

Cheltenham Borough Council
Cabinet Member for Customer and Regulatory Services – 8 June 2022
Permission to Consult on Requirement to Install CCTV in Licensed Vehicles

Accountable member	Councillor Martin Horwood, Cabinet Member for Customer and Regulatory Services
Accountable officer	Director of Environment, Michael Redman
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	<p>The Department for Transport's (DfT) statutory guidance states that 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.</p> <p>This report seeks permission from the Cabinet Member for Customer and Regulatory Services to undertake such a consultation.</p>
Recommendations	<p>The Cabinet Member for Customer and Regulatory Services is recommended to:</p> <ol style="list-style-type: none"> 1. Approve consultation 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.

Financial implications	There are no financial implications arising from this report. Contact officer: Andrew Taylor, Andrew.Taylor@cheltenham.gov.uk
Legal implications	Contact officer: The Council must comply with public law consultation principles and with all applicable data protection legislation should they be collecting personal data in the course of the consultation. One Legal Tel: 01684 272012 Email: legalservices@onelegal.org.uk
HR implications (including learning and organisational development)	No specific HR implications as a result of this report. Contact officer: Clare Jones – HR Business Partner, clare.jones@publicagroup.uk
Key risks	As outlined in Appendix 1
Corporate and community plan Implications	Delivering services to meet the needs of our residents and communities Continuing the revitalisation and improvement of our vibrant town centre and public space
Environmental and climate change implications	None
Property/Asset Implications	None Contact officer: Gemma.Bell@cheltenham.gov.uk

1. Background

- 1.1 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.
- 1.2 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. Furthermore, it is noted that the statutory standards document sets out a framework of policies that, under section 177(4), licensing authorities “must have regard” to when exercising their licensing and safeguarding functions.
- 1.3 The statutory guidance states that 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.
- 1.4 Work undertaken by the county’s licensing officers group (GLOG) as part of phase 2 of the common licensing standards work has developed a survey for the purpose of consulting on local CCTV requirements. This report seeks approval from the Cabinet Member for Customer and Regulatory Services to proceed to consultation.
- 1.5 It should be pointed out that consultation at this stage is restricted 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.”
- 1.6 Subject to the outcome of this consultation, the authority may develop and consult further on more concrete proposals regarding CCTV in licensed vehicles, what form would be appropriate and a privacy impact assessment.

2. Reasons for recommendations

- 2.1 To comply with statutory guidance as outlined in this report.

3. Alternative options considered

- 3.1 The Cabinet Member for Customer and Regulatory Services can decide not to approve the recommendation. This would however mean the authority is not complying with its duty to have regard to the national statutory guidance. This in turn may put public safety and protection at risk.

4. Consultation and feedback

- 4.1 It is proposed that a 6 week consultation be undertaken. Whilst this consultation will be open to anyone to submit a response, the authority will consult, in particular, with:

- 4.1.1 The licensed trade

4.1.2 Gloucestershire Constabulary

4.1.3 Neighbouring licensing authorities

4.1.4 Businesses and organisations particularly affected

4.1.5 The Licensing Committee and other Elected Members

4.1.6 Gloucestershire County Council

5. Performance management –monitoring and review

5.1 Not applicable

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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Proposed survey
Background information	<ol style="list-style-type: none">1. Statutory taxi and private hire vehicle standards

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the authority does not undertake this consultation it will fail to have due regard to the statutory guidance.	Director of Environment	May 2022	2	4	8	Accept	Approve consultation		Licensing Team Leader	
	If the authority does not undertake this consultation or delays in doing so there may be an impact on public safety.	Director of Environment	May 2022	2	3	6	Accept	Approve consultation		Licensing Team Leader	

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close