

There have also been a number of high-profile safeguarding cases in other areas of the country which had underlined the need for safeguarding issues to be seriously considered within the Council's hackney carriage/ private hire licensing policy.

The introduction of CCTV could have clear benefits for passengers, drivers and the licensing authority. Evidence drawn from complaints made to the Council demonstrates that complaints are not always easily resolved because it is one person's word against another, and this can sometimes have an unsatisfactory outcome for all parties.

It was noted that a Task and Finish Group commissioned by the Minister of State at the Department for Transport in 2018 recommended the mandatory introduction of cameras in licensed vehicles. However, the information Commissioners Office CCTV Code of Practice recognises that an important balance must be made between privacy and proportionality and that a mandatory policy around CCTV systems in taxis would require strong justification and should be kept under regular review.

There were also issues about the use of audio recordings and the capturing of private conversations.

Officers had started a consultation process with the district's taxi drivers and would be consulting widely with the Police, Members and members of the public. They would also be gathering statistical evidence and other data to help in their deliberations.

Some authorities have allowed taxis to have voluntary CCTV and have added conditions around this.

Councillor Sartin noted the report mentioned complaints; what sort of numbers were you talking about. She was told that it averaged about 20 a year. They were nearly always minor, but every now and again there would be a big one where officers would have to work with the Police and carry out exhaustive investigations. Given the number of complaints a year, Councillor Sartin thought that this may just be a little excessive. Officers noted that a crime could not be underestimated but it was also about proportionality. There were advantages to the Taxi Drivers, for their own safeguard, and it also helped with their insurance. A lot would be about costs.

Councillor Neville asked which other authorities in Essex were doing this and what was the Government Task and Finish now saying. He was told that Colchester were planning to use an outside company, but it came at a heavy cost and so they were now rethinking this. The cost was £750 per unit (to install the camera) and then £10 a month per vehicle. Asked who paid this, the officer said that the taxi driver would. As for the government response they were still consulting and were waiting for feedback from Transport for London.

It was also noted that some drivers had dash cams fitted (some can also look inside the car as well) – the issue here was control of this data. In this case it was up to the drivers, they could turn it off and on when they liked. Should the council have control of the units?

Councillor Stalker noted that the ones that looked inside cars came under different legislation. Customers have to be told when they enter the taxi; the issue was who controlled the data. We should have the Colchester scheme or nothing.

Councillor Whitehouse asked if we needed to alter our conditions if there were currently taxis using recording devices.

Councillor Lion suggested that more information was gathered before any definite decisions were taken. For instance, were we doing this for the protection of the Council or for the taxi drivers? He was told that as an authority we would be doing it to protect public safety and also as part of the broader work to strengthen safeguarding measures within the taxi/PHV service. Also, the Information Commission's advice was to prohibit audio in taxis and only allow for use in emergencies.

Councillor Sartin asked if the consultation paper was anonymous. And what would happen if they say they already have CCTV installed. She was told that officers would need to investigate it and to know they were doing everything correctly. The forms were anonymous as we got a better response that way. But this was just the start of the consultation process. Councillor Sartin asked if a number of taxi drivers had CCTV, would we need to check those taxis. Officers said that this would be picked up at each taxis' four-month check – it would be checked to see if they have cameras and appropriate notices.

Councillor Neville commented that as we did not presently have a policy on this, if a taxi driver used some CCTV footage in evidence, would we accept it? He was told that would depend if it had been properly gathered.

Councillor Lion asked if London Black Cabs had CCTV. Councillor Stalker said that they did, and that a red light came on when audio was being recorded.

Ms Devine noted that, going forward, the Council would be looking at the potential requirement for all licensed taxis and PHV to be electric. This would also add to the financial burden of the trade and whilst the two issues, CCTV and electric vehicles were separate, it was worth being aware, in respect of the consequences to the trade if introduced. Councillor Lion commented that he had been dealing with Essex County Council for over a year on installing electric charging points. It was also something we need to address in our own car parks.

Councillor Sartin asked when were officers looking to get responses back. She was told that they had been given three months to respond so were looking at sometime in June.

Councillor Lion asked if we recorded issues and complaints and could the committee have sight of these statistics. Officers said that they could produce something along those lines.

Councillor Morgan summed up by saying that the Committee needed more information when they next considered this at their October meeting.

RESOLVED:

1. The Licensing Committee noted the steps being taken in consideration of in-vehicle CCTV in Hackney Carriage / Private hire Vehicles; and
2. That a further report would be going to the next meeting in October.

18. Gambling Act 2005: Statement of Licensing Policy

The Licensing Team Manager, Kim Tuckey, introduced the report on the Gambling Act 2005, statement of Licensing Policy. The Gambling Act 2005 required all

licensing authorities to prepare and publish a Statement of the Principles that they proposed to apply in exercising their functions under the Act. This is incorporated into the Epping Forest Council's Gambling Act 2005: Statement of Licensing Policy.

The statement of Licensing Policy was last reviewed in 2016 and a further review was overdue. A review had now been carried out and amendments have been made following latest guidance from the Gambling Commission. Epping Forest District has very few such establishments that would be affected by an update to the policy.

A consultation letter or email was sent out to all consultees at the beginning of January 2020 and replies were asked to be returned by 19th February 2020. Responses were attached with the report.

Members asked for some minor amendment to be made to the draft statement but agreed in principal to draft Gambling Act (2005), Statement of Licensing Policy.

RESOLVED:

That the revised Gambling Act 2005: Statement of Licensing policy be approved.

19. Review of Licensing Sub-Committee Procedures

Members wished to know where the Licensing Sub-Committee meetings were to be held between June and December 2020 while building work was being undertaken at the Civic Offices. They were told that meeting would be held at Debden Park Community Hall, Willingale Road, Loughton, IG10 2BQ.

20. Review of Current and Future Training Needs for the Committee

The meeting noted that James Button would be holding a one day training session at North Weald Airfield on 10th June 2020 from 9.30 to 4.00pm.

21. Matters Arising

There were no matters arising.

22. Date of Next Meeting

The Committee noted the date for their next meeting, 14 October 2020 at the Debden Park Community Centre starting at 2.30pm.

CHAIRMAN