

Minutes of	Licensing and Public Safety Committee
Meeting date	Tuesday, 27 June 2023
Members present:	Councillors Jane Bell (Chair), Paul Wharton-Hardman (Vice-Chair), Hilary Bedford, Mathew Forshaw, Peter Gabbott, Jasmine Gleave, James Gleeson, Harry Hancock, Emma Stevens and John Rainsbury
Officers:	Elizabeth Hindle (Head of Planning and Enforcement), Chris Ward (Licensing Manager), Alex Jackson (Shared Legal Services Team Leader), Stephanie Newby (Licensing Officer), Justin Abbotts (Licensing Officer) and Clare Gornall (Democratic and Member Services Officer)
Other members (attending virtually):	Councillor Lesley Pritchard
Public:	Mr Charles Oakes, Hackney Drivers Association

11 Apologies for Absence

Apologies were received from Councillor Julie Buttery.

It was noted that Councillor John Rainsbury was in attendance in substitution for Councillor Buttery.

12 Declarations of Interest

There were no declarations of interest.

13 Minutes of Licensing and Public Safety Committee

Resolved: That the minutes of the meeting of the Licensing and Public Safety Committee held on 6 September 2022 be noted and agreed as a correct record.

14 Minutes of the General Licensing Sub Committee

Resolved: That the minutes of the General Licensing Sub Committee held on 8 November 2022 be noted and agreed as a correct record.

15 CCTV Policy - Consultation feedback

Chris Ward, Licensing Manager presented a report of the Director of Planning and Development providing feedback on the consultations carried out in response to the

possibility of mandating CCTV in vehicles licensed by South Ribble Borough Council.

The report informed members that a trade consultation exercise was carried out throughout November – December 2022, the results of which were detailed at Appendix 1. All members of the trade received a physical consultation document sent to their home address. Of 252 drivers, only 12 responses were received.

The report also gave details the public consultation exercise carried out throughout November – December 2022, via the Council's website and social media, the results of which were attached at Appendix 2.

Lancashire Constabulary also provided crime statistics in relation to offences against taxi drivers in South Ribble over the past 12 months up to 15th December 2022. The report indicated that the crime statistics on drivers were low; of the 35 crimes committed on drivers, 18 of those were simple making off without payment, and 2 were theft.

Due to the lack of responses from the trade to the initial consultation, a second consultation with the trade was carried out in March 2023. This received only 8 responses and no serious issues e.g. cases of assault were reported.

As highlighted in the report, the Licensing Manager stressed that with regard to a proposal for the imposition of a condition making CCTV compulsory in vehicles, various factors should be taken into consideration, such as:

- Proportionality and the need for an evidence base.
- Legal Compliance, Specification and ICO recommendations.
- Cost of implementation.
- Incentives and trade buy in.

Members agreed that to mandate a policy on CCTV there needed to be a clear local evidence base of an overwhelming need for CCTV within the area.

It was noted that CCTV units were relatively modest in price with an average price of between £390 - £450 depending on the specification, which includes professional installation by an approved supplier.

The Committee further noted that if any mandatory policy were to be introduced, the Council may be challenged legally, this could incur legal costs of defending a Judicial Review against the policy and/or an appeal to the magistrates' court against the imposition of a condition on a taxi vehicle licence.

The report explained that replacing tinted windows in vehicles can be a costly exercise. The Committee therefore considered a proposal for the use of CCTV to mitigate the need to replace windows that are over the allowance of tint level, to promote vehicle proprietors installing CCTV.

Members acknowledged that the tinted windows policy requirement in itself was expensive and burdensome for the industry with an average cost of £1000 to £1500 to change from factory fitted tinted windows to clear glass.

The Chair invited Mr Charles Oakes, representing the Hackney Drivers' Association which included some South Ribble taxi drivers. Mr Oakes felt strongly that CCTV should be mandatory in taxi vehicles on the grounds of driver and passenger safety and prevention of crime.

The Committee discussed the content of the report in depth, and gave due regard to all the appended information, including both trade consultations; the public consultation summary; Data Protection Impact Assessment; LGA Guidance; DFT Statutory Standards; and ICO guidance.

The Committee appreciated that an argument could be made to introduce a mandatory CCTV policy on both driver and public safety grounds. However, the Committee were mindful that this must be proportional and balanced against data protection and rights to privacy with regard to camera surveillance.

The Committee determined that based on the information before it there was no clear local evidence base of an overwhelming need for a mandatory CCTV policy within the area and to do so would leave the Council open to legal challenge of a Judicial Review and financial risk.

It was therefore proposed that a non-mandatory CCTV policy be introduced, allowing drivers to decide to install CCTV in their vehicle if they wished to do so.

Resolved:

1. To note the content of the report.
2. To acknowledge the consultation responses from both members of the trade and the residents of South Ribble; the crime statistics provided by Lancashire Constabulary and previous licensing cases.
3. That, having considered the all the evidence provided, Council is recommended to approve a non-mandatory CCTV policy that permits the vehicle proprietors, to have factory fitted tinted windows within licensed vehicles, provided that a compliant CCTV system is installed subject to the system being approved by SRBC officers prior to the licence being issued.
4. To submit a report to the next meeting of the Council as per recommendation (3) above.

Chair

Date