengers are at risk in a licensed pre-booked Private Hire Vehicle or Taxi.

Summary overleaf...

Licensed Private Hire Car Association



Summary

The LPHCA, and myself personally, are not anti CCTV, as something that should be available to Licensed Taxi and Private Hire Vehicles, operators, drivers and registered keepers, however we are against the blanket mandating of its use. We have been successful, in campaigns to restrict blanket mandating, in some cases partially and others wholly, both locally and County Council wide.

Should an individual driver want it, Transport for London (the biggest regulator of licensed Taxis and Private Hire Vehicles in the UK – over 30%) in my view have got the balance right, by not mandating it, but allowing CCTV to be installed that meets their strict approval requirements.

Our association after surveying the membership, and others more widely, has formally adopted the position that is set out above by Transport for London.

We will be seeking further guidance from The Biometrics and Surveillance Camera Commissioner regarding the recently flagged issue of parental and other consent requirements, particularly when undertaking regulated activities, such as SEND transportation. Where licensing authorities have failed to meet the requirements of The Biometrics and Surveillance Camera Commissioner and/or have not obtained necessary consents for its use, we may seek policy reversal.

Please accept this submission on behalf of the LPHCA in lieu of your online and paper surveys, as this covers many facts regarding CCTV and its potential blanket mandating, which will hopefully assist the decision-making process.

We also formally request that a copy of this letter is sent to all members of the licensing committee and others in East Cambridgeshire District Council if appropriate please, and we politely point out that we will be circulating copies to interested parties if we consider that to be appropriate.

Yours sincerely,

[Redacted signature]

Steve Wright MBE – Chair LPHCA

- Industry representative on Department for Transport (DfT) / Department for Environment, Food and Rural Affairs (DEFRA) Joint Air Quality Unit (JAQU) stakeholder group (2018 – to date)
- Member, Task & Finish Group on Taxi & Private Hire Vehicle Licensing, Department for Transport (2018-19)
- Advisory Group Member, 'Taxi & Private Hire Services' Reform, Law Commission (2012-2014)
- Member Surface Transport & Rail and Underground Panels, Transport for London (2008-2016)
- London Mayor Boris Johnson appointed Board Member, Transport for London (2008-2016)
- Advisor to the Olympic Delivery Authority (2006 – 2012) on Taxi & PHV provision/management for the 2012 Olympics and Paralympic Games London
- Member & supportive stakeholder of London Mayor Ken Livingstone's Safer Travel at Night (STAN) initiative (2000 – 2008)

Stewart Broome

From: Sue Bell [REDACTED]
Sent: 14 January 2023 08:59
To: Stewart Broome
Subject: [EXTERNAL] RE: Licensing: Consultation/call for evidence re: CCTV in licensed taxis and private hire vehicles

Follow Up Flag: Follow up
Flag Status: Completed

Caution: External email. Do not click links or open attachments unless you recognise the sender and know the content is safe. The original sender of this email is Witcham Parish Council (SMTP) [REDACTED]

Dear Stewart

Witcham Parish Council considers that implementation of CCTV in licensed taxis and private hire vehicles would be beneficial. I can post up a note on the Parish Council's website for parishioners to respond if they wish.

Kind regards

Sue

Mrs SJ Bell
Parish Clerk

Appendix 3 - Responses to open question

Public responses

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	0	1	12
Private Hire (Advance Bookings only)	0	1	11

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

This proposal raise a number of concerns for both professionally and personally.

In general, I support the installation of CCTV in Hackney Carriages. Though these can be pre-booked, the driver may not be known to the passenger ahead of time. So there remains the possibility of an incident of concern. Where a taxi is being hailed on the street, or at a rank, then clearly neither the passengers or drivers are likely to be known to each other, and I think the proposed regulations could be of help in improving safety for all.

However, in respect of executive private hire vehicles, I think these measures are both unnecessary and intrusive. In the first instance, the service firm and driver will be known to the customer and vice versa – so the issues of personal safety, verbal or physical abuse, etc are very less likely to arise. There is an understanding that drivers will behave ethically and not disclose the passenger’s personal conversations to others. If necessary, this can be explicitly stated in the contract between service provider and customer.

For myself, as I use PHV services in a professional context, in the course of my work I am required to discuss confidential customer, commercial and product information. The very purpose of booking a PHV is to give me a secure place where I can undertake phone calls and meetings while in transit to/from the airport on business trips. If using a laptop computer, I also need to know the screen is not being recorded by a camera.

The calls and meetings may include discussion of trade secrets for future products and services that could bring considerable costs to our business if disclosed, and could even lead to my dismissal if they leaked. Many of our customers are major financial institutions, government agencies, and universities. The nature of the products we provide to them means we need to meet rigorous security requirements, so again, we cannot afford for this information to be recorded by a 3rd party device and service over which we have no control. I am sure other professionals from technology companies in the Cambridge area, or senior academics from the University might have similar concerns.

There are widespread issues with the security of networked CCTV systems. These are often manufactured by companies in countries where there are fears of state actors using these devices for illegal surveillance. Furthermore, many such systems are inherently insecure because they ship with default passwords, and very often full password security and encryption is not enabled at installation. This makes it very easy for hackers and other bad actors to gain access to these systems.

For personal use of a PHV, I can easily imagine circumstances in respect of bereavement, or other major family or medical situations, where the passenger(s) would much prefer to be able to have complete privacy.

Other questions and concerns:

- **How will these regulations comply with GDPR if passengers cannot give informed consent for their information and image to be recorded?**
- **If the system cannot be turned off, this seems to assume consent or the service cannot be provided.**
- **In which jurisdictions will the recorded data be stored?**
- **Will the data be transmitted and stored securely?**
- **How long will the data be stored for?**
- **Will the data be discoverable in the course of civil legal proceedings; e.g. patent and trademark disputes?**

I strongly believe that an executive private hire service should be available with complete assurance that inside the vehicle will be a private environment. At a minimum, in a PHV there should be the option for the CCTV to be turned off at the request of an adult passenger, or the responsible guardian of a minor.

If PHVs come with mandatory CCTV, then this undermines the appeal of this service and undermines the business case for their use. Therefore, I can see this requirement could be detrimental to these businesses.

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	5	20	320
Private Hire (Advance Bookings only)	0	0	0

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

People dont want to be recorder, also Ely is a small and safe place, not like London, so its not necessary. Also some drivers have already dashcams

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	0	0	8
Private Hire (Advance Bookings only)	0	0	2

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

Use of CCTV would have a positive effect on both passenger and driver safety, I believe.

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	0	0	2
Private Hire (Advance Bookings only)	0	0	6

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

I have filled this in as my sons phone was once held to ransom by a taxi driver, as he claimed my son had been sick in his cab, and that the phone would only be returned if he paid the £80 cleaning costs. My son was adamant he had not been sick, his phone had just slipped out of his pocket as he left the car and the driver used it to take an additional cost. We did complain to the police but they wouldn't get involved. And despite my son collecting the phone the next day, the only way he got it was to hand over 80,00. If there had been CCTV in the cab it would have proven one side or the other much quicker,

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	0	1	12
Private Hire (Advance Bookings only)	0	1	12

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

Cctv safe guards both the passenger and the driver and be used in evidence if any crime committed

Vehicle Type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)	0	0	0
Private Hire (Advance Bookings only)	0	2	24

Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues.

I don't believe there are privacy issues with this. I personally would only use taxis that I know have CCTV for personal safety, and I'm sure drivers would also appreciate this especially during nights.

10 In which of the following vehicle types would you support making CCTV a compulsory part of the Council's licensing conditions?

Hackney Carriages (HC) only Private Hire (PHV) vehicles only

Both HC and PHV None

11 If you have indicated that you would support private hire vehicles having CCTV in question 10, do you also support private hire vehicles holding "executive hire" exemption certificates to be required to have CCTV?

Yes No

12 Would your answer to question 10 and 11 change if the costs incurred in implementing this resulted in higher fares to you the end user?

Yes No

13 If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?

Yes No

14 How often do you currently use the services of a taxi?

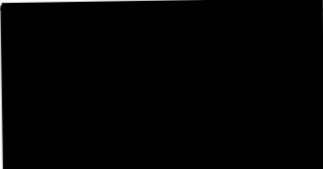
Vehicle type	Per week (average)	Per month (average)	Per year (average)
Hackney Carriage (Immediate Hire)			1
Private Hire (Advance bookings only)			-

15 Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

I live in South Cambs, D.C.'s area, but the same would apply where I use those taxis.

My experience is mainly in London and those cabs are under the auspices of the Metropolitan Police and where cabs are already fitted with CCTV.

Taxis would merely be catching up with most bus and train operators!



Hon. President of
The Fen Riders Association.

Driver responses

Cont...

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	<p>Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...</p> <p>I believe that CCTV will not help to improve safety in Taxi. We should have more support from the police and licensing authorities. Customers nowadays do not comply with the rules in force in the taxi, smoking electric cigarettes, eating food and drinking. CCTV is only a reprimand and it is not sufficient evidence of guilt. It's always word against word, "and the customer is always right."</p>

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p>I think its extra cost and hassle. I dont know any taxi driver in Ely that was enthusiastic about cctv. Most of drivers already have dashcams that record audio and thats enough. It should be individual decision depending how driver feels. For passangers more important is that all drivers are DBS checked.</p>	

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p>Drivers already have the option of cameras in their vehicle, enough is enough, what a ridiculous suggestion, not to mention the cost of it all!!!</p>	

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p style="text-align: center;">Installing CCTV will not affect security, only cost-effectiveness which is much decreasing already.</p>	

10 If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?

Yes No

11 Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

I WOULD NOT WANT TO BE PAYING ALL THE EXTRA COSTS INVOLVED IN GETTING IT INSTALLED & WOULD NOT WANT TO BE EXPOSED TO ANY PRIVACY ACTIONS AT A LATER DATE.
THE TESTING CENTRES WOULD ALSO PUT UP FEES IF THEY WERE GOING TO HAVE TO DO EXTRA TESTS.
I FEEL THAT IT SHOULD BE UP TO INDIVIDUALS IF THEY WANT TO HAVE IT FITTED.
I HAVE NEVER HAD THE NEED FOR IT.

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p>I have been a taxi driver for 13 years and I have not had trouble in Ely warranting a CCTV in the car may cause the passengers to feel uncomfortable when there is no problems in Ely so I think this change is unnecessary.</p>	

We feel that dash cams or some sort of cameras are a good idea, But if it is to be run by ECDC licensing and only to be viewed by ECDC it is an invasion of our privacy, i.e personal calls, private matters and lunch breaks etc

We don't agree to random monitoring by ECDC if this is what you propose to do, unless there is an intendent that needs to be addressed.

In the invent of the CCTV breaking down the vehicle cannot be taken of the road as this would have a major impacted with single owner drivers and their school contracts as these need to be covered and they may not have access to another vehicle.

With regards to the cost at a large amount of £500/1000 per vehicle, where is this money going to be recruited from?

If it is passed onto the company / owner driver how is it to be paid?

Would this be a one off payment?

How long will the warranty be on each CCTV unit?

Who will be fitting them and on what time scale?

How will this work with regards to school children as images of children is not allowed?

Will the CCTV units be able to be removed quickly if necessary and fitted into a new purchased vehicle?

Would this be one camera, as a mini bus being 8/9 seater would struggle to view the third row of passengers?

Because at present it only take 48 hours approx. to get a new vehicle plated and on the road

As you must already be aware for a vehicle mot the windscreen must be kept clear at all times and anything should be removed for an mot, we already have a vehicle station pass, (if rail station taxi) fare card, drivers A5, vehicle plate id these already on the screen and now you want to add a CCTV one. All these things in the event of an mot should be removed it the tester asks

10 If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?

Yes No

11 Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

I don't think I would like to have mandatory CCTV, as I would feel like I and my passengers were 'under ~~surely~~ surveillance', it would affect my conversations that I have with regular passengers. I would like to get CCTV of my own, but just haven't got round to it yet. I work at the station constantly, and very rarely, if ever, take someone on board who is behaving appropriately, I also only work 3-4hrs a day and usually finish around 7pm. I don't do school runs, and since contactless payments are becoming more than 60% of ~~my~~ fares, I don't worry about not getting paid.

I do understand the need for CCTV, as protection for customers and drivers too, I just don't like the idea of being under surveillance.



10 If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
 Yes No

11 Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

I think a large majority of people already believe taxis have some form of CCTV or Dashcam

Dashcams benefit insurance policies (as they can be cheaper) as well as being a form of CCTV

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p>Im working in this profession for over seven years. Since I started I never have had a problem with customers during the day or night time. I found all people in Ely and the surrounding areas very honest and polite. I have never been threatened or verbally abused during my shift. In my opinion installation of CCTV cameras in vehicles will affect customers privacy. Cameras will collect data about people's everyday behaviour during a journey. Some people may think that is sort of harassment as they don't know who watch them at present moment.</p> <p>They will be expensive to maintain. Won't stop theft or incidents.</p> <p>All Hackney Carriage and Private Hire have already installed dash cameras which record video and voice in their vehicles, if incidents occur that can be easy check by looking into their recordings.</p>	

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
<p>Private hire, home to school contracts are acquired through a formal tender process through the council provider.</p> <ol style="list-style-type: none"> 1. The cost, installation and maintenance would increase contract prices considerably, the cost would be passed on to the council. 2. Incidents are reported on a regular basis regarding SEN passengers, many of these are transported with the support of a passenger assistant. We, in turn, report any concerns we have direct to the school, council or guardians relating to that passenger. CCTV would complicate this from a GDPR standpoint. At present we would take verbal or written accounts from any relevant party without requiring consent and therefore we can action these reports quickly so that any action that may need to be taken can be within a timely manner. 3. There is no evidence to suggest that CCTV would make travel for our passengers safer. 4. The cost to license drivers, vehicles and maintain compliance is already a burden on the industry. This would add another layer of complexity and cost. 5. The introduction off CCTV would delay 24x7 ltd in starting council contracts at short notice. 6. Any defect on the CCTV could potentially mean that we would be unable to fulfil our contractual obligation to the council. 7. Current drivers for 24x7 ltd started with the company understanding that CCTV was not a requirement. 8. Due to the specific nature of our work parents or guardians of our passengers may not want us to transport with CCTV in operation, this in turn could leave contracts being terminated leaving drivers without work and the company out of pocket. Also, this would mean the council needing to potentially re-tender the contract. 9. With 24x7 ltd having many employees there would be a considerable cost in training on the use of the device, the driver responsibilities and regulations involved. 10. The initial cost outlay in fitting all current vehicles with CCTV. 11. Considerable GDPR and safeguarding concerns, not just for the company, drivers, and passengers but also the wider public. Potentially recording other children at schools. 12. Parents of SEND children may not want their children recorded at any time. Parental consent would almost certainly be needed for every child, which would cause many administrative, legal, and costly problems. 13. The cost of CCTV would have to be passed on to the council and ultimately to Council taxpayers. who are already in many cases struggling. 14. Incidents are reported on a regular basis regarding SEN passengers, many of these are transported with the support of a passenger assistant. We, in turn, report any concerns we have direct to the school, council or guardians relating to that passenger. CCTV would complicate this from a GDPR standpoint. At present we would take verbal or written accounts from any relevant party without requiring consent and therefore we can action these reports quickly so that any action that may need to be taken, can be within a timely manner. 	

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

I think cctv should be drivers personal decision
And also is difficult time and
500-1000 is a lot money
Drivers have many expenses and
without this things

10 If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?

Yes No

11 Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

THE MAIN CONSIDERATIONS ARE
THE COST OF INSTALL
THE COST OF MOVING FROM ONE VEHICLE TO ANOTHER
WHO WILL BARE THE COST
WHO HAS ACCESS TO THE RECORDINGS
WHAT SHOULD ^{AREAS} THE CAMERAS COVER
HOW LONG SHOULD THE RECORDING BE KEPT FOR
ARE THEY ABLE TO BE USED AS EVIDENCE

I am self employed and with CCTV from council will feel controlled. I am my own boss and I don't need anyone to check up on me.

10	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for drivers to comply?
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
11	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...

On the Positive Side I believe CCTV in Both HC & PH would act as a deterrent to Abuse. On the negative side a Number of people would see it as Invasion of their Privacy. I believe if they was to be informed that the CCTV to be installed would only be accessible by the Relative Authorities it would help in allaying there fears.

There is in some Case's a huge financial Cost to the larger Operators Such as myself.

Will there be any financial help from Dft or local Authorities. ?

Operator responses

9	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
	I am self employed and with CCTV from council will feel controlled. I am my own boss and I don't need anyone to check up on me.

Operators

CCTV questionnaire – Operators	
1	Have you had any of your drivers report incidents to you where they stated they didn't feel safe whilst driving for your company?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2	Have any of your drivers reported to you that they've been threatened or verbally abused in the last two years?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3	Have any of your drivers been physically harmed by a passenger in the last two years?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4	Has a passenger refused to pay a fare in the last two years?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many times?
5	Do you have in vehicle CCTV fitted in any of your vehicles already?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many?
6	In which of the following vehicle types would you support making CCTV a compulsory part of the Council's licensing conditions?
	<input type="checkbox"/> Hackney Carriages (HC) only <input type="checkbox"/> Private Hire (PHV) vehicles only <input type="checkbox"/> Both HC and PHV <input checked="" type="checkbox"/> None
7	If you have indicated that you would support private hire vehicles having CCTV in question 6, do you also support private hire vehicles holding "executive hire" exemption certificates to be required to have CCTV?
	<input type="checkbox"/> Yes <input type="checkbox"/> No
8	If compulsory CCTV were to be introduced, do you think a period of time should be allowed for operators to comply?
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how long? <i>AS LONG AS POSSIBLE</i>
9	Please use this section to provide a brief summary of anything you consider would have either a positive or an adverse net effect on the safety of taxi and private hire drivers, taking into account potential privacy issues...
	<i>WE ONLY DO AIRPORT TRANSFERS & LONG RUNS SO NOT BEING EXPOSED TO THE LATE NIGHT DRINK OR DRUGS FUELLED WEEKEND RUNS. ALSO 95% OF MY CUSTOMERS I KNOW & TRUST. I FEEL THAT THE COST OF INSTALLING CCTV WILL</i>

COME DOWN TO US HAVING ALL COSTS TO BEAR FOR NO GAIN. IT WILL HAVE TO BE PASSED ON TO THE CUSTOMERS WHICH WILL MEAN HIGHER FARES AT A TIME WHEN INCOME IS STILL DOWN ON PRE COVID LEVELS. PEOPLE WILL BE EVEN MORE INCLINED TO LOOK AT ALTERNATIVES.

IF IT IS APPROVED I THINK IT SHOULD BE UP TO THE OPERATOR / LICENCE HOLDER TO DECIDE IF HE WANTS IT.

WE WILL HAVE ALL THE COSTS OF INSTALLATION & ALSO HAVE TO PAY HIGHER FEES FOR OUR LICENCES TO THE COUNCIL.

TITLE: TAXI LICENSING POLICY - UPDATE

COMMITTEE: LICENSING COMMITTEE

DATE: 4 SEPTEMBER 2023

AUTHOR: SENIOR LICENSING OFFICER

Y34

1.0 ISSUE

1.1 To consider updates to the Taxi Licensing Policy for consultation with key stakeholders.

2.0 RECOMMENDATION(S)

2.1 That Members consider the report and:

- instruct Officers to consult with all key stakeholders on the proposals detailed in section 4 to this report, the results of which to be considered at a subsequent Committee meeting.

3.0 BACKGROUND

3.1 The Council has responsibility for licensing hackney carriage vehicles and drivers, and private hire vehicles, drivers and operators within the Council's district boundary. The main powers to control these licensable activities are granted by:

The Local Government (Miscellaneous Provisions) Act 1976
Town Police Clauses Act 1847

3.2 In 2017 the Council's Licensing Authority amalgamated a number of documents to create a Hackney Carriage and Private Hire Licensing Policy (the "Policy"). The current version of the policy came into effect on 11th November 2022.

3.3 The hackney and carriage and private hire policy sets out East Cambridgeshire District Council's requirements under the controlling legislation, and provides a solid framework to assist all parties including Officers, Members, applicants and licence holders, and members of the general public.

3.4 The current policy allows non-substantial amendments to be made without consultation. A non-substantial amendment is anything that is not a substantial amendment. A substantial amendment is defined as an amendment that:

- will have a significant financial impact on licence holders or the public, or
- will have a significant procedural impact on licence holders or the public, or

- may not be perceived by the trade or the public to be consistent with the published objectives detailed in section 1.2.2 of this policy.

3.5 Since 2017 minor amendments have been made to the initial policy, both at officer and Member level, but none have been considered to be substantial, and therefore, no consultation exercise has been necessary. Following a review of the policy, officers have identified a small number of amendments that they would like to make to the existing policy, some of which are considered to be substantial, and therefore, cannot be dealt with under delegated powers. These are set out in section 4 below.

4.0 PROPOSALS

The following paragraphs set out the three major amendments, and the reasons for the proposed change.

Proposal 1

4.1 Increase of base model price of executive vehicles at point of manufacture from £35,000 to £50,000 – Part 2 section 2.23.1 (pg14) and Appendix A section 36.1 (page 39).

4.1.1 This amendment is being tabled to ensure that the executive exemption remains fit for purpose. This increase is considered necessary to ensure that this area of licensing remains exclusive, and reflects the increasing costs of all vehicles since the £35,000 figure was set in 2017. Without this increase it is likely that a much larger number of vehicles may be eligible for an exemption from displaying plates and drivers from displaying badges whilst driving the vehicle, which would undermine the principles of the executive exemption.

Proposal 2

4.2 Requirement for all new petrol and diesel vehicles (including petrol & diesel powered hybrids and LPG conversions) to be Euro 6 compliant – Appendix A section 3.1 (page 31).

4.2.1 Whilst pollution levels remain relatively low across the district, compared to other districts of a similar size, the benefits of clean running, efficient vehicles cannot be denied. A large number of Licensing Authorities across the UK have in recent years been considering the impact of their taxi fleets on their local environment, and their local population whilst they go about their daily lives. A number of Authorities have introduced strict low emission and zero emission vehicle policies, but whilst this may be considered desirable, the practical limitations would make such a policy unfeasible at this time. The proposal to require all petrol and diesel vehicles including diesel and petrol powered hybrids and LPG converted vehicles to meet the Euro 6 standards is considered to be a measured step towards achieving lower NOx, HC and particulate pollution levels, whilst gently moving licence holders towards newer greener vehicles, at a pace that is both feasible from an economic and technological point of view.

4.2.2 Generally, all vehicles manufactured from 1st January 2015 are Euro 6 compliant. Our records show 52% (99) of our licensed vehicles are currently Euro 6 compliant, leaving 92 vehicles ranging from Euro 3 to Euro 5. The tables shown below break this down further.

Table 1 – Current fleet numbers

Euro Rating – Cars (Saloon, Hatchback, Estate and MPV)		
Euro Rating	Date of introduction	Number of licensed vehicles
Euro 3	01/01/2001	2
Euro 4	01/01/2005	11
Euro 5	01/09/2009	79
Euro 6*	01/09/2015	99

*Some manufacturers introduced Euro 6 towards the end of 2014.

Table 2 – Emission levels comparison

Euro 3 Emissions Limits (Petrol)			Euro 3 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	2.3 g/km	V.1	CO (g/km or g/kWh)	0.66 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.15	V.3	NOx (g/km or g/kWh)	0.25 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.50 g/km
V.5	Particulates (g/km or g/kWh)	N/A	V.5	Particulates (g/km or g/kWh)	0.05 g/km
Euro 4 Emissions Limits (Petrol)			Euro 4 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.08	V.3	NOx (g/km or g/kWh)	0.25 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.30 g/km
V.5	Particulates (g/km or g/kWh)	No Limit	V.5	Particulates (g/km or g/kWh)	0.025 g/km
Euro 5 Emissions Limits (Petrol)			Euro 5 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10 g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.06 g/km	V.3	NOx (g/km or g/kWh)	0.18 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.23 g/km
V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only)	V.5	Particulates (g/km or g/kWh)	0.005 g/km and 6.0x10A11/km

Euro 6 Emissions Limits (Petrol)			Euro 6 Emissions Limits (Diesel)		
V5 Reference - Exhaust Emissions		Maximum by Emissions Type	V5 Reference - Exhaust Emissions		Maximum by Emissions Type
V.1	CO (g/km or g/kWh)	1.0 g/km	V.1	CO (g/km or g/kWh)	0.50 g/km
V.2	HC (g/km or g/kWh)	0.10g/km	V.2	HC (g/km or g/kWh)	N/A
V.3	NOx (g/km or g/kWh)	0.06 g/km	V.3	NOx (g/km or g/kWh)	0.08 g/km
V.4	HC+NOx (g/km)	N/A	V.4	HC+NOx (g/km)	0.17 g/km
V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only) and 6.0x10A11/km (Direct Injection Only)	V.5	Particulates (g/km or g/kWh)	0.005 g/km (Direct Injection Only) and 6.0x1QA11/km (Direct Injection Only)

Table 3 - Potential emission savings per annum

Euro Rating – Cars (Saloon, Hatchback, Estate and MPV)						
Euro Rating	Number of licensed vehicles	Based on 30,000km a year average	Current		Euro 6	Savings
Euro 3	2	60,000	CO (.66g/km)	39,600g	30000g	9,600g
			NOx (.50g/km)	30,000g	4,800g	25,200g
			Particulates (.5g/km)	3,000g	300g	2,700g
Euro 4	11	330,000	CO (.50g/km)	165,000g	165,000g	0
			NOx (.25g/km)	82,500g	24,000g	58,500g
			HC+NOx (.25g/km)	99,000g	56,100g	42,900g
			Particulates (.025g/km)	8,250g	1,650g	6,600g
Euro 5	79	2,370,000	CO (.50g/km)	1,185,000g	1,185,000g	0
			NOx (.18g/km)	426,600g	189,600g	237,000g
			HC+NOx (.23g/km)	545,100g	402,900g	142,200g
			Particulates (.005g/km)	11,850g	11,850g	0

Proposal 3

4.3 Introduce a 2-year deadline for all existing Euro 3 and a 5-year deadline for all existing Euro 4 and 5 petrol and diesel vehicles (including diesel and petrol powered hybrids and LPG conversions) to be Euro 6 compliant – Appendix A section 3.2 & 3.3 (page 31).

4.3.1 This proposal will limit the length of time existing non-Euro 6 vehicles may be considered suitable for licensing. The effect of this amendment will be to establish an irrefutable ground for refusing a renewal application where the existing licence expires beyond two or five years from this proposal taking effect. During this grandfather rights period, where an existing vehicle is written off, or is replaced for any reason of non-compliance, this shall be permitted, but any replacement vehicle must be of an equivalent Euro emissions level and CO₂ rating per km, and be no older in age than the vehicle it replaces.

Proposal 4

4.4 Amendment to the rules regarding land line phones at operator bases – Appendix F, section 21 (page 66).

4.4.1 At present all Private Hire operator bases where bookings are accepted must have a land line phone installed at this base location. In modern times whilst the law states that bookings must be made through a licensed operator base, the reality is that most bookings are made via broadband internet connections and VOIP telephones (handsets/phones using an internet line), which for some smaller operators are forwarded onto mobile phones and PDA equipment, as their operator bases are not locations where the public can enter. The proposed amendment will provide greater flexibility to operators, whilst ensuring that booking records can still be accessed, and are being made lawfully, and any customer has a number to contact in order to speak to the operator.

Proposal 5

4.5 Invite comments on any part of the current policy in force at this time.

4.5.1 This proposal is being put forward in the interests of open regulation, to give all key stakeholders the opportunity to comment on any part of the current policy. Any comments would be brought before a future Licensing Committee for Member consideration of the comment.

5.0 CONCLUSION

5.1 The current hackney carriage and private hire licensing policy creates a fair and transparent framework for all parties.

5.2 The proposals set out in this report tie into the Council's Corporate Plan of creating a Cleaner, Greener East Cambridgeshire, whilst striking a fair balance between environmental considerations, and the difficulties faced by the trade both economically and technologically. An additional benefit of proposals 2 and 3 is that newer vehicles benefit from better safety standards, and more passenger/driver comfort than older vehicles.

5.3 The proposal to invite comments on the policy as a whole, demonstrates that the Council is a Council that believes in open regulation.

6.0 FINANCIAL IMPLICATIONS

6.1 If the proposals in this report are adopted the only financial impact will be on those who apply for a new vehicle licence, or to renew an existing non-compliant vehicle licence once the transitional period has ended. It will have no financial impact on new or existing drivers.

6.2 The requirement to obtain a Euro 6 vehicle will restrict the purchasing of second-hand vehicles to vehicles being no more than 8 years of age at this point in time, which may have an impact on the purchase cost of a suitable vehicle when compared to the purchasing of a 10+ year old vehicle. However, research suggests that this additional cost will be minimal, and will potentially be recovered by having a longer period of earning potential as a licensed vehicle.

6.3 If proposal 3 came into effect, existing licence holders would have 5 years to replace their vehicle. In 5 years' time it is very likely that more Euro 6 vehicles will be available, and the initial cost of purchase will be on an equivalent level to current costs.

6.4 Licence holders and stakeholders will be invited to make Members aware of their concerns via a public consultation. Due to this it is envisaged that any financial concerns from the trade will be raised during this process, and can be considered by Members at a subsequent Committee meeting.

6.6 Officer time will be required to deal with the consultation exercise, and Member time will be required to consider any comments received. These costs will come out of the Licensing Department budget.

6.7 An Equality Impact Assessment (EIA) has been completed showing there is no adverse impact on the community if Members follow the Officer recommendations.

7.0 APPENDICES

7.1 Appendix 1 Equality Impact Assessment (EIA)

Background Documents**Location****Contact Officer**

The Local Government (Miscellaneous Provisions) Act 1976

Room SF208
The Grange,
Ely

Stewart Broome
Senior Licensing
Officer
(01353) 616477

Town Police Clauses Act 1847

[RAC Euro-emissions guide](#)

[East Cambridgeshire District Council Hackney Carriage and Private Hire Licensing Policy 2023.](#)

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Hackney Carriage and Private Hire Policy
Lead Officer (responsible for assessment):	Stewart Broome
Department:	Licensing
Others Involved in the Assessment (i.e. peer review, external challenge):	
Date Initial Screening Completed:	22/8/2023

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

A framework to assist members of the public, Officers and Committee Members with regards to controlling hackney carriage and private hire driver, vehicles and operators in the district.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

Persons who wish to drive members of the public for hire and reward purposes

- (c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

Yes, previous consultation in 2017 and working with the policy

- (d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics? (please tick all that apply):

Ethnicity	<input type="checkbox"/>	Age	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Religion or Belief	<input type="checkbox"/>
Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	Marriage & Civil Partnership	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>	Caring Responsibilities	<input type="checkbox"/>

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

This policy affects all applicants and licence holders equally.

- (e) Does the policy affect service users or the wider community?

YES

- (f) Does the policy have a significant effect on how services are delivered?

NO

November 2013

(g) Will it have a significant effect on how other organisations operate?

NO
NO
NO

(h) Does it involve a significant commitment of resources?

(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

Signatures:

Completing Officer: Stewart Broome **Date:** 22/8/2023

Head of Service: Liz Knox **Date:** 22/8/2023

**LICENSING COMMITTEE
FORWARD AGENDA PLAN**

AGENDA ITEM NO 8

LEAD OFFICER: Liz Knox, Environmental Services Manager

DEMOCRATIC SERVICES OFFICER: Hannah Walker

28th June 2023 10:00am		19th July 2023 10:00am		4th September 2023 10:00am	
CANCELLED		CANCELLED			
Report deadline		Report deadline		Report deadline	21 st Aug 2023
Agenda despatch	20 th June 2023	Agenda despatch	11 th July 2023	Agenda despatch	24 th Aug 2023
Chairman's Announcements		Chairman's Announcements		Chairman's Announcements	
Licensing Officers Update	S Broome Senior Licensing Officer	Licensing Officers Update	S Broome Senior Licensing Officer	CCTV in taxis consultation	S Broome Senior Licensing Officer
Forward Agenda Plan	DSO	Forward Agenda Plan	DSO	Taxi licensing policy - update	S Broome Senior Licensing Officer
				Licensing Officers Update	S Broome Senior Licensing Officer
				Forward Agenda Plan	DSO
11th October 2023 10:00am		8th November 2023 10:00am		13th December 2023 10:00am	
CANCELLED					
Report deadline		Report deadline	27 th Oct 2023	Report deadline	1 st Dec 2023
Agenda despatch		Agenda despatch	31 st Oct 2023	Agenda despatch	5 th Dec 2023
Chairman's Announcements		Chairman's Announcements		Chairman's Announcements	
Licensing Officers Update	S Broome Senior Licensing Officer	Fees Review	S Broome Senior Licensing Officer	Licensing Officers Update	S Broome Senior Licensing Officer
Forward Agenda Plan	DSO	Hackney Carriage and Private Hire Licensing Policy Review consultation responses	S Broome Senior Licensing Officer	Forward Agenda Plan	DSO
		Licensing Officers Update	S Broome Senior Licensing Officer		
		Forward Agenda Plan	DSO		

Notes:

1. Agenda items which are likely to be "urgent" and therefore not subject to call-in are marked *
2. Agenda items in italics are provisional items / possible items for future meetings.

LICENSING COMMITTEE
FORWARD AGENDA PLAN

AGENDA ITEM NO 8

LEAD OFFICER: Liz Knox, Environmental Services Manager

DEMOCRATIC SERVICES OFFICER: Hannah Walker

17th January 2024		14th February 2024		13th March 2024	
10:00am		10:00am		10:00am	
Report deadline	5th Jan 2024	Report deadline	2nd Feb 2024	Report deadline	1st March 2024
Agenda despatch	9th Jan 2024	Agenda despatch	6th Feb 2024	Agenda despatch	5th March 2024
Chairman's Announcements		Chairman's Announcements		Chairman's Announcements	
Licensing Officers Update	S Broome Senior Licensing Officer	Licensing Officers Update	S Broome Senior Licensing Officer	Licensing Officers Update	S Broome Senior Licensing Officer
Forward Agenda Plan	DSO	Forward Agenda Plan	DSO	Forward Agenda Plan	DSO

Notes:

1. Agenda items which are likely to be "urgent" and therefore not subject to call-in are marked *
2. Agenda items in italics are provisional items / possible items for future meetings.