



SHEFFIELD CITY COUNCIL LICENSING COMMITTEE

Report of: Chief Licensing Officer

Date: 20th February 2014

Subject: Private Hire and Hackney Carriage Licensing

Author of Report: Steven Lonnia Chief Licensing Officer,
Business and Strategy, Place Portfolio

Summary: Report – Image Recording Equipment in Licensed
Vehicles.

Category of Report: OPEN

**REPORT OF THE CHIEF LICENSING OFFICER & HEAD OF LICENSING TO
THE THE LICENSING COMMITTEE**

20th February 2014

Image Recording Equipment (CCTV) in Licensed Vehicles

1. PURPOSE

- 1.1 To report back to the committee the results of the recent consultation as agreed at the meeting in May 2013 with regards to a mandatory CCTV Policy.

2. REASON FOR THE REPORT

- 2.1 The Committee considered a report in May 2013, and as a result of those discussions, the committee asked that a consultation take place with stakeholders and that a further report be brought back to the committee for a final decision by the end of 2013.
- 2.2 The reason for the report not being presented until now was to allow the licensing service to complete the consultation.

3. DATA PROTECTION COMPLIANCE

- 3.1 Audio recording is now be deemed excessive (see Southampton Case) and therefore the Council can-not insist on such recordings in any policy regarding CCTV in licensed vehicles.

4. CONSULTATION

- 4.1 The Chair and Deputy Chair have held many consultation meetings throughout the period with all interested parties.
- 4.2 The Chief Licensing Officer and Principal Licensing Officer (Taxis) met with trade representatives at a licensing consultation meetings during the year.
- 4.3 The trade associations were in attendance at the all previous licensing committee meetings and took full part in the discussions. I can confirm that he trade has been invited to attend this meeting today.
- 4.4 The consultation has revealed an overwhelming opinion against the imposition of a mandatory CCTV Policy for licensed vehicles as there is no evidence to show that there are any significant safety benefits.

5. FINANCIAL IMPLICATIONS

- 5.1 The committee will be aware that the financials implications have been set out in previous reports and therefore will not be repeated in this report.
- 5.2 In brief terms there are financial implications arising from the imposition of a policy for the mandatory fitting of CCTV cameras in licensed vehicles to both the licensed trade and the licensing service.

6.0 FURTHER INFORMATION

- 6.1 On 29th October 2013 Rt Hon Richard Fuller MP presented a private members bill to Parliament, asking for the implementation of a mandatory condition that all licensed private hire and hackney carriage are fitted with CCTV. A copy of Rt Hon Richard Fuller MP presentation to parliament is attached at appendix A.
- 6.2 Members should be aware that if the bill becomes legislation then Sheffield City Council, like any other Local Authority would have to implement the legislation at a local level.

7.0 RECOMMENDATIONS

- 7.1 Members should consider all the previous reports and any further information that is placed before them today either in writing or verbally and determine whether they wish to impose a Mandatory CCTV within licensed vehicles in Sheffield.

8.0 OPTIONS

- 8.1 To agree that the current voluntary policy and relevant specification (Appendix B) is satisfactory and make no changes.
- 8.2 To propose any potential changes to the current policy and/or the specification as the committee may consider appropriate.
- 8.3 That members agree that that any policy determined here today is reviewed on a three yearly basis.

Stephen Lonnia
Chief Licensing Officer and Head of Licensing
January 2014

APPENDIX A

(Private Members Bill) (CCTV)

Private Members Bill Rt Hon Richard Fuller MP

I beg to move,

That leave be given to bring in a Bill to require the installation of closed circuit television in licensed hackney carriages and private hire vehicles; to establish a minimum standard for such installations; and for connected purposes.

Like many right hon. and hon. Members on both sides of the House, I am sceptical about the value of the pervasiveness of CCTV in our lives and in our communities, but I wish to explain to the House why I believe that its provision in private hire vehicles and taxis is warranted and justified. For too long our private hire and taxi drivers have been treated like second-class citizens. Indeed, they are an overlooked community when it comes to personal safety. Yet they are an essential part of our public transport system, for in many towns across the country, who is going to take people home in the evenings? It will be a private hire cab or a licensed taxi. However, the safety provided in those circumstances is below that provided in other forms of public transport. It is the most trusting of circumstances: one, two or three people in a single vehicle late at night, with nothing to provide any evidence if a crime is committed.

The types of crime that are committed run the gamut, from theft to racial abuse and assault. Many of our taxi drivers are drawn from ethnic minorities. Racial abuse, wherever it happens, is unacceptable. In Doncaster, taxi drivers requested that the local council bring in CCTV because they were concerned about the incidence of racial abuse. They noted a significant decline in racial abuse following the introduction of CCTV. Theft is almost thought of as a cost of doing business. We should consider what it must be like for a taxi driver when two or three people they have driven home simply refuse to pay. What evidence does the driver have that a crime has been committed? What power does he or she have to stop those people perpetrating that crime? There is little ability to stop the crime and little evidence that it has happened. The number of assaults that occur in disputes between drivers and passengers is horrifying, and occasionally they lead to murder.

Having CCTV in taxis is about providing safety not only for drivers but for passengers, because there are sometimes instances of passengers attacking each other in the back of taxis. In my conversations with the Metropolitan police, I was interested to hear that they regard the provision of CCTV in taxis and private hire vehicles as helpful in cases of sexual assault or rape that occur after people have been taken by taxi to a place of residence.

Those are some general examples, but I have been moved to seek to bring in this Bill by specific examples in my constituency. A year ago one of my constituents, Mehar Dhariwal, was murdered. His murder brought into sharp relief the dangers that men and women in our taxis can be under when they are put in situations of risk. I met his widow, Mrs Dhariwal, last weekend. Although her loss can never be made up for, her encouragement to me was to say, "Richard, it's important that we bring in this measure so that other people do not have to go through the suffering that I and my family have gone through."

The dangers faced by taxi drivers were also brought into sharp relief when a friend of mine who works for 24-7 Cars was held at knife point between Bedford and Luton. He managed to escape only because he was smart enough to realise that there was a police car parked at a petrol station he was approaching. He rolled out of the taxi, sustaining injuries, and the taxi came to a halt. The two perpetrators of the crime got out and were chased by two police officers. One of those idiots threw a knife at the police officers and the other turned a gun on them, but the officers bravely dodged the knife and one of them knocked the gun away. I am pleased to say that our chief constable was prepared to take all necessary measures to ensure that those criminals faced the full force of justice.

This Bill proposes to provide for secure and encrypted CCTV in taxi cabs. It is important from the point of view of privacy that the information is secure and encrypted. It should also be accessible by the police only in circumstances in which a crime is reported to have been committed. The system should be mandatory, because then the citizen would know that it was being used when they got into a taxi cab. If the take-up were voluntary rather than mandatory, people would not know exactly what type of safety provision was in use. Councils around the country have seen the value of introducing a mandatory system over a voluntary one.

There is a question about whether CCTV should provide just video coverage or audio coverage as well. This issue was subject to an Information Commissioner review involving Southampton council earlier this year. The consequence was not to ban audio recording outright, but to say that it could be provided only in a panic situation—a short

burst of audio at the particular point when a driver felt a crime was being committed. I believe that that is the correct approach.

There are also issues with costs. The last thing I would wish as a result of this Bill is to place additional costs on drivers. We do not ask bus drivers to pay for the CCTV that protects them, and nor should we ask taxi drivers to pay for their own personal safety while they ply their trade. Southampton has built on its work with the Information Commissioner and has a very good approach to covering costs: the council covers the cost of the camera and the taxi drivers are responsible for the maintenance and installation of the system. That also allows the driver to recoup their costs through insurance reductions, because CCTV is able to look outside as well as inside the vehicle and can therefore be used as evidence in claims when crashes or whiplash are caused. In such circumstances, I believe that the costs that would fall on the drivers would be negligible at best.

This Bill seeks to provide a level of security for our taxi drivers that is long overdue. Workers in other high-risk transport situations already benefit from it and I believe it would have a significant impact. A **US** study recently compared the effect of measures such as CCTV and barriers between the driver and passengers. It found that only one method contributed to a significant reduction in crimes against drivers, and that was CCTV.

This Bill has many benefits, but to my mind the most important is that it will start to give respect to our taxi drivers and stop people treating them as second-class citizens.

Question put and agreed to.

Ordered,

That **Richard Fuller**, Meg Hillier, Mr Adam Holloway, Siobhain McDonagh, Stephen McPartland and **Priti Patel** present the Bill.

Richard Fuller accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 8 November, and to be printed (Bill 121).

APPENDIX B

(Current CCTV Specification)

Specification for Closed Circuit Television Cameras in Hackney Carriages and Private Hire vehicles.

1. Data Protection.

All image recording equipment must comply with the requirements of current Data Protection legislation. Documentary evidence of compliance must be provided with any application for consent to use such equipment.

2. Installation.

Equipment must be installed in such a way that it will not cause injury to the driver or the passengers.

Equipment must be secure and not interfere with the safe operation of the vehicle.

All wiring must be fused at source and appropriately routed.

3. Operation and image security.

Images captured must remain secure at all times and be accessible only to Authorised Officers of Sheffield City Council, Police Officers or other bodies specifically approved by Sheffield City Council.

Some form of encryption and access code will be required to ensure permanent security of images.

Recorded images must show the date and time image was captured and identify the vehicle to which the equipment is installed.

4. Signage

There must be a sign informing passengers that the vehicle is fitted with surveillance equipment. The recommended wording on the sign is as follows.

PASSENGER NOTICE

This taxi/private hire vehicle is protected by a
Digital surveillance Camera.

Any images recorded are held in a secure format and can only be viewed by the police and the licensing authority

SYSTEM PROVIDERS DETAILS

Signs shall not be less than 88sq CM (11 x 8 cm)

The proposed signage must be submitted to the Council for approval.

The signs shall be located on each passenger door window and legible from outside the vehicle.