

**Report of the Service Director to the  
General Licensing Regulatory Board  
to be held on the 20 February 2019**

**CCTV IN LICENSED VEHICLES**

**1. Purpose of Report**

The purpose of this report, is to provide Members with an update of the work Licensing Officers have undertaken to appraise the case for the mandatory implementation of CCTV 's in licensed vehicles.

**2. Background**

Cabinet has resolved (Cab.15.11.2017/9) that approval be given for the Licensing Team to put a business case together to introduce taxi cameras in all licensed vehicles. The business case was subsequently delayed when the Local Government Association announced they were developing a guidance document to bring together some of the questions that local authorities should consider when introducing a mandatory CCTV policy for licensed vehicles in their area.

**3. Current Position**

The LGA guidance was released in January 2019 and reflects on approaches taken by local authorities which already mandate CCTV and on the importance of striking a balance between passenger safety and privacy, reflecting the position of the Information Commissioner and Surveillance Camera Commissioner as the regulators. It is intended to be used as a starting point for exploring some of the key issues and how these might apply at a local level.

Currently only 12 Local authorities across the country have a mandatory requirement for CCTV

Having considered the LGA guidance, it is clear that there are a number of matters that must be evidenced when considering implementing the mandatory use of CCTV :-

- We need to demonstrate regard to the Surveillance Camera Code of Practise which sets out guiding principles, the first of which is that the ***use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.***
- There must be a strong evidence-based justification for policy which imposes the mandatory use of CCTV systems in taxis .
- Officers and Members have to consider what is an appropriate and proportionate approach to CCTV, having regard to evidence of any need based on issues identified in their local area. The impacts on the driver privacy must be weighed in the balance when assessing proportionality.
- Officers have to be clear about the problems that need addressing and must be able to justify why these can only be effectively resolved by CCTV, as opposed to some less intrusive alternative solution. The assessment of proportionality and the justification for CCTV needs to be relevant to local circumstances in which the policy will apply and so a local evidence base will need to be developed to support any proposal.
- Is there a pressing and social need and do we have evidence that this need must be addressed?
- Audio recording is considered more intrusive of privacy than cameras and so requires stronger justification
- Have the alternative options been reviewed and is there evidence to show that the only way to address the issue is through the use of audio recording?

#### **4. Proposal**

Having considered the LGA guidance Officers have concluded that we will not be able to put forward a strong evidence base to justify a mandatory requirement for CCTV in taxis and private hire vehicles at this time.

Whilst Licensing Officers have received a small number of complaints over a period of time where CCTV would have been useful to help Officers to resolve the complaint, this is not in itself considered to be a strong enough justification

The cost implications of introducing a mandatory requirement for CCTV must also be considered. Without identified assistance, funding this cost, which could be in the region of several hundred pounds per vehicle, would fall to the licensed trade. There will also be installation and maintenance costs to consider.

Going forward it is proposed that Licensing Officers actively monitor and record all requests for service where CCTV in a licensed vehicle would have been beneficial. This will be done over a twelve month period. The evidence will then be reviewed and presented to members accordingly.

Officers recognise the positive impact that CCTV would have as an additional safeguarding tool which would provide confidence, added protection and reassurance to both drivers and the public, however, a strong evidence base for justification is required before this can be progressed.

The principal consideration must be one of public safety. Collating evidence in the required format will ensure that we have the strongest possible case for any mandatory implementation in the future.

Public protection is paramount, yet it should be recognised and celebrated that we do not have an identified and pressing need for mandatory CCTV in Barnsley and that introducing a mandatory requirement could be seen as excessively disproportionate at this time.

## **5. Recommendation**

The Members approve the active monitoring of complaints and investigations by Licensing Officers with a view to assessing the need for the mandatory requirement for CCTV in all licensed vehicles.

## **5. Background Papers**

Enforcement Officer Reports which contain exempt information are not available for public inspection

**6. Officer Contact**

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