

Licensing Committee

at 6.30pm on Monday 27 January 2020

in the Belle Vue Suite at the Belle Vue Square Offices, Skipton

Committee Members: The Chairman (Councillor Myers) and Councillors Handley, Heseltine, Ireton, Jaquin, Madeley, Metcalfe, Moorby, Mulligan, Pighills, Solloway and Whitaker.

1. **Apologies for absence**
2. **Confirmation of Minutes** of meeting held on 1st October 2019.
3. **Public Participation** – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “***disclosable pecuniary interest***” under Appendix A to the Council’s Code of Conduct, or “***other interests***” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **On-line Taxi Licence Renewals** – Verbal report of the CIO and Assets and Commercial Services Manager.

Purpose of Report – To update Members on the on-line taxi licence renewals system.

6. **Vehicle Testing Update** – Report of the Licensing Manager. Attached.

Purpose of Report – To provide Members with an update on the progress regarding the vehicle testing tendering process.

7. **CCTV in Vehicles** – Report of the Licensing Manager. Attached.

Purpose of Report – To provide members with an update of the consultation carried out as part of the introduction of mandatory CCTV in Licenced Vehicles.

8. **Scheme of Delegation** – Report of the Solicitor to the Council (Monitoring Officer). Attached.

Purpose of Report – To consider undertaking a review of the Terms of Reference for the Licensing and Appeals Sub-Committee.

9. **Legal Update** – Verbal report of the Legal Services Manager.

Purpose of Report – To update Members on recent matters.

10. Any other items which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer:

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17th January 2020

If you would like this agenda or any of the reports listed in a way which is better for you, please telephone (01756) 706494.

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- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

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In case of an emergency or if the alarm sounds, leave the committee room and leave the building using the nearest available door. The assembly point is in the main square at the front entrance. An officer will take a roll call at that point. Please do not leave without telling the Chairman or the Democratic Services Section's representative.

LICENSING COMMITTEE

1st October 2019

Present – Councillors Myers (Chairman), Handley, Heseltine, Jaquin, Madeley, Metcalfe, Moorby and Whitaker.

Officers – Legal Services Manager, Licensing Manager and Senior Democratic Services Officer.

Apologies for absence were received from Councillors Ireton, Pighills and Solloway.

Start: 6.35pm

Finish: 7:26pm

The minutes of the Committee's meeting held on 11th June 2019 were confirmed and signed by the Chairman.

Minutes for Report

LIC.228

VEHICLE TESTING

The Licensing Manager submitted a report updating Members on the progress made with the current vehicle testing tendering process.

All licensing vehicles registered with Craven District Council were required to undergo testing including an annual MOT and an enhanced vehicle check (ELVC) by an authorised testing station. Vehicles aged over three years were also subject to an additional ELVC check bi-annually.

Members were already aware that only one testing station was authorised to undertake testing and officers had previously been asked to review the current arrangements with a view to appointing additional testing stations.

The Licensing Manager stated that, in consultation with Legal Services, a specification for the procurement of garage services was being formulated with the aim of appointing additional testing stations in early 2020.

The Legal Services Manager explained that the Council's procurement officer would put together the tender document which would be promoted within the District and advertised on the Council's website.

Resolved – (1) That, the report is noted.

LIC.229

TAXI LICENSING POLICY – REVIEW OF PENALTY POINTS SCHEME

The Licensing Manager submitted a report updating Members on the implementation of the penalty points scheme for taxi drivers and vehicles and requested some changes to the scheme now it had been in operation since 1st April 2019.

The purpose of the scheme was to provide a consistent approach in dealing with misdemeanours and unsatisfactory conduct, hopefully improving standards whilst providing a picture of a licence holder's conduct and whether that individual continued to be considered a 'fit and proper' person. When a licence holder reached twelve penalty points he/she would automatically be referred to the

Licensing and Appeals Sub-Committee. In addition, the Licensing Manager also retained a separate discretion to refer matters to the Licensing and Appeals Sub-Committee.

Since the scheme's introduction, 79 penalty points had been issued as set out in the report and to highlight the seriousness of some of the infringements it was proposed that points be increased for certain misdemeanours. Some minor conduct incidents were not covered by the scheme and it was suggested that the scheme be revised. The changes were:

- New offence of using a licensed vehicle on the highway following an MOT failure with a dangerous defect;
- New offence of displaying unauthorised signage on a vehicle/failure to request authorisation of signage;
- Increase in points when plying for hire by Private Hire drivers and/or plying for hire outside the District; and
- Amendment from 'failure to use authorised roof light' to 'failure to use a roof top sign'.

The Licensing Manager would continue to monitor scheme as it progressed and provide data to Members in due course.

Resolved – (1) That, the use of the penalty points scheme since 1st April 2019 is noted.

(2) That, the additional categories as set out in the appendix to the report now submitted, are approved.

(3) That, the increase in penalty points as set out in the appendix to the report now submitted to be introduced with effect from 15th October 2019 are approved.

(4) That, a report is submitted to the Committee in twelve months' time detailing the impact of the scheme on the levels of compliance, including details of the number of points recorded against licence holder and the reasons why.

LIC.230

CCTV IN VEHICLES

The Licensing Manager submitted a report providing Members with an update of the progress made in relation to implementing CCTV in vehicles. The new Licensing Policy included a mandatory requirement for CCTV to be installed in all vehicles by April 2020. Since Craven approved its new policy there had been increased national interest in CCTV in vehicles and, in particular, the Surveillance Camera Commissioner's response to the Department of Transport's consultation on national standards.

In light of this, further advice had been sought from the Council's Information Governance Manager and he recommended that a consultation exercise specifically on CCTV should be undertaken before Members made a decision on the adoption of mandatory CCTV.

The Licensing Manager proposed that the consultation responses were analysed and reported to the Licensing Committee to enable Members to reach an informed decision.

During the ensuing debate Members stipulated that a broad consultation be undertaken reaching out to not only the trade but members of the public and that the consultation should be promoted by, but not limited to, the Council's website, social media, newspapers, parish magazines, taxi ranks and, in due course if necessary and feasible, tagging alongside District wide postings to Craven council tax payers.

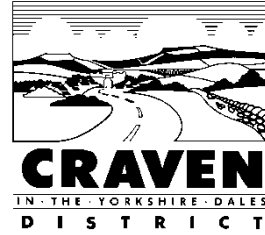
Resolved – (1) That, the report is noted.

(2) That, the Hackney Carriage and Private Hire Licensing Policy in respect of the mandatory introduction of CCTV in licensed vehicles from April 2020 is removed.

(3) That, a report is brought back to the Licensing Committee following the consultation exercise.

Chairman.

Licensing Committee – 27 January 2020



Vehicle Testing Update

Report of the Licensing Manager
Ward(s) affected: All

1. **Purpose of Report** – To provide members with an update of the progress with current vehicle testing tendering progress.
2. **Recommendations** – Members are recommended to:
 - i. note the report; and
 - ii. review and note the approved garages, details of which will be presented at the licensing committee.
3. **Background**
 - 3.1 All licensed vehicles in Craven are required to be tested by an authorised testing station. All vehicles undergo an MOT test annually and an enhanced licensed vehicle check (ELVC). Vehicles aged over 3 years are subject to an additional ELVC every 6 months.
 - 3.2 The Council currently has one approved testing station carrying out approximately 350 vehicle tests annually.
 - 3.3 Requests have been received from the trade and by members of the licensing committee, to review the number of approved testing stations.
4. **Report**
 - 4.1 There are 24 MOT testing stations in Craven, each garage has been contacted to invite them to respond to the tender attached at appendix A.
 - 4.2 The closing date for the tender response was the 13th January 2020.
 - 4.3 The anticipated implementation date for approved garages is 17th February 2020.
 - 4.4 Officers are now assessing the responses with a view to appointing one or more garages to the Council's approved lists of Hackney Carriage and Private Hire testing stations. A verbal update will be given at Committee.
5. **Implications**
 - 5.1 **Financial Implications** – There are no financial implications arising directly from this report. The trade cover their own fees for vehicle testing.

- 5.2 **Legal Implications** – Vehicle safety is an important function of the Licensing Authority, and public safety is of paramount importance ensuring licensed vehicles remain safe for use.
- 5.3 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven's communities.
- 5.4 **Risk Management** – None.
- 5.5 **Equality Impact Assessment** – The Council's Equality Impact Assessment has not been carried out.
6. **Consultations with Others** – Legal Services.
7. **Access to Information : Background Documents** – None.
8. **Author of the Report** – Tim Chadwick – Licensing Manager 01756 706257
tchadwick@cravenc.gov.uk
- Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.
9. **Appendices** – Appendix A – Invitation to tender and specification.



Invitation To Tender

Testing of Licensed Hackney and Private Hire vehicles (Taxis) for Craven District Council – 2019-2020

Craven District Council (the Council) was formed in 1974 and is one of seven district authorities in North Yorkshire. It covers an area of 454 square miles which includes mountains and moorland. Craven comprises the upper reaches of Airedale, Wharfedale, Ribblesdale and includes most of the Aire Gap and Craven Basin. A part of the district falls within the North Yorkshire Dales National Park. The resident population is 55,500, but this is increased considerably by national and international visitors

This Invitation To Tender invites suitably accredited / qualified organisation to provide the inspection service as specified within this document in order to be added to the Council's Taxi and Private Hire vehicle testing approved list.

The initial agreement will be for a period of 1 year and may be extended for a further.

The Council intend to appoint approved providers for the testing of Taxis. We are seeking suppliers who will ensure that the highest standards of testing and consistency are maintained. A detailed list of the exact tasks required and standards expected is provided are enclosed within the specification. Currently there is around 170 vehicles licensed in Craven. This results in approximately 310-350 inspections per annum. Vehicle licence holders will be required to take their vehicle to an approved testing station. Licence holders are permitted to choose any approved station and so the Council does not guarantee any level of work under this arrangement.

In addition to Skipton being a central hub for the majority of the licensed trade activity the Council is aware that there are a number of licensed vehicles that operate in the north of the District. In order to provide a range of options for vehicle licence holders and support the rural economy the Council would like (where possible) to appoint at least one organisation with a site for testing in or around the Settle area.

The agreement will be awarded for a period of one year with options to extend for a further year on two occasions.

For clarification regarding this process or any of the information contained in this document, please contact:

Tim Chadwick, Licensing Manager – tchadwick@cravendc.gov.uk

or

Rob Atkins, Exchequer & Performance Manager – RAtkins@cravendc.gov.uk

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1. Introduction

- 1.1 Craven District Council requires a suitably qualified and experienced supplier to provide vehicle testing for Taxis for Craven District Council.
- 1.2 This opportunity is to provide testing services for Taxis. We are seeking a supplier who will ensure that the highest standards of testing are maintained, whilst ensuring rigorous attention to guaranteeing consistent service.
- 1.3 A detailed list of the exact tasks required and standards expected is provided within the specification (the Service).
- 1.4 Please carefully read this document and submit a complete return in hard copy format via the postal system or delivered by hand. The envelope must be marked private and confidential for the attention of Tim Chadwick and state **“Vehicle Testing Tender Response” by 12 noon on 13th January 2020** to be considered for this opportunity. You must submit a pricing declaration, answers to the quality questions and a completed company information form. Responses received after the deadline will not be considered. Please confirm by email that you have submitted your hard copy as above.
- 1.5 The Council proposes appoint a number of garages to an approved list of taxi testing stations for one year with the successful tenderers (the Service Providers) with the option for the appointment to be extended by mutual agreement for up to one year each time.
- 1.6 The anticipated Service commencement date is **February 17th 2020**.

2. Specification

- 2.1 The Service Provider is required to perform hackney carriage and private hire vehicle tests. The exact tasks and standards required are set out below
- 2.2 The Service Provider must hold and maintain VOSA/DVSA accreditation at all times during the Agreement Period. The Service Provider must provide the Council with the names and qualifications of staff that will be undertaking the vehicle tests. The Service Provider shall hold and maintain a “green rating” in relation to the DVSA’s risk score and a risk category rating. The Service Provider must supply the Council with evidence of compliance with this paragraph and all revisions and/or updates during the Agreement Period within 7 days of any change or request from the Council.

Bidders should note that this is a mandatory requirement and failure to submit documentation with their submission will result in their bids not passing this part of the evaluation process.

- 2.3 The Service Provider shall:
- 2.3.1 provide suitable facilities for undertaking the tests and how they propose to manage the bookings as set out below, liaise primarily via email with the council and liaise with taxi operators on arrival for a vehicle test. In addition full company details including company registration number, current valid company certifications or accreditations and location of inspection premises if different from the address of the company.
- 2.3.2 take bookings and payments directly from vehicle proprietors for tests.
- 2.3.3 submit to the Council electronically by email the test results of Taxis & liaise with licensing regarding the co-operation of drivers and taxis within 24 hours of an appointment .
- 2.3.4 ensure that all staff test and check Taxis against the supplied specification.
- 2.3.5 ensure that a named contact is available at able to deal with any issues and complaints arising under the contract including but not limited to urgent issues requiring immediate resolution.
- 2.3.6 provide a clearly defined process of escalation of issues and complaints arising under the contract.
- 2.3.7 Co-operate with licensing inspections to check compliance

- 2.3.8 Allow the council to inspect the facilities and observe testing to ensure quality and compliance & evaluate service
- 2.3.9 Supply details of any pass or failure within 24 hours of testing including a copy of any MOT certificate issued and Inspection check list
- 2.3.10 provide details of the opening times and days the testing station is open and available to book testing for. Including any seasonal opening times and days.
- 2.3.11 ensure that it has available the required equipment to carry out the testing inline with the specification such as but not limited to window tint tester
- 2.3.12 provide facilities to carry out road testing for ride quality and test meters fitted in vehicles (Hackney Carriage only)

- 2.4 The Service Provider shall up to twice per year make available their testing facilities and accredited staff for a period of 5 hours to undertake random testing when requested by the Council provided that 60 days notice is given.

The Council in partnership with North Yorkshire Police conduct random taxi inspections. The service provider is required to work with the council and North Yorkshire Police when undertaking random taxi testing.

The Service Provider is required to make available their testing facilities and accredited staff to undertake vehicle testing during a five hour period for each random testing exercise. The random testing exercises can take place during any five hour period Monday to Sunday commencing at anytime during the day or night on 60 days notice

Currently the random inspections are undertaken up to twice a year and are planned in advance with all partners involved. The service provider is to submit as part of their tender submission how they will work with the council and North Yorkshire Police for random inspections and testing.

2.5 The Service Provider shall test against the specification set out (or such specification as provided by the Council from time to time):

Requirements for Vehicle Examination

SECTION 1 – Vehicle Conformance to Standards Set by Craven District Council		
Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <p>1 The vehicle is fitted with a minimum of 4 road wheels and 4 doors (excluding boot doors). Unless the vehicle is to be licensed for less than 4 passengers where the number of doors maybe less.</p> <p>VEHICLES WITH THIRD ROW OF SEATS</p> <p>a. All passengers must have access to at least two side doors, one of which must be on the nearside of the vehicle.</p> <p>b. In cases where there is no door adjacent to a row of seats, no passenger must have to pass through a gap of less than 300mm at the narrowest point in order to exit the vehicle via the rear side doors.</p> <p>c. The middle row of seats must have more than one seat capable of fully tilting and which meet the necessary exit</p>	<p>Check to ensure that the vehicle satisfies detailed conformance requirements.</p> <p>Acceptable certification will include certificates issued by recognised converters.</p> <p>Items not detailed within the MOT testing manual, but required for licensing standards fitness reasons are listed in this document or the main policy document.</p> <p>The V5 must show that the vehicle is registered with the DVLA or a Single Vehicle Approval Certificate or Minister's Approval Certificate is presented if required for this purpose.</p>	<p>1 <i>The vehicle is fitted with fewer than 4 road wheels and 4 doors (excluding boot doors).</i></p>

<p>dimension of 300mm at both of the exit points.</p> <p>d. All vehicles with a row of passenger seats without adjacent side doors must provide 'means of operation signs' and low level lighting that illuminates when the side lights of the vehicle are activated.</p> <p>2 The vehicle must comply at all times with the relevant sections of the Road Traffic Act, Construction and Use Regulations and Road Vehicles Lighting Regulations that may apply.</p> <p>3 The vehicle satisfies Motor Vehicle Type Approval Regulations or European Whole Vehicle Type Regulations or a Ministers Approval Certificate is in force for the vehicle or the vehicle is a historical vehicle.</p> <p>4 The vehicle will be tested in accordance with the applicable parts of the DVSA (formerly VOSA) MOT Testing Manual for Class 3, 4, 5 and 7 vehicles. The vehicle must meet or exceed the standards detailed in the manual.</p> <p>5 The vehicle will also be examined to verify that it meets the additional requirements set out within this document are met (as applicable).</p>		<p>2 The vehicle <u>fails</u> to comply with the Road Traffic Act, Construction and Use Regulations or Road Vehicles Lighting Regulations.</p> <p>3 The vehicle <u>fails</u> to satisfy Motor Vehicle Type Approval Regulations, or European Whole Vehicle Type Approval Regulations, or there is no evidence that a Minister's Approval Certificate is in force and the vehicle is not a historic vehicle.</p> <p>4 The vehicle <u>fails</u> to satisfy the applicable standards as detailed in the MOT Testing Manual.</p> <p>5 The vehicle <u>fails</u> to meet any of the applicable requirements as detailed in this document.</p>
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<p>6 Where the vehicle has been converted, including stretched limousines ensure that the conversion is certified.</p> <p>7 Any modification or conversion to the vehicle's braking system, steering, engine, transmission, fuel system (inc LPG), suspension or lighting is supported by certification from an appropriate agency.</p> <p>8 The vehicle complies with all vehicle specifications laid out in the Specification of Vehicle Types Document.</p> <p>9 All tyres fitted to the vehicle must be fit for purpose, inflated to the correct pressure and have a tread depth of at least 2.0mm throughout a continuous band in the centre $\frac{3}{4}$ of the tread and around the entire circumference of the tyre.</p> <p>10 If the vehicle is fitted with a fully operational taxi camera system that is approved by the Council it is appropriately installed in accordance with the manufacturer's instructions.</p>		<p><i>6 A conversion is not supported by an appropriate certificate and an exemption has not been granted by the Licensing Authority.</i></p> <p><i>7 A modification or conversion to the vehicle's braking system, steering, engine, transmission, fuel system, suspension or lighting is not supported by a certificate from an appropriate agency or by written exemption granted by the Licensing Authority.</i></p> <p><i>8 The vehicle fails to comply with the vehicle specifications set out by the Council.</i></p> <p><i>9 The tyres fail to conform to the standard set by the Council.</i></p> <p><i>10 If a taxi camera is fitted it is not installed/functioning as required by the manufacturer or Council</i></p>
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SECTION 2 – Vehicle Identification Number (VIN)

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <p>1 The VIN plate is accessible.</p> <p>2 The VIN plate is fitted to the vehicle.</p> <p>3 The VIN plate has not been tampered with.</p> <p>4 The VIN plate is consistent with any other documentation presented.</p> <p>5 All information and vehicle details are clear and legible.</p>	<p>Visually check for any obvious sign of defect, damage, replacement or alteration.</p> <p>Report any suspicious VIN identification to the appropriate authority (i.e. Police, DVSA).</p> <p>Note: VIN plates may be located in engine compartments, dashboards or other locations depending on vehicle manufacturers.</p> <p>Visually check all excise licence details.</p>	<p>1 The VIN plate is not accessible as appropriate to the vehicle type.</p> <p>2 The VIN plate is not fitted to the vehicle.</p> <p>3 The VIN plate has been tampered with.</p> <p>4 The VIN plate is not consistent with any other documentation presented.</p> <p>5 Information and vehicle details are not clear and/or not legible.</p>

SECTION 3 – Top Side/External Body Inspection		
Testable Items	Additional Information	Reason for Failure

<p>Ensure that:</p> <ol style="list-style-type: none"> 1 There is no evidence of significant damage to the external body panels. 2 Ensure that where there is only one passenger door that door is on the nearside (kerbside) of the vehicle. 3 There is no evidence of crudely repaired or, insecure body panels (visual examination). 4 That there is no evidence of significant rusting and/or corrosion. 5 The paintwork is finished and presents a satisfactory appearance (visual examination). 6 Any additional lighting is secure and complies with lighting regulations. 7 Any exterior alteration or modification has been approved. 8 All windows are clean, undamaged and free from unapproved advertising medium. 9 There is sufficient space to affix the licence identifiers to the front and rear windscreens and that there is no material present that would prevent the discs being 	<p>Significant means:</p> <p>One or more body panels having sustained disproportionate amount of damage and/or poses a potential risk to the passengers, driver or other road users.</p> <p>Visual inspection of all body panels.</p> <p>Satisfactory appearance means:</p> <p>No panel should show the base primer, should not show signs of body filler and should not be dull in appearance i.e. there must be a reasonable sheen.</p> <p>Do not attempt to make holes in the bodywork or enlarge any hole that already exists.</p> <p>Ensure that the discs can be mounted in accordance with the conditions attached to the licence and that affixing the discs will not cover any safety notice such as airbag warnings etc.</p> <p>Ensure that there are no clear plastic films, waxes or other such materials preventing the discs being affixed directly to the vehicle screens.</p>	<ol style="list-style-type: none"> 1 There is evidence of significant damage to the external body panels. 2 Single passenger door is not on the nearside (roadside) of the vehicle. 3 There is evidence of crudely repaired or insecure body panels. 4 There is evidence of significant rusting and/or corrosion. 5 Paintwork is poor and presents an unsatisfactory appearance making the vehicle unsuitable for use. 6 Additional lighting does not comply with lighting regulations. 7 The exterior alteration or modification is not approved and/or presents a safety hazard. 8 The windows are soiled/dirty, damaged contain unapproved advertising. 9 There is insufficient space to affix the licence identifiers (Craven District Council discs) to the front windscreens and/or there is material present that would prevent the discs being affixed directly to the screens.
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<p>affixed directly to those screens.</p> <p>10 In the case of private hire vehicles, the vehicle is not of such design that it could lead any person to believe it was a Craven District Hackney Carriage.</p>	<p>Note: No signs or advertising material shall be displayed on the vehicle, except badges or emblems on the radiator or windscreen issued by an organisation (a) providing vehicle repair or recovery service; or (b) required by law. C) Proprietors is able to provide authorisation from CDC for the signs on the vehicle</p>	<p>The disc is not fitted or readable.</p> <p>10 The vehicle is of such design that it is inappropriate to be a hackney carriage or private hire vehicle or the vehicle could lead any person to believe it was a hackney carriage vehicle when it was licensed for private hire purposes.</p>
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SECTION 4 – Underside Inspection

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <ol style="list-style-type: none"> 1 There are no signs of water or fluid leaks from under the vehicle. 2 There are no signs of oil leaks from under the vehicle. 3 The exhaust pipe is secure. 4 The towing assembly is fully secured to the vehicle (if applicable). 	<p>Visually inspect the underside of the vehicle for any fluid leaks.</p>	<ol style="list-style-type: none"> 1 There is evidence of water or fluid leaks from under the vehicle. 2 There are signs of oil leaks from under the vehicle. 3 The exhaust pipe not fully secure to the vehicle. 4 The towing assembly is not fully secured to the vehicle (if applicable).

SECTION 5 – Passenger Compartment

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <ol style="list-style-type: none"> 1 All tinted windows comply with the relevant RTA and/or C & U Regulations as well as the conditions attached by Craven District Council. 2 The upholstery, headlining carpets and door trims are not damaged or soiled. 3 The devices designed for opening any passenger windows are in place and operate correctly. 4 All passenger doors can be opened from inside and outside the vehicle. 5 All passenger doors close securely. 6 Passenger courtesy lights operate correctly. 7 All passenger seat adjustment mechanisms are in good working condition. 8 All passenger seats are fitted with seat belts. 9 The passenger seats are in good condition and the inner fibre is not exposed. 10 The passenger seat frame is secured. 11 The child locks can be engaged and disengaged. 	<p>Visual Inspection to ensure window glass complies with RTA and/or C & U Regulations as well as the conditions attached by Craven District Council.</p> <p>Note:</p> <p>If there is any doubt about the level of tint applied to any of the windows, carryout measurement using a correctly calibrated TINTMASTER.</p> <p>For the purpose of this section, all passenger doors must open and close from both inside and outside of the vehicle.</p> <p>Check that all child locks are disengaged, and operate freely.</p> <p>Note:</p> <p>That centre doors fitted to stretch limousines are not required to be fitted with child locks.</p>	<ol style="list-style-type: none"> 1 Any tinted window does not comply with the RTA and/or C&U Regulations as well as the conditions attached by Craven District Council. 2 The upholstery, headlining, carpets and door trims are damaged or soiled. 3 Passenger windows are not in place and/or fail to operate correctly. 4 Any passenger door, or doors, cannot be opened from inside and/or outside the vehicle. 5 Any passenger door, or doors, fail to close securely. 6 Passenger courtesy lights are inoperative. 7 Any passenger seat adjustment mechanism is not in good working condition. 8 Passenger seatbelts are not fitted and/or are missing. 9 The passenger seats are not in good condition or the inner fibre is exposed. 10 Passenger seat frame not secure. 11 The child locks do not operate correctly.

<p>12 All fixtures and fittings are approved by the Licensing Authority.</p> <p>13 All mechanisms designed to release the passenger seat which enable access to another seat are in good working order.</p> <p>14 All passenger doors allow safe access and egress for the number of passengers</p>		<p>12 There are unapproved fixtures and fittings.</p> <p>13 The passenger seat mechanism does not release to enable access to another seat.</p> <p>14 There is insufficient space to allow safe access and egress for the number of passengers</p>
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SECTION 6 – Driver Front/Passenger Compartment

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <ol style="list-style-type: none"> 1 The driver/front passenger compartment is clean and accessible. 2 Any fixtures such as taxi radio, satellite navigation or taxi camera equipment are fitted safely and securely and do not adversely encroach the passenger's area and do not impact on the safety of the driver, passengers or other road users. 3 The devices for opening/closing the driver or front passenger windows operate correctly. 4 The driver's seat adjustment mechanisms are in good working condition. 5 The driver's seat is in good condition and the inner fibre is not exposed. 6 The driver's seat frame is fully secured to the vehicle. 7 The taxi meter has been fitted to the vehicle – Hackney Carriages compulsory – optional for private hire vehicles 8 There are no signs of damage to the airbag housing that prevents deployment. 	<p>Visually inspect the position and condition of fixtures and fittings.</p> <p>Safety enhancement features:</p> <p>Visually/aurally check that the safety enhancement equipment such as airbags, seatbelt tensioners, warning lights appear to be in order.</p>	<ol style="list-style-type: none"> 1 The driver/front passenger compartment is not clean and/or not accessible. 2 Additional fixtures are so fitted as to encroach adversely the passenger area or will impact on the safety of the driver, passengers or other road users. 3 The devices for opening/closing the driver or front passenger window fail to operate correctly. 4 The driver's seat adjustment mechanisms are defective or inoperative. 5 The driver's seat is in poor condition and/or the inner fibre is exposed to an area greater than 1cm square. 6 The driver's seat frame is not fully secured to the vehicle. 7 A taxi meter is not fitted to the vehicle (Hackney Carriages only) 8 There are signs of damage to the airbag housing that will prevent deployment.

<p>9The driver/passenger headrest has not been removed and is fitted securely.</p> <p>10 Any safety warning device designed to alert the driver of a fault with any of the vehicles safety features is not disabled or malfunctioning.</p>		<p>9 The driver/passenger headrest has been removed and/or is insecure.</p> <p>10 There is evidence to show a safety warning device in respect of vehicles safety features is deliberately disabled or malfunctioning.</p>
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SECTION 7 – Luggage/Boot Compartment

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <p>1 The luggage area is uncluttered, is suitable for use and is capable of carrying the amount of luggage for which the vehicle is designed.</p>	<p>Visual check for adequate luggage/boot space.</p>	<p>1 The luggage area is cluttered and/or is unsuitable for use; and/or is not capable of carrying the amount of luggage for which the vehicle is designed.</p>

SECTION 8 – External Signage

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <p>1 The content of any external signage complies with Private Hire Vehicle or Hackney Carriage Conditions and any other guidelines issued by Craven District Council.</p> <p>2 The content of any external signage has been approved by Craven District Council.</p> <p>3 Signage is of an appropriate size.</p> <p>4 Any signage is displayed in an appropriate or approved place.</p>	<p>Check that any external signage complies with Craven District Guidelines and that the Licensing Authority has approved the content.</p> <p>Check that the signage is of an appropriate size and is displayed in an approved place.</p>	<p>1 The content of any external signage does not comply with Private Hire Vehicle or Hackney Carriage conditions and/or any other guidelines issued by Craven District Council.</p> <p>2 The content of any external signage has not been approved by the Licensing Authority.</p> <p>3 The signage is of an incorrect size.</p> <p>4 Signage is displayed in an unapproved or inappropriate place.</p>

SECTION 9 – Additional Items

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <ol style="list-style-type: none"> 1 Any wheelchair restraints are in good condition and operate correctly (where applicable). 2 Wheelchair restraints are BSI or CE approved (where applicable). 3 A valid test certificate for the lifting or winching equipment is available for inspection. 4 Any additional fuels cut-off switches are correctly identified (where available). 5 A valid fuel conversion installation certificate or safety report is presented for inspection. 6 Any two way radio has been installed correctly and safely. 7 Any satellite navigation equipment has been installed correctly and safely. 8 Any data dispatch equipment has been installed correctly or safely. 9 Any hands free mobile phone equipment has been installed correctly or safely. 10 Any additional lighting has 	<p>Check all certificate dates of expiry if available.</p> <p>Check for evidence of tampering, forgery and authenticity.</p> <p>Where additional lighting has been fitted as an after-market product ensure that the installation complies with RTA, C&U and/or Lighting Regulations.</p> <p>Note: No additional lights are permitted on the exterior of the vehicle.</p> <p>Check that the radio is fitted safely and securely, does not adversely encroach into the passenger area, and any visible wiring is safe, permanent and does not present a hazard to the passenger or driver.</p> <p>Where the equipment has been installed as an after-market product the criteria for a radio installation applies.</p> <p>Ensure that the mobile phone equipment has not been installed so that it is directly in front of the passenger seat.</p> <p>Ensure that the installation is</p>	<ol style="list-style-type: none"> 1 Wheelchair restraints are in poor condition and/or operate incorrectly or are inoperative. 2 Wheelchair restraints are not BSI or CE approved. 3 A valid test certificate for the lifting or winching equipment is not presented. 4 Any additional fuels cut-off switches are not correctly or safely. 5 A valid fuel conversion installation certificate or safety report has not been or can be presented for inspection. 6 Any two way radio has not been installed correctly or safely. 7 Any satellite navigation equipment has not been installed correctly or safely. 8 Any data dispatch equipment has not been installed correctly or safely. 9 Any hands free mobile phone equipment has not been installed correctly or safely. 10 Any additional lighting has not

<p>been installed correctly or safely.</p> <p>11 Any additional lifting equipment is fully and correctly operative.</p> <p>12 Ensure that any modification has been approved by the Licensing Authority.</p> <p>13 A suitable fire extinguisher must be installed in the vehicle which has the Registration Number of the vehicle marked in permanent ink on the extinguisher.</p> <p>14 A suitable first aid kit must be stored within the vehicle which has the Registration Number of the vehicle marked in permanent ink on the kit.</p>	<p>fitted safely and securely, does not adversely encroach the passenger area and that any wiring is permanent and does not present a hazard to the passenger or driver.</p> <p>Fire extinguisher and first aid kit requirements are detailed in the Craven District Council conditions of licence.</p>	<p>been installed correctly or safely.</p> <p>11 Any additional lifting equipment is inoperative.</p> <p>12 Unapproved modifications fitted or approved modification fitted in a dangerous manner.</p> <p>13 Fire extinguisher not present, of correct type or in serviceable condition.</p> <p>14 First Aid Kit not present, of correct type or in serviceable condition.</p>
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SECTION 10 – Other defects

Testable Items	Additional Information	Reason for Failure
<p>Ensure that:</p> <ol style="list-style-type: none"> 1 The vehicle appears to be in a roadworthy condition. 2. The vehicle is of a suitable type and capable of carrying the amount of persons for which the vehicle is designed and purpose it is to be licensed for by the authority. 	<p>During the inspection a mechanical defect is noted that would result in the vehicle failing the standard MOT test.</p> <p>During the inspection a defect or damage of other type is noted that may affect its 'fitness' to be a licensed vehicle.</p>	<ol style="list-style-type: none"> 1 The vehicle has a mechanical defect/is not in a roadworthy condition. 2 The vehicle is not of a suitable type and/or capable of carrying the amount of persons for which the vehicle is designed and/or is not fit for the purpose it is to be licensed by the authority.

SECTION 11 – General Information		
PASSES	FAILURES	Additional Information

<p>If the vehicle <u>passes</u> the licensing inspection the vehicle inspector will:</p> <p>1 Update documentation and/or database (as appropriate).</p> <p>2 Issue the inspection pass certificate/documentation to the vehicle proprietor/driver.</p> <p>3 Advise the proprietor/driver they must return the 'pass' certificates to the Licensing Office immediately.</p>	<p>If the vehicle <u>fails</u> the licensing inspection, the vehicle inspector will:</p> <p>1 Update documentation and/or database (as appropriate)</p> <p>2 Issue a VIR and any other appropriate documents indicating why a licence has been refused.</p> <p>3 Advise the proprietor/driver they have failed to present a vehicle in a suitable condition and must return for a retest on all failed items to obtain a 'pass' certificate and/or appropriate documentation.</p> <p>5 Advise the proprietor/driver the vehicle was not in a condition under which any test could be conducted and the test stopped. Advise the proprietor/driver they must contact the Licensing Office to book a full retest</p>	<p>If the applicant wishes to appeal against the failure decision:</p> <p>The vehicle inspector will:</p> <p>1 Inform the vehicle owner of their rights of appeal</p>
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3. Evaluation

- 3.1 The successful provider will be selected on the basis of a combination of price and quality. 20% of the final marks will be allocated on the basis of price, 80% on the basis of responses to the quality questions listed in section 3.6 (which relate to the specification in section 2).

The Council reserves the right to appoint more than one Service Provider and may in addition to the highest scoring provider appoint the highest scoring provider within 10 miles of Settle in order to improve choice for service users across the District and support the rural economy.

The Council reserves the right to appoint no providers.

The price element will be scored on a comparative basis with the lowest score receiving 100% of the available marks. All other bids will be compared against the lowest bid.

- 3.3 Please complete and return:

- Pricing declaration
- Quality questions
- Company information (Section 4)

- 3.4 All documents listed in 3.3 must be completed and returned to Craven District Council in a marked envelope stating private and confidential for the attention of Tim Chadwick and also state "vehicle testing response" by **12 noon on 13th January 2020**. Any submissions that do not comply with these requirements including late submissions will not be considered.

3.5 PRICING DECLARATION

Please complete the pricing table below to provide full details of the testing cost

Item	Description	Unit of Measure	Unit Price
1	Annual Vehicle Inspection fee MOT & pre inspection check	Per inspection	£
2	Intermediate inspection fee	Per inspection	£
3	Re-test of failed items fee,	Per inspection	£
4	Radon taxi testing	Per Hour	£
5	Missed appointment	Per missed appointment	£

DECLARATION:

I/We hereby offer to provide the services as specified in Section 2 of this document for the price offered above, in accordance with the Council's Conditions of Contract contained in Section 5 of this document.

Signed

Name (Block Capitals)

Designation

For and on behalf of

.....

Tel. Fax.....

E-mail address

3.7 QUALITY QUESTIONS

Please answer all 6 quality questions in full, considering how your responses demonstrate your ability to meet the requirements set out in this specification. There are 70 marks available in total. The final mark will represent 80% of the total score.

For each question:

- 100% of marks for each question will be awarded for an excellent answer which describes in detail how the criterion is met and how the service and service standards described in this document can be exceeded.
- 80% will be awarded for a good answer which fully described how the requirements described in this document can be met.
- 60% will be awarded for an adequate answer which largely describes how most of the criterion can be met but may be incomplete in some way that would not critically affect the supplier's ability to deliver a service.
- 40% will be awarded for a partial answer that may have some positive elements but does not demonstrate the supplier's ability to deliver the service.
- 20% will be awarded for a limited answer that does not satisfactorily address the criterion.
- 0 marks will be awarded where no answer is provided or the answer provided does not address the question.

Q1

Please describe your experience of maintaining a fleet of vehicles

(10 marks)

Q2

Please explain what course of action you would take following a vehicle testing and having a major defect which deemed the vehicle un-roadworthy eg a bald tyre. In which the driver then leaves the testing station in the vehicle having not rectified the defect.

(20 marks)

Q3

Please describe how you will ensure that a named contact is available, and describe your process of escalation for any issues relating to the contract

(10 marks)

Q4

Please describe your internal system of audit / quality control. How do you monitor whether the service provided is meeting our required standards and a consistent service is provided?

(10 marks)

Q6

Please describe your staff absence procedure. How will you ensure continuity of service when staff are absent from work?

(10 marks)

4. Company Information (Please complete company details as below)

2.1	Trading Name & Address	

2.2	Address for Correspondence Relating to this Application: (If different to 1.1)	

2.3	Contact Name:	
	Position in Company:	
	Telephone Number:	
	Fax Number:	
	Email Address:	
	Mobile Phone Number:	

2.4	Company Website:	
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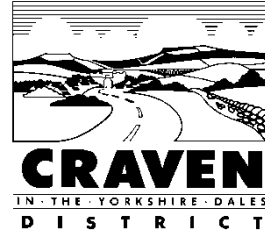
2.5	Company Status:	<i>Please Indicate</i>
	Sole Trader	<input type="checkbox"/>
	Partnership	<input type="checkbox"/>
	Limited Company	<input type="checkbox"/>
	Public Limited Company	<input type="checkbox"/>
	Charity	<input type="checkbox"/>
	Other (please specify)	

2.6	Date of Formation or Registration:	
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2.7	Registration Number:	
	Registered Address:	

2.8	VAT Number:	
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Licensing Committee – 27th January 2020



CCTV

Report of the Licensing Manager
Ward(s) affected: All

1. **Purpose of Report** – To provide members with an update of the consultation carried out as part of the introduction of mandatory CCTV in Licenced Vehicles.
2. **Recommendations** – Members are recommended to:
 - i. Consider the report including the consultation response and determine whether CCTV is to be made mandatory in all Craven licensed vehicles
 - ii. Determine the date the requirement will be mandatory (if at all)
 - iii. Consider whether any exception will be provided for vehicles nearing the end of the period they can be licensed.
 - iv. Require that the Council's Data Controller registration with the ICO is updated as required
3. **Background**
 - 3.1 As part of the new Taxi Policy introduced in June 2018, members decided in principle to make CCTV in Licensed Vehicles mandatory. Effective from 1st April 2020.
 - 3.2 A legal update was provided to members regarding CCTV in June 2019 following the Surveillance Camera Commissioner's (SCC) response to the Department of Transport consultation on national standards for Hackney Carriage and Private Hire.
 - 3.2 As a result of the legal update and recommendations made by the SCC & the Council's Information Governance Manager Members requested a consultation be conducted regarding the implementation of mandatory CCTV.
4. **Report**
 - 4.1 The consultation on CCTV, Appendix A, ran from the 11th of November to 8th December and was available to complete online or by paper from the Councils offices. A list of stakeholders who were proactively approached can be seen at Appendix B.
 - 4.3 A total of 112 responses where received, of which 41 came from the trade, representing only 25% of drivers licensed by the Council.

4.4 The full consultation response can be seen at Appendices C – K, as follows:

C	Consultation Replies to Closed Questions
D	Trade Replies to Closed Questions
E	Open Question Comments Q3
F	Open Question Comments Q5
G	Open Question Comments Q7
H	Open Question Comments Q9
I	Open Question Comments Q11
J	Open Question Comments Q13
K	Open Question Comments Q14

4.5 A number of respondents commented about privacy concerns. A privacy impact assessment has been carried out this can be seen at Appendix L Although a licensed vehicle is a licensed vehicle at all times it is recognised that a licensed driver may use the vehicle in a private capacity (as a family vehicle or simply for his/her own purpose). This is entirely acceptable under the Council’s Policy and law. The guidance set out by the SCC and ICO requires that there is provision for a switch to deactivate the system when the vehicle is been used during such times. In addition, audio would only operate when a trigger is pressed and would stop when an incident it over, the trigger could be pressed by the driver or passenger. The proposed minimum specification requirements include these criteria and can be seen at Appendix M.

4.6 Data will only be accessed by the Council when there is a legitimate reason to do so including random testing to ensure units are being used. Legislation defines a Data Controller as the individual or organisation which has ultimate responsibility for how personal data is collected and processed. The Council is, of course, already registered as a Data Controller with the ICO but there will be a requirement to update the registration to reflect the new use of personal data.

4.7 The use of CCTV is intrusive and its use if subject to data protection and human rights laws. The Council needs to find the appropriate balance between privacy and safeguarding. The starting point is for licensing authorities to be clear about the problem that needs to be addressed and be able to justify why mandatory CCTV in licensed vehicles is considered to be a proportionate and effective solution based on evidence of issues identified in the local area. This can be seen within the CCTV consultation and further evidence of the number of complaints and nature of complaints received by the Licensing Department, will be made available at the licensing committee.

4.8 Members will need to determine the implementation date and if this will be effective for all licence holders or if this will be rolled out upon renewal of vehicle licences. It is Officer opinion, that in order to allow for the work set out at paragraph 6 below to be completed and a suitable period to allow vehicle proprietors sufficient time to make arrangements for CCTV to be fitted, that the condition requiring CCTV should be attached to any vehicle licence applications from 28 January 2020 requiring compliance by 1 July 2020.

4.10 Members are also asked to determine if vehicles nearing the end of the period of which they can be licensed, currently 12 years of age, should be exempt given the cost of installation on this vehicle.

5.0 Systems suppliers

5.1 The licensing manager has spoken with a number of suppliers who can meet the specification and who fit CCTV in vehicles. To ensure fairness each supplier has been asked the same set of questions regarding the cost and service and if they can meet the proposed specification.

5.2 It is not proposed the authority will have an approved list of suppliers. However, the details of these firms will be made available to license holders as a list of known suppliers. Proprietors can choose to use these firms or any others they know of, but they must ensure any systems installed meet the minimum specification set out in the Taxi Policy. The list will be available online and will be kept up to date. The replies from suppliers can be found at Appendix N-P

6.0 Further work

6.1 An additional policy will need to be implemented and adopted if members decide to introduce mandatory CCTV. Covering but not limited to;

- Process for reporting non-working CCTV and if the vehicle can still be used in the interim, while awaiting repairs.
- Authorised officers for viewing and requesting CCTV footage
- Handling data subject requests
- When cameras/audio can be turned off (ie. when the vehicle is used in a private capacity)
- Information on fair processing on display in vehicles and on the CDC's website
- A Download Policy
- Enforcement Policy insuring licence holders are using the system.

If Members decided that CCTV is to be mandatory a report on these matters will be brought to the next Licensing Committee.

7.0 Implications

7.1 Financial Implications – Installation of CCTV system would be covered by licence holders. There would be administrative costs to maintain suggested suppliers lists. If the implementation date was a set date then there would be the cost to issue new licences.

7.2 Legal Implications – Failure to adhere to GDPR and follow the guidance of the ICO and SCC could lead to legal challenges (including Judicial Review of the Policy). Any vehicle licence holder aggrieved by the imposition of a condition relating to CCTV can appeal to the Magistrates with 28 days of the condition being imposed.

7.3 The Council must be able to show that any mandatory CCTV policy is proportionate and justified by a local evidence base.

- 7.4 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven’s communities
- 7.5 **Risk Management** –. None
- 7.6 **Equality Impact Assessment** – The Council’s Equality Impact Assessment has not been carried out.
8. **Consultations with Others** – Legal Services, Councils Information Governance Manager, The Taxi Trade and stakeholders of the Taxi Trade
9. **Access to Information : Background Documents** –
LGA Developing an approach to mandatory CCTV in taxis and PHVS
10. **Author of the Report** – Tim Chadwick – Licensing Manager 01756 706257

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

- Appendices –
- Appendix A –Consultation Paper
 - Appendix B – List of Consultees approached
 - Appendix C – Consultation Replies to Closed Questions
 - Appendix D – Trade Replies to Closed Questions
 - Appendix E – Open Question Comments Q3
 - Appendix F - Open Question Comments Q5
 - Appendix G - Open Question Comments Q7
 - Appendix H - Open Question Comments Q9
 - Appendix I - Open Question Comments Q11
 - Appendix J - Open Question Comments Q13
 - Appendix K - Open Question Comments Q14
 - Appendix L –Data Impact Assessment
 - Appendix M – CCTV Specification
 - Appendix N - System Supplier information
 - Appendix O - System Supplier information
 - Appendix P - System Supplier information

Hackney Carriage & Private Hire – CCTV in Licensed Vehicles



Consultation Document

Introduction and Background

Craven District Council has responsibility for licensing Hackney carriage, Private Hire and Dual Drivers, proprietors and operators within the District.

This consultation is on the implementation of CCTV within Hackney Carriage and Private Hire Vehicles in Craven.

Council elected members have agreed in principle to make CCTV mandatory in Hackney Carriage and Private Hire Vehicles in Craven from 1st April 2020.

However the Council is keen to consult members of the public, members of the taxi trade, and other organisations, before taking a final decision on implementation.

The Council believes that having CCTV in all licensed vehicles will enable the prevention and detection of crime and promote a safer experience for both licensed drivers and the travelling public.

The key objectives are:

The protection of licensed drivers

The protection of the travelling public

To enable investigation of complaints or incidents to be fully supported with evidence in a secure and retrievable form

Cameras would be able to view outside the front of the vehicle and inside, including the passenger area

No sound recordings would be made while people were in the vehicle, unless an audio recording button was activated. This can be separately activated by either the driver or passengers

The overarching principle of the legislation that governs Hackney Carriage and Private Hire vehicles is one of public safety; drivers of licensed vehicles are placed in a position of trust to carry, sometimes unaccompanied, and vulnerable individuals within our society.

The Council also recognises the vulnerable position that drivers of licensed vehicles place themselves in on a daily basis; they can be subject to verbal and physical abuse, robberies and false allegations. Furthermore, the drivers play a pivotal role in dispersing members of the public who make use of the night time economy.

The proposed scheme would mean that Craven District Council would be the data controller and be the only authorised organisation able to access any CCTV footage. Neither drivers nor vehicle operators would have access to filmed footage.

Any downloads of footage that are requested would only cover the period when the incident was reported to have happened.

The cost to implement the CCTV system would be covered by the vehicle owner.

Consultation

Craven District Council is conducting a consultation to seek the views of the trade as well as members of the public, and a wide range of partnering agencies and stakeholders.

The consultation is open to the public and the closing date for submitting consultation responses is 8th December 2019.

All feedback is encouraged and the results of the consultation exercise will be presented to the licensing committee for a final decision on implementation.

A paper copy of the consultation is available at the Council Offices at Belle Vue Square Broughton Road, Skipton, BD23 1JFF

If submitting personal data, please read the Privacy Notice at the end of this document.

Questions

Please tell us, are you (tick those that apply):

A taxi driver

A proprietor of a taxi business in Craven District

A taxi user

A representative of a public authority

A resident of the Craven District

Someone else (please state):

Please answer any questions that apply to you

1. Do you think installing CCTV in Craven licensed vehicles is a good idea? Please answer Yes or No

Please give reasons for your answer

2. If you are a taxi user, would you be happy to be in a taxi with just visual recordings, when only Craven District Council would have access to the images and only when an incident has been reported? Please answer Y/N

Please give reasons for your answer

3. If a taxi user, would you feel more or less safe travelling in a taxi knowing that images in the taxi were being recorded? Please answer

More safe?

Less safe?

No change?

Please give reasons for your answer

4. Have you experienced any incidents, while traveling in a Craven Licensed vehicle? Y/N

Please give details of the incident, including when it occurred, whether you reported it, and the outcome

5. Would knowing there was CCTV make you more likely to report an incident that took place in a Taxi? Y/N

Please give reasons for your answer

6. Would you be happy for your voice to be recorded if an incident occurred while you were in the taxi? Y/N

Please give reasons for your answer

7. Do you have any other comments?

It would be helpful if you could provide your name and address, and telephone number (please see the Privacy Notice attached)

Name:

Organisation if applicable:

Address:

Email Address:

Contact telephone number:

Questions about you

1. Please tell us your postcode: _____

2. You do not have to provide your personal details, but can do so if you wish. The information that you provide will be treated by the Council in accordance with the Data Protection Act, and not used for any other purpose. Your personal details will never be disclosed if we decide to publish the results of this consultation.

Name: _____

Address: _____

Telephone number _____

The following information will help the Council meet its obligations under the Equality Act.

Are you: Male Female

Please tell us your age group:

Under 25

25-34

35-34

35-44

45-64

65-74

75 or over

Please tell us your age if under 25

Are your day to day activities limited because of health problems?

Yes

No

Please tell us about any disabilities that you have:

Physical impairment that causes mobility issues

Learning disability or difficulty

Visual impairment

Hearing impairment

Long standing illness or health condition

Any other disability

What is your religion/faith?

None

Christian

Jewish

Muslim

Hindu

Sikh

Other/prefer not to say

Are you:

- Prefer not to say
- Heterosexual/Straight
- Gay/Lesbian
- Bisexual
- Other/prefer not to say

What is your ethnic group?

- White/English/Welsh/Scottish/Irish
- Any other White background

Asian/Asian British

- Indian
- Pakistani
- Bangladeshi
- Chinese
- Other

Black or Black British

- Caribbean
- African
- Any other black background

Any other ethnic group (please state) _____

Privacy Notice – Taxi CCTV consultation

The Council wants to hear your views about the proposal to require Taxis and Private Hire Vehicles licensed by the Council to install CCTV cameras in the licensed vehicles. Further details are provided in the consultation documents, but this note

provides details of the information that we collect from you (if you are an individual), and what we do with it.

What information do we collect from you?

When you complete the consultation, we will ask for your name, address, email address and contact number. If you are an individual member of the public, rather than a company or an organisation, we will also ask you for details about your age group, ethnicity, and whether you regard yourself as suffering from any disability, although you do not have to provide any of this information if you would prefer not to.

Why do we collect this information?

Your name and contact details are requested so that we can confirm whether you are resident in the District or not, and if necessary contact you if we have any enquiries regarding your answers to the consultation questions. Details about your age, ethnicity and disability are requested so that the Council can have regard to the requirements of the Equality Act so as not to discriminate against particular groups.

Who might we share this information with?

The Council will not share any of the personal information that it holds about you for the purposes of the consultation with any third party.

What do we do with your information?

The information that you have provided will be held by the Council and will only be accessed by authorised Council employees. We will only use the information that you have provided for the purpose of collating the responses and providing an anonymised summary of responses to elected members on the Council's Licensing Committee.

How long do we keep hold of your information?

The Council will keep hold of your information for up to 12 months after the consultation exercise has completed, and will then destroy your personal details.

How can I access the information you hold about me?

By making a Subject Access Request and going onto the Council's website at <https://www.cravenc.gov.uk/data-and-transparency/data-protection-act/> or writing to the Data Protection Officer, Craven District Council, First Floor, Belle Vue Square, Broughton Road, Skipton, BD23 1FJ. You also have the right to complain to the Information Commissioner's Office as it can investigate compliance with data protection law: www.ico.org.uk

List of where the consultation was sent;

CCTV Consultation Circulation People

- Surveillance Camera Commissioner's
- Private Hire & Hackney Carriage Licence Holders and Private Hire Operators
- Hackney Carriage Booking Offices
- Police Crime commissioner
- Police Licensing
- Road Traffic Policing
- Local Police Inspector
- Local Community Police Sergeant
- Every Parish Council in Craven
- Elected Members of CDC
- Staff CDC – internal email – core brief
- NYCC – Integrated Passenger Transport
- Craven Facebook – CDC page
- Barchester - The Dales Care Home
- Barchester - Threshfield Court Care Home
- Threshfield Court Care Centre
- Craven Nursing Home
- Inglebough Care home
- Dyneley House Surgey
- Fisher Medical
- Swadford Community Centre
- Anley Hall Nursing Home
- SCAD
- Pub watch scheme (STAND)
- Poster in Craven DC Reception
- Poster in Morrisons
- Foundation UK
- Pace UK
- Craven Compass
- NY Horizons
- NYCC Safeguarding
- Verbally informing the trade during inspections and during visits at the office



CCTV Consultation

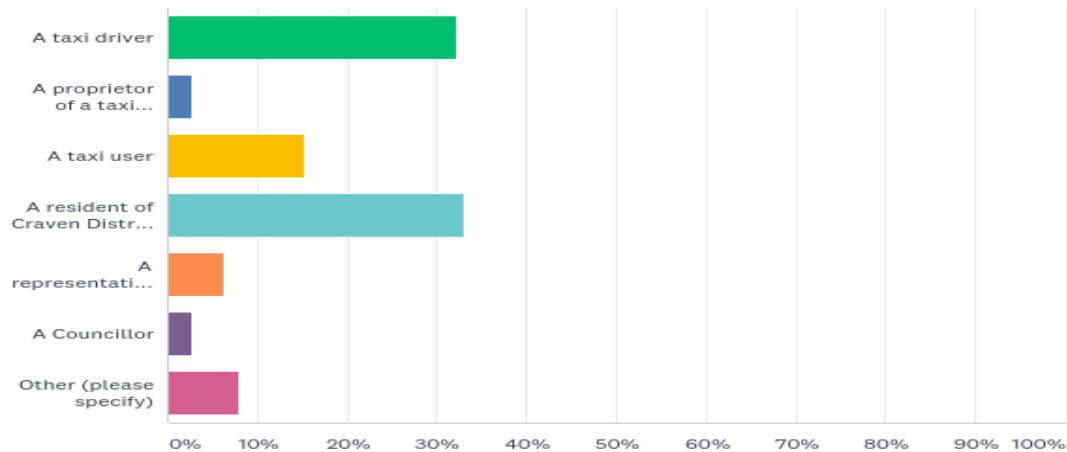
112

Total Responses

Date Created: Thursday, October 03, 2019

Q1: Please tell us, are you

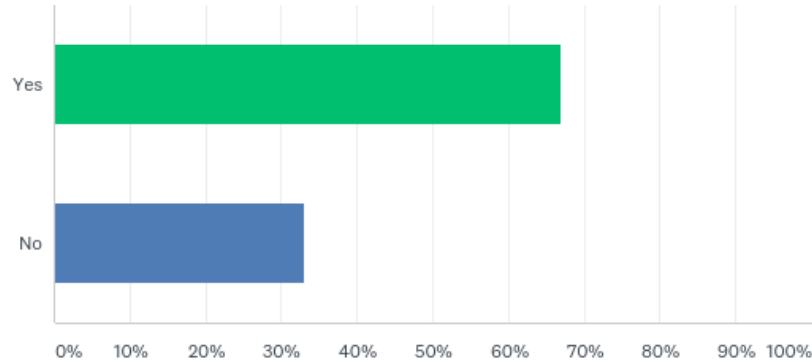
Answered: 112 Skipped: 0



ANSWER CHOICES	RESPONSES	
A taxi driver	32.14%	36
A proprietor of a taxi business in Craven	2.68%	3
A taxi user	15.18%	17
A resident of Craven District	33.04%	37
A representative of a public authority	6.25%	7
A Councillor	2.68%	3
Other (please specify)	8.04%	9
TOTAL		112

Q2: Do you think installing CCTV in Craven licensed vehicles is a good idea?

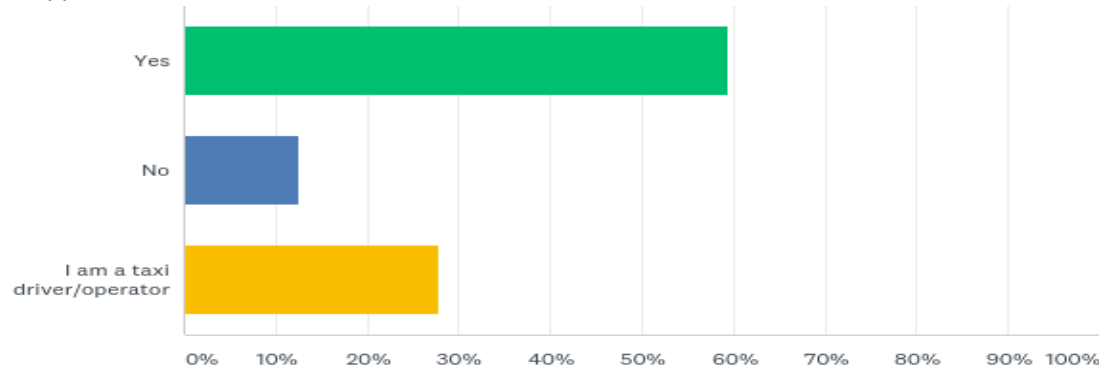
Answered: 112 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	66.96%	75
No	33.04%	37
TOTAL		112

Q4: If you are a taxi user, would you be happy to be in a taxi with just visual recordings, when only Craven District Council would have access to the images and only when an incident has been reported?

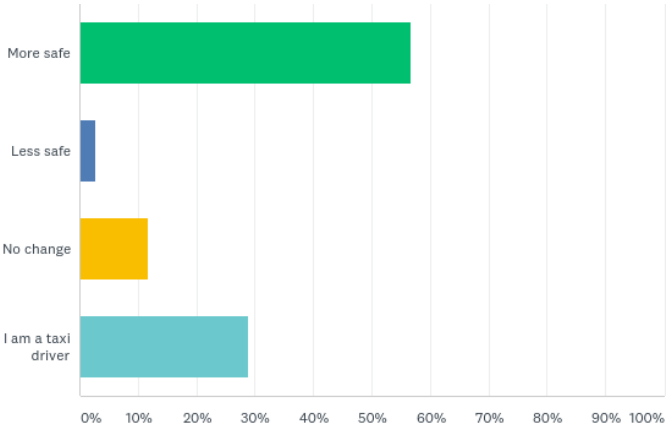
Answered: 111 Skipped: 1



ANSWER CHOICES	RESPONSES
Yes	59.46% 66
No	12.61% 14
I am a taxi driver/operator	27.93% 31
TOTAL	111

Q6: If a taxi user, would you feel more or less safe travelling in a taxi knowing that images in the taxi were being recorded?

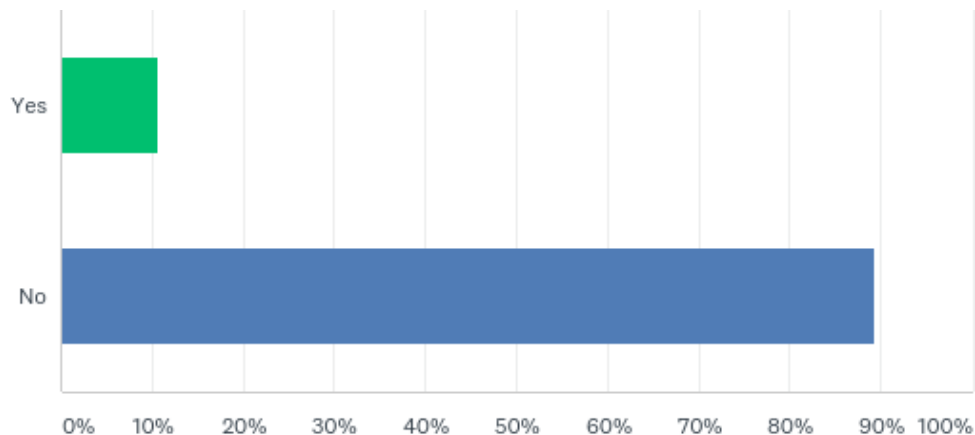
Answered: 111 Skipped: 1



ANSWER CHOICES	RESPONSES
More safe	56.76% 63
Less safe	2.70% 3
No change	11.71% 13
I am a taxi driver	28.83% 32
TOTAL	111

Q8: Have you experienced any incidents, while travelling in Craven Licensed vehicles?

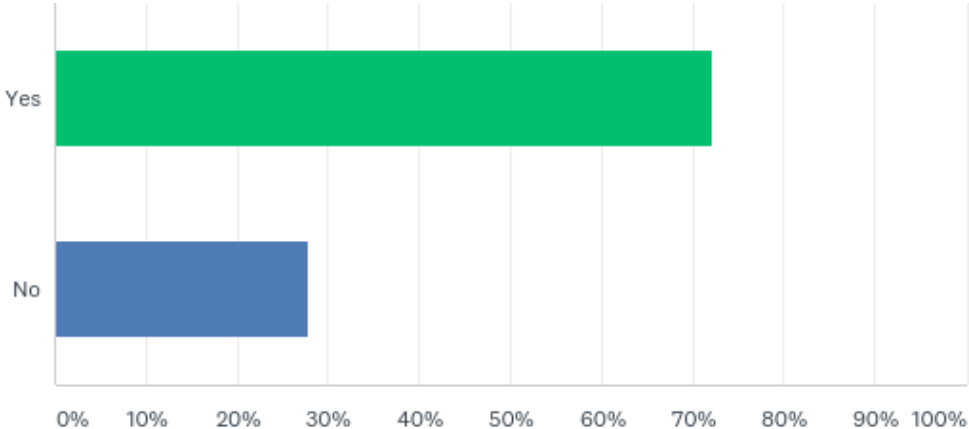
Answered: 112 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	10.71%	12
No	89.29%	100
TOTAL		112

Q10: Would knowing there was CCTV make you more likely to report an incident that took place in a taxi?

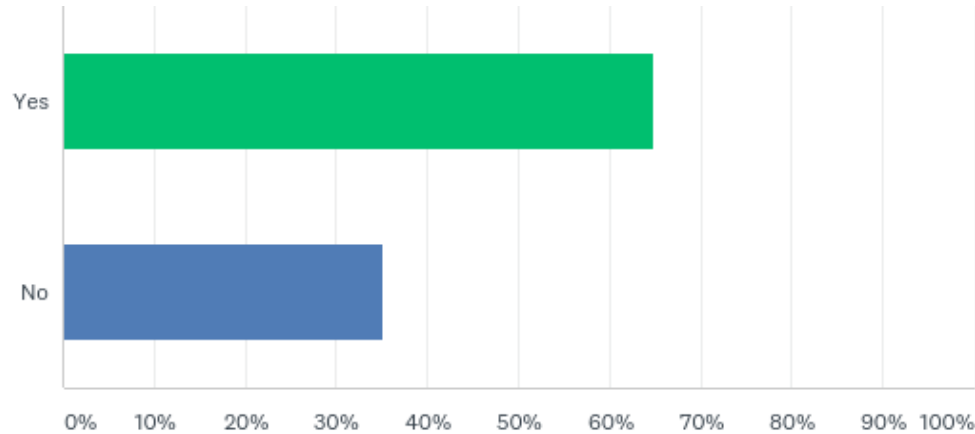
Answered: 111 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	72.07%	80
No	27.93%	31
TOTAL		111

Q12: Would you be happy for your voice to be recorded if an incident occurred while you were in a taxi?

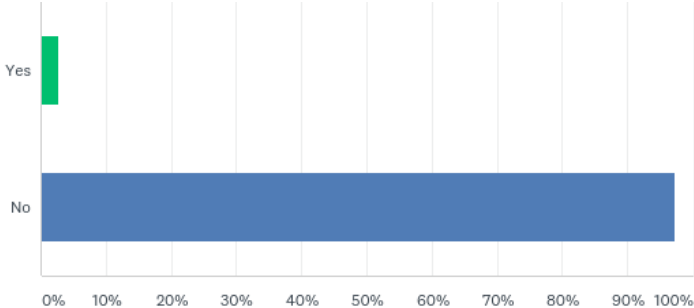
Answered: 111 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	64.86%	72
No	35.14%	39
TOTAL		111

Q15: Do you regard yourself as having a disability?

Answered: 110 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	2.73%	3
No	97.27%	107
TOTAL		110



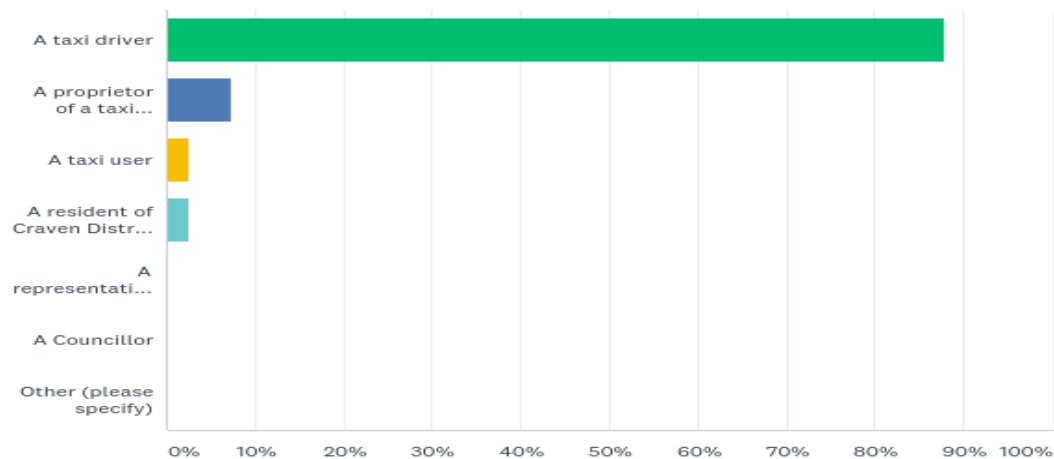
CCTV Consultation Trade Response

41

Total Responses

Q1: Please tell us, are you

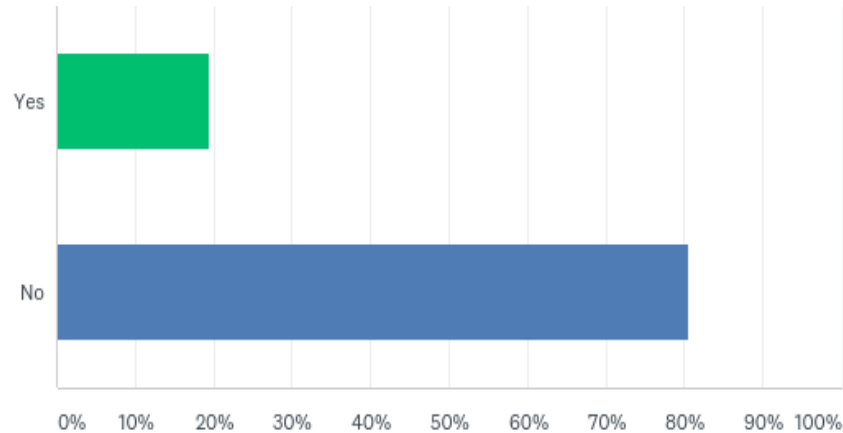
Answered: 41 Skipped: 0



ANSWER CHOICES	RESPONSES	
A taxi driver	87.80%	36
A proprietor of a taxi business in Craven	7.32%	3
A taxi user	2.44%	1
A resident of Craven District	2.44%	1
A representative of a public authority	0.00%	0
A Councillor	0.00%	0
Other (please specify)	0.00%	0
TOTAL		41

Q2: Do you think installing CCTV in Craven licensed vehicles is a good idea?

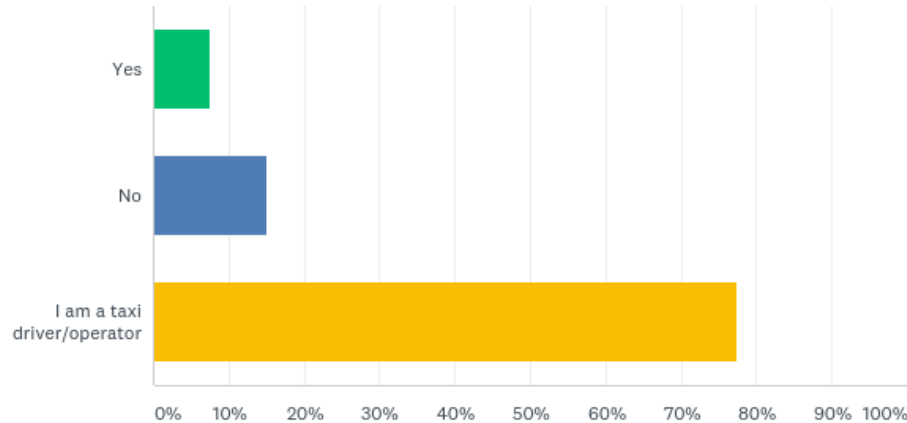
Answered: 41 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	19.51%	8
No	80.49%	33
TOTAL		41

Q4: If you are a taxi user, would you be happy to be in a taxi with just visual recordings, when only Craven District Council would have access to the images and only when an incident has been reported?

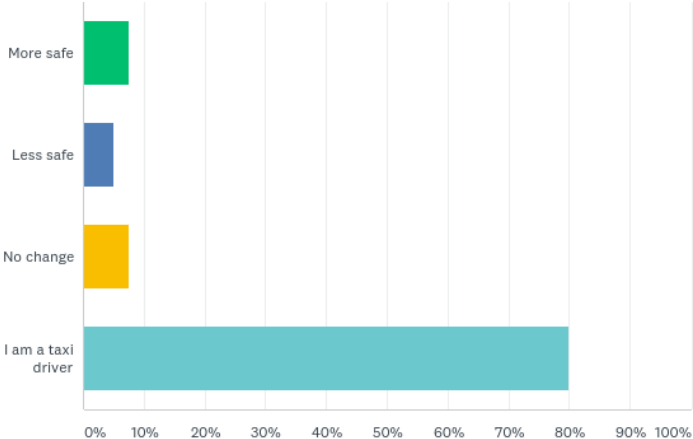
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	7.50%	3
No	15.00%	6
I am a taxi driver/operator	77.50%	31
TOTAL		40

Q6: If a taxi user, would you feel more or less safe travelling in a taxi knowing that images in the taxi were being recorded?

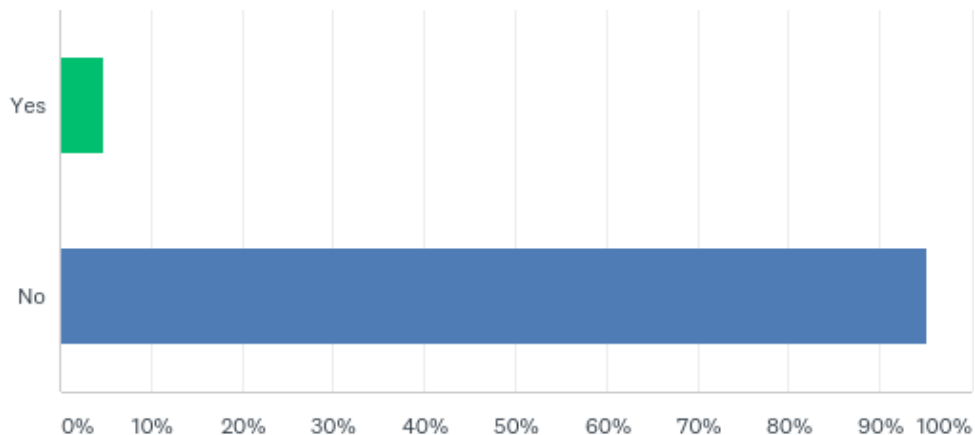
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES
More safe	7.50% 3
Less safe	5.00% 2
No change	7.50% 3
I am a taxi driver	80.00% 32
TOTAL	40

Q8: Have you experienced any incidents, while travelling in Craven Licensed vehicles?

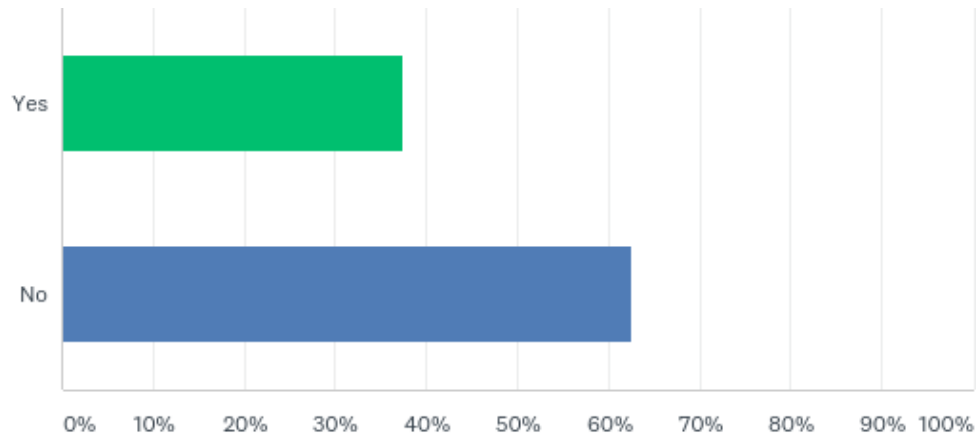
Answered: 41 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	4.88%	2
No	95.12%	39
TOTAL		41

Q10: Would knowing there was CCTV make you more likely to report an incident that took place in a taxi?

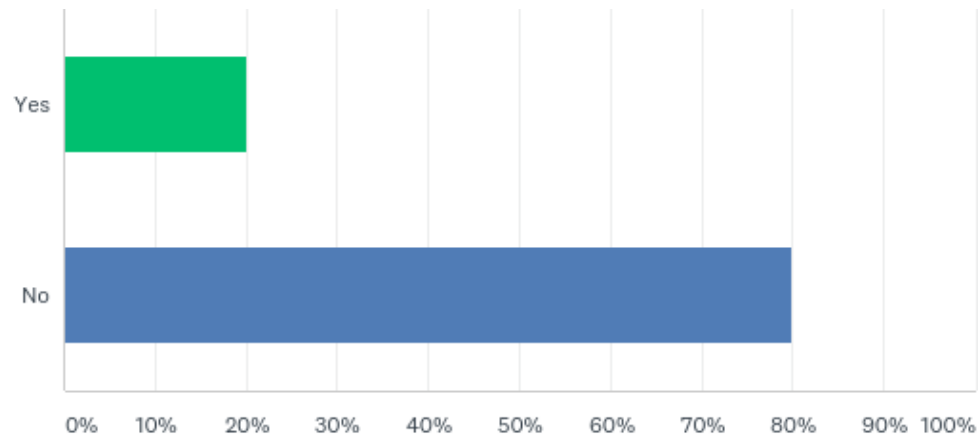
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	37.50%	15
No	62.50%	25
TOTAL		40

Q12: Would you be happy for your voice to be recorded if an incident occurred while you were in a taxi?

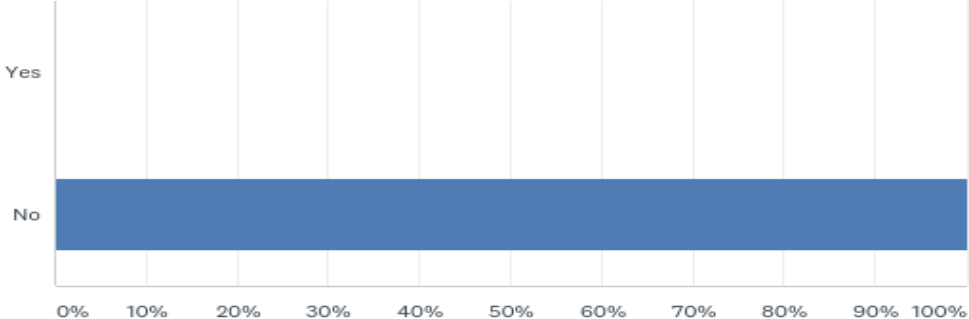
Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	20.00%	8
No	80.00%	32
TOTAL		40

Q15: Do you regard yourself as having a disability?

Answered: 40 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes	0.00%	0
No	100.00%	40
TOTAL		40

Q3 reply to Q2 - Do you think installing CCTV is a good Idea Please give reasons for your answer

Respondent Reply	Comments from Licensing Manager
Cant afford to pay the money for it - if the council pay for it then its okay. I use the car for my	System has an on/off switch with delayed shut off. While it would be contrary to conditions of a licence if CCTV was mandatory, drivers could choose to not have the system running when traveling with family. Impact assessment has been completed regarding the implementation of CCTV system
family and I need privacy and I cant afford two cars	
In the dales I have never experienced any problems where I thought a camera would have helped me in any situation I have been in.	
I have no objection of the cctv being installed in the licensed vehicles however the installation cost are too high and is not affordable . if the council are willing to help towards the costs for the cctv then it should not be a problem	Consideration needs to be given as the cost is around £400-550 to install. Cost of moving a system to another vehicle is around £150 Some insurance providers will offer 10-15% off a vehicle insurance premium. So long term could save money. Systems can be offset against tax as an allowable expense when completing tax returns.
We procure school and social care transport services in the Craven area and this may provide additional reassurance and protection to drivers and passengers, particularly vulnerable children and adults. It will also support the investigation of any incidents or complaints.	
Protection of driver & passenger(s) / potential evidence of criminal offence(s)	
In general, if the driver is a criminal psychopath or a pathological narcissist, they probably shouldn't be licensed to drive a taxi. It would be better if sadists could be employed in the organisation minded to describe itself as the Department for Work and Pensions in an environment that can be monitored in place and time to ensure that the fundamental rights of citizens can be secured.	Unable to comment on this, this was part of a number of comments, the licensing manager did speak via email to this repsonder
i am a private hire driver and i know where my customers come from and have there contact phone numbers so no problems there, also i	The comments about public in this comment have are not been reflected in the survey completed as part of the consultation.

have asked some of my customers what they think about cctv in my taxi and over half said they would NOT use my taxi services if there was cctv installed, so i LOSE customers,all said it breached there privacy.	
Yes I believe this would be a good idea for myself and the customers safety.	
Improves safety. For both passengers and drivers	
Do not require cameras. Never had an incident. Also lack of privacy.	
As an ex female private hire driver and pcv driver I feel It is safer for drivers and public alike.	
Invasion of privacy	
Invasion of privacy, unnecessary for location, and waste of taxpayers money	Current proposal the system is not funded by taxpayers but vehicle owners.
Security for driver and passengers	
Lack of privacy. For customer as well as driver. Some of my passengers are not happy with the idea.	
Privacy for driver and passengers Also cost to install	
Safety for vulnerable passengers	
For safety of the driver and passenger/s.	
Have a 21 year old disabled (autistic and severe learning difficulties) adult attending Craven College by Taxi on her own every day.	
No as the craven licensed drivers have to pay for the expense of having CCTV installed into there taxi vehicles. And the council should pay for this expense	
To give reassurance, to protect the interests of all parties if any disagreement occurs	
Expensive, costly,	
Because of its cast been put holly on driver	
To protect the drivers and the public.	
Itâ€™s very rare there is any trouble in taxi vehicles in the district. Weâ€™re not in a city where there might be more crime.	
Safety, driver and passenger	

As an often solo female user of taxis I would feel safer	
For the key objectives of protecting both driver and passengers	
Expensive No knowledge of maintaining If council pays and maintains it then ok	Part of the installation by firms installing CCTV covers how to use the system. The system is a ON/OFF button, situated in the boot or bonnet. A red light on the inside of vehicle shows if the system is on. Not a complicated system, though a genuine concern. However a driver would only need to know how to switch on and off and know if the system was working and who to contact if the system did not work.
Privacy. Use car for personal use.	
Privacy. Negative image for craven council	Promotes public safety
Safety Safety for passengers	
Safety of driver and passengers. Might ensure taxi drivers are better drivers if filmed.	We wouldn't fish for information. Only upon receipt of complaint and random system checks
Safety of both the driver and the customer	
High Cost, difficult to manage Personal privacy concerns	
To protect drivers.	
For every ones safety	
Improve the safety of passengers	
If anything does take place or we get falsely accused of anything then at least CCTV is there as a backup	Correct, saving time and money for Drivers falsely accused.
Crime prevention, safety for taxi drivers	
Safety and security for both passengers and drivers	
Safety for all concerned.	
To improve safety and security for both passengers and taxi drivers	
Too much surveillance in this world.	
safety of all	
Too expensive for us to purchase CCTV and maintain	
For the protection of both passengers and drivers	
Safety to both parties	
I would feel safer traveling in a taxi with CCTV installed	
Confidence when reporting incidents that my version of events will be believed	
Privacy/cost	
Privacy	

For the reasons suggested € protection for taxi driver and taxi user	
Safety, could address bad driving and parking by taxi's, whilst protecting them from fare dodging and attacks	
Some drivers don't set their meters, I am also concerned that some drive too fast. I hope that the CCTV would capture these issues.	The footage would likely not see the meter however on balance of probabilities if a complaint was raised about the meter then you would be able to see driver movement and the likelihood if the meter was or was not engaged. I don't believe the CCTV would not see the speedometer.
CCTV is a good idea as it provides passenger and drivers safety.	
The public should feel safer when travelling in taxi's. Parents would be more reassured when children are in taxi's.	
Safety for passengers and drivers	
Safety of passengers and drivers	
Privacy. Use this car at home don't want my family to be recorded.	Option for CCTV to be switched off for 'Private Use'
It is not invasive and may help to assist in the prevention and detection of crime	
It is good for security and our safety	
To ensure a back up of safety for the public and taxi driver	
To protect the passengers and the driver of the taxi	
Provides evidence in cases of dispute or accusation	
We have CCTV on buses to protect the public and the driver so why not in Taxis. A lot of people would feel safer using Taxis if they have CCTV. Footage from outside the vehicles would also be useful in case of incidents outside for instance at the bus station where people like to fight after beer and kebabs.	Footage would not be monitored actively to see incidents only if reported and if a complaint or issue was raised. An carry out checks to ensure drivers used the system when working.
For the protection of both Taxi Drivers and the Public	
To control and monitor passenger AND driver behavior. Many drivers exceed the speed limits and do not have an easily viewable fare indicator. Having audio recording available will enable complaints, made to the driver at the time, available to the council.	Would not be used to monitor behaviour, only viewed upon an issue to either prove or disprove issues.
evidentially great if an occurrence happens	
Safety and security of the driver and passengers	

Taxi drivers should be allowed some privacy in their own vehicle when with family	Licensed vehicle at all times Impact assessment has been completed
CCTV would provide added protection and security for both the driver and the passenger	
Customers may see the introduction of cctv as in invasion of their privacy.	Impact Assessment completed. CCTV is not only for the public, but to assist drivers. Who are in an extremely vulnerable position.
Just not agree with it it's not I'll make it wores	Unsure of what will be made worst
Safety of all concerned	
Help reduce crime and disorder - Protect drivers and passengers from allegations of inappropriate behaviour	
Promotes safety of both Driver and Passenger	
To protect both taxi workers and service users.	
safety of both the Taxi Drivers/Owners and the Public.	
Protects both the driver and the passenger	
This will help towards safety for both the users of the taxis as well as the drivers.	

it will give customers and drivers piece of mind and can be used as evidence if necessary.	
safety of the children we put in taxis and also the safety of the driver, as well as parents peace of mind.	
First of all i can't afford to fork out â,~500 sacandley when pupils are drunk at night they Will probably rip it off. If council pay half then i don't mind.	This would be an offence and would need to be reported the CCTV would help this particular issue. There could be a cost to reinstall but possible covered in business insurance. The way the units are installed would be difficult to rip off.
safety of both passenger an d drivers	
I think that CCTV in licensed vehicles will protect both the public and the driver. It will also reassure the travelling public	
Taxi's and other form of transport is used regularly in transporting victims for the purposes of exploitation. CCTV may deter perpetrators from using this form of transport.	
It will help keep taxi drivers safe from assault, racist comments, skipped fares and help keep passengers safe from being the victim of crime. It will also help the fight against child sexual exploitation and criminal exploitation that is often linked to taxis.	When a incident may be reported or suspected. CCTV would not be used to fish for information on purely speculation. Though any evidence of comments such as those would be dealt with and the authority would assist the driver. Assault towards drivers and or racism is not acceptable.
Due to its cast to the driver. Council should contribute towards the cast either by providing one year free of cast licence for one year	Members can decide on any cost reductions should they wish
Invading my privacy. Uncomfortable with my private space. Also gives Craven district a negative image. Will be expensive to start off with.	Impact assessment has been completed
It's too much cost to myself to install the CCTV camera in my vehicle.	
used my car at home is well and want privacy and I can't afford another vehicle for family use	Always a licenced vehicle System has an on/off switch with delayed shut off. While it would be contrary to conditions of a licence if CCTV was mandatory, drivers could choose to not have the system running when traveling with family.

As a Private Hire Driver, I already have a 2 way dashcam fit in my vehicle, and have done since I started trading in December 2014... I put this in for the safety of myself as a female driver, and my passengers, I have an annual certificate from the ICO for data protection. I don't agree that I need to have 4 cameras in my vehicle at my expense, as I'm already equipped with one...	The Council will become the data controller under the proposed plans. It's important that if CCTV is mandatory that there is a minimum standard for CCTV to ensure consistency and quality.
because it is an invasion of privacy for both the drivers and the customers	Data impact assessment completed
Privacy	
Skipton is very safe and in 24 years of taxi here I cannot justify the installation of cameras	
The cost which we are expected to meet infringes on my personal space. I feel it would be very off putting to think a camera is watching my every move	
Skipton is very safe and in 24 years of taxi here I cannot justify the installation of cameras	
The cost which we are expected to meet infringes on my personal space. I feel it would be very off putting to think a camera is watching my every move	Images would only be seen on notification of any issues and only for the issue at hand.
to expensive with the ammount of taxis in skipton i think we pay out enough money as it is .also is an invasion of drivers privacy and customers	
It is a invasion of privacy that is not required. There is virtually no crime in Craven district.	
Installation of CCTV is a sledgehammer to crack a walnut and I (the taxi driver) have to pay for the hammer.	
Safety for vulnerable people, and protection for taxi drivers.	
Safety for us users and the driver	
For the protection and safeguarding of drivers and users of taxis. It will provide protection for drivers in the event of any allegations against them.	
Help protect vulnerable people and children using this service.	
Keeps both parties safe - drivers and the public	

public safety	
safety for all concerned	
Protect taxi users and drivers f	
It will create a culture of safety for both the passengers and drivers.	
protect people that use them	
For the reason described in the consultation narrative	

Q5 reply to Q4 If you are a taxi user, would you be happy to be in a taxi with just visual recordings, when only Craven District Council would have access to the images and only when an incident has been reported?

<u>Respondents Comments</u>	<u>Licensing Manager Comments</u>
I rarely use taxis	
The question appears to be loaded. If you can convince yourself that only Craven District Council would have access to images captured in such a system, then good for you.	Only authorised officers would have access to images. Drivers would be unable to access images.
Improved safety	
As I said safer for all	
Audio as well	
Can't go anywhere now without being watched	
Do not believe that footage will only be accessed on a reporting only basis	If a proprietor thought images were being requested from them that were unjustified then this would be raised by the normal channels. Complaints producers or to Licensing Committee. Any request to view footage would accompany a reason and the driver or licence holder present. As the vehicle would need to present to obtain the any footage.
I don't want recordings made	
To help clear up/ provided evidence of the event	
I am answering on her on behalf as a mother	
Yes as there would be evidence to support the matter or incident.	
Think the question is unclear, my preference would be to be in a cab, or our clients being in a cab that had visual and noise recording, but if sound is not allowed for some reason then images are better than nothing	
Vehicle used for social and domestic use	While the vehicle is never considered private or used for private use. Under the CCTV policy it would be permissible to turn the unit off when not working. The shutdown process takes 30mins before recording stops and accessed from the vehicles boot or bonnet.
If nobody else saw the footage and it was handled in an appropriate manner.	Only on receipt of a complaint and following the correct procedure/policy
Safety	
Privacy	
Only to be used if inappropriate behaviour has taken place	
Visuals most of the time would be sufficient. CDC should be trusted with the data.	CDC would be the Data controller

I am happy for the visual recording as long as only the Craven council's designated data collecting officer has access to it and only when an incident has been reported to the police.	Wouldn't be just incidents reported to the police , including incidents reported to the licensing authority and any other body the licensing department deemed suitable eg integrated passenger transport
The system is there as a failsafe, not a monitoring tool.	Yes, system not to be used to just fish for issues.
to prove incidents	
safety of all	
I would feel safer and should there be any issues it will have been recorded.	
sometimes a lot can be said although all looks fine	
Privacy	
Important for safety	
I have no problem with there being video cameras and video footage whatsoever	
To back up any report of incidents	
Feel safer in the vehicle	
Provides evidence to keep passengers and taxi drivers safe	
Less risk of footage getting onto the internet.	
Will be available if an incident has occurred	
Not doing anything wrong so nothing to hide.	
sometimes drunks passengers may behave poorly	
I don't mind being recorded if taking a taxi journey	
I've got nothing to worry about because I'm not doing anything wrong so if council need to watch they can	
No	
Safety	

I would expect CDC to use the information/images responsibly	Processed in line with requirements set out
The main reason; I would feel safer. Also it would be a great deterrent for illegal activity by both members of the public and indeed the drivers (a small number of drivers) themselves. Sound should be recorded as well, for the benefit of all parties.	
I feel it would be added protection and would assist any investigation.	Would only be voice if a button was activated by passenger or driver
happy that info would be used correctly	
I would understand and appreciate that this would be to protect both myself, any other passengers and the taxi driver.	
I would feel safer and should there be any issues it will have been recorded.	
sometimes a lot can be said although all looks fine	
Privacy	
If you are not doing anything wrong, then what do you have to fear?	
Why not, keeps all safe	
Accept it.	
This may lead to many false accusations and I believe I have the right to have access to any footage.	
Why not!	
I do not feel that I have any issues I wish to prevent others from accessing w,with respect to safety and taxi journeys.	
Again, this will help towards safety.	
provides evidence regarding the incident	
nothing to hide	
helps to ensure accurate information is available if a situation occurs	
Evidence to what happened during the incident	
It will make me feel safe	
We are captured by by CCTV in many daily operations, so this is no different.	
I would rather have myself filmed and have evidence if something were to happen, however slim a chance this may be	
I would feel safer	
It would provide an extra level of safety whilst travelling in a taxi.	
Only those with something to hide would object to this.	
It's because for the safety of the customer and myself as the taxi driver.	
I want privacy	
As an owner operator, I should be in charge of my vehicle footage...	There is a risk the footage could be misused.

	Recommendations by SCC states where the condition is mandatory the Authority is the data controller.
I wouldn't want anyone recording my journey	
N/a	
Wouldn't want to be videoed as a passenger either	
You would adhere to GDPR rules.	
More than happy to help protect others.	
It would feel safer	
Gives evidence	
I would not be concerned about this.	

Q7 in reply to Q6. If as a taxi user, would you feel more or less safe travelling in a taxi knowing that images in the taxi were being recorded?

<i><u>Consultation comments</u></i>	<i><u>Licensing ManagerComments</u></i>
I am not a frequent user of taxis	
This one is-has been subject to acutely life-shortening concentrations of surveillance.	Part of a number of replies that don't appear clear
Evidence would be irrefutable	
Safety	
Cctv on roads, cameras everywhere..maybe should do better checks on drivers when giving licences and give the taxi driver the right to refuse carriage	While a hackney carriage driver cannot refuse a fare, the authority would not action sanction against a driver where by the fare was refused due to safety concerns for the driver
I feel safe enough already	
Wouldn't feel different	
I often travel alone via taxis late at night	
I use Taxis during the and use the same company and know the drivers	
As a mother I would feel my daughter was better protected.	
The presence would be a deterrent to any potential criminal or inappropriate behaviour	
Safe	
Travelling as a lone female can be intimidating.	
Drivers are aware they are being recorded and therefore less likely any incidents would occur	
All parties know there would be evidence	
I have been in taxis where the driver has been unsafe, speeding, going round bends in middle of the road etc. If filmed they might take more care. Also evidence on the footage may prove that the driving has been unsafe. Also the driver had evidence of troublesome passengers and fare Dodgers.	
I feel this is more useful for the protection of drivers and vulnerable customers. I am for the implementation but dont feel it has any effect on me when taking journeys in a taxi	
I usually use the same firm, who are very safe, but on the one occasion I used a different firm recently he drove in a dangerous manner.	
just to deter anything untoward happening	
I know I'm being watched and if anything wrong is being g done then it's all on camera	
Taxi drivers need protection from being victim of crime, fare evasion and abuse.	Historically very difficult for LA to assist drivers as fare evasion is a civil matter however CCTV would hopefully assist

	drivers who fall victim to this. An the LA would work with drivers to assist them.
CCTV would be a deterrent but if something were to happen it would be recorded.	
I would be happier if cctv was intalled as there would be a visual record of what may or may not have happened in my vehcle.	
Evidence	
Less threatened by taxi drivers than ultimate global people watch.	
Cover any allegations from all persons	
Less chance of a crime being committed in my opinion in a cctv area	
Theres a lot of he said she said these days in taxis, it works both ways, protects drivers if someone kicks off but also protects customers when Taxi drivers can be in the wrong	
When I use a taxi, I tend to use the same company and driver	
Evidence if anything goes wrong, I'd suspect drivers would act better	
I think it would make drivers more aware of driving recklessly.	
can only be a positive and would avoid any ambiguity	
I would feel safer as footage would be recorded and would be able to be dealt with.	
I don't commit crimes when travelling in taxis and have never been the victim of a crime when travelling in a taxi	
There is proof recorded	
I, personally, would be unlikely to feel unsafe but I can imagine that some might feel anxious and would be reassured by recordings being made	
If anything were to happen then the ability to get evidence from a third party means that it couldn't (shouldn't) be tampered with or "lost".	
It would offer complete reassurance that there would be no problems	
See previous answer and may prevent driver speeding away from pickup without giving time for passengers to belt up!	
stops anything untoward occurring with driver and or passengers.	
CCTV is a good idea. I think CCTV should be in all taxis just like trains and buses.	
Not many taxi users prefer their pictures being taken	
Just not good	

Safety	
Know that actions of all are being recorded	
I would feel safer knowing that I was protected with CCTV if anything was to happen.	
This can then be looked at if there is an incident.	
I believe behavior would be improved by all parties knowing they were being recorded.	
less likely to do anything wrong if they know they are being filmed	
all parties would be aware of the situation, ensuring everyone would be acting in an appropriate way	
Evidence of the incident would be recorded	
If anything was to happen I would know there is an accurate recording of the events that took place.	
if anything would be to happen or any items were left behind there would be proof	
More reassurance.	
the likelihood of anyone committing an offence whilst being filmed is slimmer.	
if there is an incident it can be witnessed	
I would feel safe	
I believe it will reduce criminal, aggressive and violent behavior	
I would know that if anything were to happen there would be CCTV footage to use as evidence.	
I would feel safe	
I am a Private Hire Driver, and this is already in my vehicle, When I went to a safeguarding meeting in 2016, I was the only female driver in a group of over 100 drivers, and also the only driver to have camera fitted...	
because i am a taxi driver	
I wouldn't know who have access to these clips	CDC as data controller only. An would decide when and where it was shared and if appropriate eg partner agencies
If anything were to happen there would be evidence available.	
If there's an incident it's not just my word against someone else's	
No security now. So this would improve this	
It's that bit of security if anything happened	

Q9 in reply to Q8 Have you experienced any incidents, while travelling in Craven Licensed vehicles?

<u>Consultation Comments</u>	<u>Licensing Manager Comments</u>
We regularly work with Taxi Licensing colleagues to share information and to resolve issues/incidents that occur whilst our customers are in vehicles licensed with Craven DC.	
Just under 18 years ago I had suspicions a driver had been drinking, I reported it to the taxi firm but no body else.	
Police matter	Due to Taxi licensing over the years across the county, often either the public don't realise the role the LA plays and or don't know it exists. Which is why often incidents are only reported to the police. Continually working to improve awareness of the Authorities role in regards to Taxi licensing
Unsafe driving. Not reported officially. I don't use one taxi firm now.	
May 17th. Travelling from Embsay to Skipton. Driver was distracted by phone and mounted kerb. Not reported but got out of taxi at Tesco and rang the usual firm I use to complete my journey.	
Got mugged early morning 1 weekend 2 months back it did get reported but the outcome was zero because there wasn't enough to catch them where as if there was CCTV they could have got their images	
Charged double with driver accusing of being drunk, yes had a drink but not silly enough to pay double to a location. Didn't report as taxi drivers always been to be justified in being right - cameras would be able to show a real reflection esp with sound	
Normally speeding. Number of times drivers doing up to 10/20mph of the speed limit. Also often find the meter is not used for journeys	
I have witnessed many kind and polite customers whilst I have been working for craven district. I have had no incidents while working.	
I have not experienced any incidents	
I've seen first hand taxis being used by drug dealers to do "drop offs". The taxi will wait whilst the deal is done and often the driver is complicit - even partaking in the substances or accepting a "tip" for later. I would wager some of the drivers that might be resistant to the	

CCTV would be because they don't want any evidence of the things they get up to both with and without passengers.	
Some drivers (not all) doing 40mph + in 20/30 mph zones on a regular basis especially at night. Never reported as at present your word against theirs at a later date.	
I'm taxi driver i was attacked with a knife on my throat about 18 years a go was reported.	
Taxi driver stopped to pick up his mate who had cannabis with him and proceeded to smoke it in the taxi. Was not reported.	
No incidents in my vehicle because I have camera fitted...	
Warning lights on dashboard and taxi driver didn't seem bothered.	

Q11 in reply to Q10 Would knowing there was CCTV make you more likely to report and incident?

Consultation Comments	Licensing Manager Comments
evidence of offence	
In this one's experience, the police generally prefer to ignore, harass, arrest or kill members of the public bringing cases into a police station for investigation.	Part of a number of comments that don't make sense
if an incident happened i would report it anyway, cctv or no cctv	
Yes as there would be evidence to support my matter/case.	
Removes the chance of it being one word against another and removes ambiguity	
Proof	
Would report it anyway	
CCTV footage is frequently misused	A number of safe guards will be in place to prevent this. Such as the Authority been the data controller.
There would be evidence	
More likely to have undisputable evidence	
For this incident just video footage would not be enough.	
As my daughter couldn't explain easily	
there would be an evidence source, it would help with any investigation, it would ensure that the investigation did not just have to weigh up different accounts	
Evidence	
Evidence, not one person's word against another	
There would be proof	
I would know there was evidence to back up opinion	
Will report regardless of the cctv	
I would report either way	
The proof should be on footage making the process of reporting easier.	
Filmed evidence rather than verbal accounts	
you have evidence	
Evidence available.	
More evidence	
With CCTV I'd know there's more of a chance of getting the culprit	
Possible proof of incident or evidence of spurious claims from passengers.	
Physical evidence to back up incident	
If it was worth reporting I would report it regardless.	

Evidence to support	
Any issues are at present your word against theirs so hopefully the use of CCTV would resolve any discrepancies	
You have more back up than he said she said	
I often don't think my version of events will be believed . Knowing there is evidence would give me confidence to make a complaint	
CCTV cannot lie. lone passengers can sometimes feel vulnerable traveling in taxis. If CCTV is in place there will be evidence of any offences being committed	
Any incident should be reported and CCTV would give supporting evidence	
I've experienced really bad driving from a taxi driver (not a Craven taxi) and I would have reported it if I'd thought there was mandatory cctv to prove it	
You might expect there to be evidence to corroborate a complaint rather than it being one word against another.	
I would feel that I would be able to show proof if any incident occurred as I would be aware that I was not in the wrong.	
There would be potential evidence rather than just word on word	
There will be some form of evidence present	
There is evidence	
It would not just be your word against theirs there is extra proof	
There would be proof	
I would know that any complaint would no longer be one word against the other	
There would be evidence. Not just a word against situation.	
Hard evidence would be accessible to CDD and if necessary the Police	
If other passengers in vehicle and sound recording activated, they could also make comment	
as the event would be recorded	
footage would confirm or rule out wether an incident took place	
IF any incident had occurred in a taxi I would notify the correct agency and provide the details of the taxi etc	
?	
Possible evidence captured	
There is proof.	

Because there would be no doubt as to what actually happened inside the vehicle	
evidence available go back up your complaint	
Safety	
You have proof and it's not a he said she said situation.	
there would be an accurate record of the incident, and policing in this way would drive standards upwards	
Evidence of the incident	
Same reason. I would know there was an accurate representation of what took place.	
evidence behind the claim being made	
The CCTV could provide evidence coinciding with the complaint.	
as it wouldn't be a case of my word against someone else's, there would be hard evidence	
I would be believed	
Yes	
I would feel that CCTV would be a big part of establishing the true nature of any incident	
The images would provide supporting evidence	
I would know that there was evidence to back up my report, rather than my word against the taxi driver	
Yes because I would have the proof to back my case	
As a owner driver, and having taken part in 2 safeguarding courses, I am already using camera for the safety of myself, my passengers and my vehicle.	
I would report it regardless of there was CCTV.	
If I had an issue I would report regardless of cameras or not	
There would be evidence to support your claim.	
Because there would be definitely evidence to back me up. As long as the data couldn't be accidentally corrupted by the driver. So the system would have to be sealed and tamper proof	Will be tamper proof
Hard Evidence	
Evidence to support claims rather than them getting away with it.	
Never had an incident so would not really know if I would report it or not. It will definitely assist with any investigation should it be reported	

Q13 in Reply to Q12 Would you be happy for your voice to be recorded if an incident occurred while you were in a taxi?

<u>Comments</u>	<u>Licensing Manager Comments</u>
As a mother it would resolve questions of events	
provides additional information/evidence.	
The sound would give an additional important element to deliver the goals of the policy. The use of any recordings would be subject to significant legal protection, so the only use of the recording would be to help in any investigation, which I would be very happy for it to be used in	
Private conversations	System would only switch on if the sound trigger was pressed. It would not record sound continually
Again, not doing anything wrong so nothing to hide.	
as verbal evidence if an incident was happening	
I don't mind being recorded if it helps prevent crime	
Then we'd exactly what occurred	
I am concerned about voice recording as the drivers spend most of the time alone in the taxi either waiting at the rank or driving to the pick up location. I spend time whilst waiting at the rank to talk to my family, friends and other taxi drivers. It would be breach of my human rights if my private conversation is recorded. I am in support of visual recoding only.	System would only switch on if the sound trigger was pressed. It would not record sound continually. Only when a driver or passenger thought a conversation needed to be recorded would the system record sound.
Privacy	
Gives the reviewer full understanding of the incident and the events leading up to it	
Evidence if an incident occurred.	
This can only be a problem if you are doing something wrong.	
Some conversations between occupants are private. Some personal details between passengers could be used by some in the wrong way.	System would only switch on if the sound trigger was pressed. It would not record sound continually
fine	
I have no desire to be permanently observed.	
Invasion of privacy	
It would be for my own protection and I have nothing to hide.	
as above	
This could work in both the passenger and the drivers favour. Again, there would be proof of any potential offences being committed	

We will need to ensure that we follow the correct procedures in relation to this so that our customers are aware of it.	
evidence	
no need for it	
Yes as there would be evidence to support my matter/case.	
Proof	
Personal data	
Invasion of privacy	
I don't want cctv	
Would be pointless to object to something there for my protection	
In the same way a driver should be protected from abuse, the customer should be too, and all parties take responsibility for their actions	
I feel a little uncomfortable about it	
I would not feel comfortable with my voice being recorded.	
Important in protecting drivers and passengers, safety and crime prevention	
As stated, I have absolutely no issue with there being recording equipment in vehicles	
No reason	
The more evidence the better should an incident have occurred	
Where a driver has been derogatory or intimidating in what they have said rather than physical intimidation or threats there would be evidence. This also works in case a customer is abusive which is more likely especially late at night.	
I have no problem with this	
see above answers	
If its required evidentially only	
feel as though this would back up footage	
not only visual but audi is a good idea, I fell that I would not be an invasion of personal info, IF clear notices/signs are displayed. I fell that people would feel more safe in a taxi that had CCTV to one that did not	
n/a	
No	
Safety	
Sound key evidence	
Equally fine with this as being visually recorded.	
Same as above.	
Because incidents could be verbal i.e. aggressive and/or lude	
nothing to hide	

if both parties were able to active sound recording, then again this would contribute to accurate information	
Same as above. it would record the conversations as well as images. Can only be a good thing.	
more evidence to show if there was anything to happen	
Yes, i'm aware audio plays a big role in determining wrong doing.	
Might as well include audio if you're already filming	
safety	
Some time passenger can accuse you for something you haven't said or done.	
If it helps to establish the true nature of any situation , it is a positive thing	
If i am the victim of an incident, an audio would support my allegation	
Helps to provide evidence if needed	
No because sometimes I can be talking to my wife and I wouldn't be happy if our voice was been recorded.	System would only switch on if the sound trigger was pressed. It would not record sound continually
No comment	
There are a lot of incidents which occur in cabs, and having visual and voice can deter passengers from any incidents	
It's not Big brother	
I do not feel a need for recordings or videos	
this will destroy the friend taxi driver image. Driver will say nothing for fear of stepping over the invisible line.	
A true and accurate account would be available as evidence.	
100% accurate data of incident. And as only craven council would have access GDPR laws are enforced.	
Fine with it	
Happy for conversation to be recorded I have nothing to hide and it will help with safety	
Evidence	

<u>Respondents Replies</u>	<u>Licensing Manager Comments</u>
As a transport commissioning authority who procure school and social care transport using vehicles licensed through Craven DC, we consider that CCTV may provide additional safety and security for the driver and passengers. It may also enable investigations to be more fully supported and make it easier for investigations to be conducted. We would welcome a meeting with Craven DC colleagues prior to any implementation of the proposals.	Discussions have already been taking place
you could give drivers the option of whether to have cctv or not	
I don't want CCTV I have never felt unsafe as a driver or passenger I don't think we should have to pay additional costs	
It is a great idea and will provide protection and reassurance to both the drivers and the passengers	
Council should pay towards cctv	This would be for licensing committee to decide if they believe there could be any financial support. Some insurance companies offer premium reductions up to 15%. Also often the purchase of the unit can be seen as a business expenses and factored in under self-assessment returns.
The driver should have his own privacy	Unit can be switched off for private use
No thanks for consulting	
I really do hope this does go ahead and we are felt more safer	
Having a CCTV camera in taxis is a very good idea however this should be voluntary. There are concerns around data protection and intrusion. The data collector will be the council and the council will held accountable if the recorded data is misused. What would be the procedure if a passenger doesn't want the CCTV to record him/her for whatever reason. The council should also install cameras at the taxi ranks. This will be more useful and cost effective then just passing legislations and making taxi drivers pay for so many expensive CCTV systems. If council does decide to make it mandatory then The drivers must be able to shop around for the camera on the open market and as such there must be a wider availability of CCTV cameras to choose from (same as the taxi meters) Many of the modern CCTV systems have dual lens that	As a data controller there are rules to follow set out by the ICO and SCC. Breach of these rules carries sanctions. Working with the Authorities Governance Manager the authority will adhere to the set requirements for handling data. If a reason seemed strong enough a proprietor could request an exemption from the CCTV condition and would be a matter for the licensing committee or subcommittee to determine. The authority will have provided a list of know providers. Drivers may use any provider so long as it meets the specification.

record front and back and only 1 camera install in the windscreen should be sufficient.	
I see no problem with CCTV unless, of course, the driver has something to hide.	
You have to respect peoples right to privacy.	Unit can be switched off for private use
Taxi drivers can be at risk of abuse as much as customers so its a positive all round	
On this previous answers no, just a question of my own which may be answered later, but who would pay for the equipment? Some taxi drivers might find it hard to cover costs but then again, the whole cost should not fall to the council.	Vehicle owner under the proposed scheme
I think that that CCTV will not be required in the vehicles as all customers are very polite and i have never encountered any incidents whilst working for craven council	
Other than this survey being quite repetitive, no	
There's a very real seedy underbelly in Skipton that a lot of people either don't see or choose to ignore. If people have nothing to hide then there should be no reason to object. The cameras would need to be checked regularly though. If you can only access footage after an incident how could you ensure that the cameras are working 100% of the time? They might have conveniently broken without the driver or Craven Council being aware until they are needed for evidence. Would the cameras be turned off when the engine is off? A lot of things happen whilst parked.	Policy will cover the reporting of broken units and process for when this is not reported.
Better monitoring of Taxi and hire car operation required.	
introduction of cctv would be an invasion of privacy	
Yes it's just too expensive	
This would help protect all parties whilst using a Taxi	
I think it should be implemented.	
CCTV in taxis is an excellent idea that prevents both parties in the vehicle and provides an accurate record of events.	
I feel like the addition of cameras would make young women especially after nights out or travelling alone feel safer throughout their journey.	
I think it is an extremely good idea, and only those with something to hide would object in my opinion	

<p>I don't agree that I should have to purchase a new camera system, when I already have one, if the council want it as a big brother watch system, then I believe they should fund it... There are over 200 drivers in the Craven area, how many already have cameras? Not many... How many incidents have been reported? We will never know that result... Council are just making my job harder to do with a great expense with something I already have... I am going to my local councillor, and my police Sergeant to discuss this matter...</p>	<p>Since 2017 that have been reported and investigated</p> <p>2 sexual assaults.</p> <p>1 complaint regarding inappropriate behaviour</p> <p>4 Assaults on drivers</p> <p>7 complaints of using a mobile</p> <p>13 complaints regarding standard of driving</p> <p>5 Complaints regarding work carried out on a IPT contract</p> <p>2 refusal to take a fare</p> <p>10 complaints regarding fares</p> <p>One Annoym Complaint regarding drugs</p> <p>5 Complaints about behaviour on Waller Hill Taxi rank</p> <p>4 Drivers smoking in a vehicle</p> <p>Others are reported on social media and are requested to report to licensing however frequently do not follow up the complaint.</p>
<p>The investing of cameras is not needed as Skipton is very safe. Issues are very minimal in this town</p>	
<p>Forcing taxi drivers to pay for and install CCTV in their taxis is just too excessive, very Orwellian. Other cities , not towns, have not gone down this route. If the council think this is a good idea , let the council pay for it. Besides let's face it, there licensing department don't even have the time to answer the phone let alone review CCTV footage.</p>	<p>Currently 4% of authorities have mandatory requirements (2018/2019) Based on DfT Taxi and Private Hire Statistics. Though what other authorities do should not set a standard. There is a range of standards authorities impose across the country with regards to the hackney and private hire trade.</p> <p>Issues of service should be reported via the normal channels of complaint. The responder frequently has lengthy conversations 20 mins + with the department.</p>
<p>Again CCTV will go a long way towards protection of the public plus also protection of drivers from malicious accusation.</p>	

DATA PROTECTION IMPACT ASSESSMENT

**CARRYING OUT A DATA PROTECTION IMPACT ASSESSMENT
ON SURVEILLANCE CAMERA SYSTEMS**

Purpose of this advice and template

Principle 2 of the surveillance camera code of practice¹ states that the use of a surveillance camera system must take into account the effect on individuals and their privacy, with regular reviews to ensure its use remains justified. The best way to ensure this is by carrying out a data protection impact assessment (DPIA) before any surveillance camera system is installed, whenever a new technology or functionality is being added on to an existing system, or whenever there are plans to process more sensitive data or capture images from a different location. This will assist in assessing and mitigating any privacy issues linked to the use of a surveillance system.

A DPIA is one of the ways that a data controller can check and demonstrate that their processing of personal data is compliant with the General Data Protection Regulation (GDPR)² and the Data Protection Act (DPA) 2018. There are statutory requirements to carry out a DPIA in Section 64 DPA 2018 and article 35 of the GDPR.

The Information Commissioner has responsibility for regulating and enforcing data protection law, and has published [detailed general guidance](#) on how to approach your data protection impact assessment. In many cases under data protection law, a DPIA is a mandatory requirement. The Surveillance Camera Commissioner (SCC) and the Information Commissioner's Office (ICO) has worked together on this advice, which is tailored to the processing of personal data by surveillance camera systems.

Suggested steps involved in carrying out a DPIA are shown in **Appendix One**.

A further benefit of carrying out a DPIA using this template is that it will help to address statutory requirements under the Human Rights Act 1998 (HRA). Section 6(1) HRA provides that it is unlawful for a public authority to act in a way which is contrary to the rights guaranteed by the European Convention on Human Rights (ECHR). Therefore, in addition to the above, as a public body or any other body that performs public functions you must make sure that your system complies with HRA requirements. Whilst the particular human rights concerns associated with surveillance tend to be those arising from Article 8 which sets out a right to respect for privacy, surveillance does also have the potential to interfere with rights granted under other Articles of the ECHR such as conscience and religion (Article 9), expression (Article 10) or association (Article 11).

If you identify a high risk to privacy that you cannot mitigate adequately, data protection law requires that you must consult the ICO before starting to process personal data. Use of any surveillance camera system with biometric capabilities, such as Automated Facial Recognition technology, is always likely to result in a high risk to the rights and freedoms of individuals and therefore a DPIA must always be carried out in respect of those systems before you process any personal data. There is a risk matrix at **Appendix Two** that can help you to identify these risks.

Who is this template for?

To complement the ICO's detailed general guidance for DPIAs, the SCC has worked with the ICO to prepare this template specifically for those organisations in England and Wales that must have regard to the Surveillance Camera Code of Practice under Section 33(5) of the Protection of Freedoms Act 2012. This template helps such organisations to address their data protection and human rights obligations in the specific context of operating surveillance cameras.

This surveillance camera specific DPIA is also intended to be of value to the wider community of public authorities and any other bodies, whether public or private, who perform public functions. This secondary audience is subject to the same legal obligations under data protection and human rights legislation, and

¹ Surveillance Camera Code of Practice issued by the Home Secretary in June 2013 under Section 30(1)(a) Protection of Freedoms Act 2012

² Regulation (EU) 2016/679 of the European Parliament and European Council, also known as the General Data Protection Regulation, was transposed into UK law through the Data Protection Act 2018. Any processing of personal data by competent authorities for the prevention, investigation, detection or prosecution of criminal offences is regulated under Part 3 of the Data Protection Act 2018 which transposes Directive (EU) 2016/680, also known as the Law Enforcement Directive, into UK law.

is encouraged by the SCC to follow guidance in the Surveillance Camera Code of Practice on a voluntary basis.

When should you carry out the DPIA process for a surveillance camera system?

- Before any system is installed.
- Whenever a new technology or functionality is being added on to an existing system.
- Whenever there are plans to process more sensitive data or capture images from a different location.

In deciding whether to carry out a DPIA and its scope, consideration must be given to the nature and scope of the surveillance camera activities and their potential to interfere with the privacy rights of individuals.

You **must** carry out a DPIA for any processing of surveillance camera data that is likely to result in a high risk to individual privacy. The GDPR states that a DPIA “shall in particular be required in the case of systematic monitoring of publicly accessible places on a large scale” (Article 35).

Furthermore, as a controller in relation to the processing of personal data, you must seek the advice of a designated Data Protection Officer when carrying out a DPIA.

To assess the level of risk, you must consider both the likelihood and the severity of any impact on individuals. High risk could result from either a high probability of some harm, or a lower possibility of serious harm. It is important to embed DPIAs into your organisational processes such as project planning and other management and review activities, and ensure the outcome can influence your plans. A DPIA is not a one-off exercise and you should see it as an ongoing process, and regularly review it.

As part of an ongoing process, your DPIA should be updated whenever you review your surveillance camera systems, it is good practice to do so at least annually, and whenever you are considering introducing new technology or functionality connected to them.

The situations when a DPIA should be carried out, include the following:

- When you are introducing a new surveillance camera system.
- If you are considering introducing new or additional technology that may affect privacy (e.g. automatic facial recognition, automatic number plate recognition (ANPR), audio recording, body worn cameras, unmanned aerial vehicles (drones), megapixel or multi sensor very high resolution cameras).
- When you are changing the location or field of view of a camera or other such change that may raise privacy concerns.
- When you are reviewing your system to ensure that it is still justified. Both the Surveillance Camera Code of Practice and the ICO recommend that you review your system annually.
- If your system involves any form of cross referencing to other collections of personal information.
- If your system involves more than one company or agency undertaking activities either on your behalf or in their own right.
- When you change the way in which the recorded images and information is handled, used or disclosed.
- When you increase the area captured by your surveillance camera system.
- When you change or add an end user or recipient for the recorded information or information derived from it.

If you decide that a DPIA is not necessary for your surveillance camera system, then you must record your decision together with the supporting rationale for your decision.

Description of proposed surveillance camera system

Provide an overview of the proposed surveillance camera system

This should include the following information:

- An outline of the problem(s) the surveillance camera system is trying to resolve.
- Why a surveillance camera system is considered to be part of the most effective solution.
- How the surveillance camera system will be used to address the problem (identified above).
- How success will be measured (i.e. evaluation: reduction in crime, reduction of fear, increased detection etc).

In addition, consideration must be given to the lawful basis for surveillance, the necessity of mitigating the problem, the proportionality of any solution, and the governance and accountability arrangements for any surveillance camera system and the data it processes.

The following questions must be considered as part of a DPIA:

- Do you have a lawful basis for any surveillance activity?
- Is the surveillance activity necessary to address a pressing need, for example: public safety; the prevention, investigation, detection or prosecution of criminal offences; or, national security?
- Is surveillance proportionate to the problem that it is designed to mitigate?

If the answer to any of these questions is no, then the use of surveillance cameras is not appropriate.

Otherwise please proceed to complete the template below, where your initial answers to these questions can also be recorded.

DATA PROTECTION IMPACT ASSESSMENT TEMPLATE

Statutory requirements in Section 64 DPA 2018 and article 35 of the GDPR are that your DPIA **must**:

- describe the nature, scope, context and purposes of the processing;
- assess necessity, proportionality and compliance measures;
- identify and assess risks to individuals; and
- identify any additional measures to mitigate those risks.

Statutory requirements in Sections 69-71 DPA 2018 and articles 37-39 of the GDPR are that if you are a public authority, or if you carry out certain types of processing activities, you **must** designate a Data Protection Officer (DPO) and always seek their advice when carrying out a DPIA. The ICO provides [guidance on the requirement to appoint a DPO](#). If you decide that you don't need to appoint a DPO you should record your decision and your supporting rationale. In the performance of their role, a DPO must report to the highest management level within the controller.

These statutory requirements indicate that a DPIA should be reviewed and signed off at the highest level of governance within an organisation.

To help you follow these requirements this template comprises two parts.

Level One considers the general details of the surveillance camera system and supporting business processes, including any use of integrated surveillance technologies such as automatic facial recognition. It is supported by **Appendix Three** which helps to capture detail when describing the information flows. The SCC's [Passport to Compliance](#) provides detailed guidance on identifying your lawful basis for surveillance, approach to consultation, transparency and so on.

Level Two considers the specific implications for the installation and use of each camera and the functionality of the system.

Template – Level One

Location of surveillance camera system being assessed:

The cameras will be installed in licensed Hackney Carriages and Private Hire Vehicles within Craven.

Date of assessment 16 January 2020

Review date 16 January 2021

Name of person responsible Tim Chadwick - Licensing Manager

Name of Data Protection Officer David Roper Newman

GDPR and Data Protection Act 2018 and Surveillance Camera Code of Practice

1. What are the problems that you need to address in defining your purpose for using the surveillance camera system? Evidence should be provided which includes relevant available information, such as crime statistics for the previous 12 months, the type, location, times and numbers of crime offences, housing issues relevant at the time, community issues relevant at the time and any environment issues relevant at the time.

The role of a taxi driver is a very important one as they are entrusted to ensure that members of the public are taken to their destination safely. The vast majority of taxi and PHV passengers receive a good and safe service but the few drivers that abuse their position of trust undermine public confidence in passenger safety, CCTV will reaffirm or increase passenger confidence. Its purpose is not just to protect the passengers but also the drivers themselves. National Statistics show that approximately 53% of taxi drivers are non white a much higher than average percentage of the workforce - In Craven this percentage is much higher.

During the consultation on the new taxi policy the issue of CCTV and whether it should be mandatory or not was discussed during the working groups. The trade themselves were in favour of CCTV as they gave verbal evidence of examples of situations where CCTV in their vehicle would have been able to evidence verbal/physical abuse towards them and assist Licensing officers when complaints had been received about their conduct etc.

Over the last 12 months a number of complaints have been received by the Licensing Team where CCTV would have assisted in us in determining whether action should be taken against drivers - these include inappropriate conversations with passengers under the age of 18 (13 years old), inappropriate behaviour towards passengers, alleged sexual assault on lone female passenger (not charged by Police but licence revoked with immediate effect), use of mobile phones whilst driving, dangerous driving, disputes of taxi fares including failing to use meter, overcharging, failing to pay fares.

These types of issues have been going on for many years and will continue to occur although less frequently if CCTV is installed in all licensed vehicles as a mandatory requirement.

2. Can surveillance camera technology realistically mitigate the risks attached to those problems? State why the use of surveillance cameras can mitigate the risks in practice, including evidence to justify why that would be likely to be the case.

Yes - CCTV would mitigate all risks.

3. What other less privacy-intrusive solutions such as improved lighting have been considered?

There is a need to consider other options prior to any decision to use surveillance camera systems. For example, could better lighting or improved physical security measures adequately mitigate the risk? Does the camera operation need to be 24/7? Where these types of restrictions have been considered, provide your reasons for not relying on them and opting to use surveillance cameras as specified.

None - CCTV is the only way we can ensure the protection of the travelling public and the protect the drivers - CCTV will as a deterrant to both drivers who may wish to take advantage of their customer and a customer wanting to take advantage of a driver or attack them.

4. What is the lawful basis for using the surveillance camera system? State which lawful basis for processing set out in Article 6 of the GDPR or under Part 3 of DPA 2018 applies when you process the personal data that will be captured through your surveillance camera system.

Article 6.1 E in the exercise of official authority vested in the data controller.

5. Can you describe the information flows? State how data will be captured, whether it will include audio data, the form of transmission, if there is live monitoring or whether data will be recorded, whether any integrated surveillance technologies such as automatic facial recognition is used, if there is auto deletion after the retention period, written procedures for retention in line with stated purpose, written procedures for sharing data with an approved third party, record keeping requirements, cyber security arrangements and what induction and ongoing training is provided to operating staff. Specific template questions to assist in this description are included in **Appendix Three**.

Overt CCTV fitted in taxis and PHVs - the information is recorded on encrypted hard drives both voice and images , The access is only for authorised persons using approved equipment. The nformation is not succceptible to cyber attacks and is protected from unauthorised disclosure. The information is collected in respect of members of the public using taxis and PHVs and drivers - no other persons are involved. The information is used to identify historical incidents - the footage is stored for at least 30 days - the information will only be shared with individual data subjects , statutory organisations and the timeframe is justifiable in order that images can be accessed and incidents/complaints fully investigated and referred to Councils Licensing and Appeals Sub Committee. The council jas a written policy on the operation of the system and this is attached to this document.

6. What are the views of those who will be under surveillance? Please outline the main comments from the public resulting from your consultation – as part of a DPIA, the data controller should seek the views of those subjects who are likely to come under surveillance or their representatives on the proposition, without prejudice to the protection of commercial or public interests or the security of processing operations. This can often be achieved by existing local consultation mechanisms such as local area committees or safer neighbourhood team meetings; but, if necessary depending on the privacy intrusion of the surveillance in question, other methods could be considered such as face to face interviews, online surveys, questionnaires being sent to residents/businesses and addressing focus groups, crime & disorder partnerships and community forums. The Data Protection Officer may be able to offer advice on how to carry out consultation.

A full public consultation has taken place between June 2017 until March 2018 which included the trade, the public, interested parties including North Yorkshire Police. A series of working groups were held to discuss elements of the policy that the trade felt they had concerns/comments about - this included the CCTV specification. At these meetings the Councillors heard evidence from the Police, Licensing Officers and the trade about incidents where CCTV would have assisted the Police investigating a crime against a driver or passenger as well as Licensing Officers when investigating complaints made by the public about the conduct of a driver. The trade also agreed that the introduction of CCTV would be beneficial.

7. What are the benefits to be gained from using surveillance cameras? Give specific reasons why this is necessary compared to other alternatives. Consider if there is a specific need to prevent/detect crime in the area. Consider if there would be a need to reduce the fear of crime in the area, and be prepared to evaluate.

Safety of driver and the public and providing evidence to assist in dealing with complaints and support the Councils desire to reduce crime in Craven.

8. What are the privacy risks arising from this surveillance camera system? State the main privacy risks relating to this particular system. For example, who is being recorded; will it only be subjects of interests? How long will recordings be retained? Will they be shared? What are the expectations of those under surveillance and impact on their behaviour, level of intrusion into their lives, effects on privacy if safeguards are not effective? What is your assessment of both the likelihood and the severity of any impact on individuals?

Infringement of private lives of individuals who use taxis mitigated with signage that CCTV in operation. Privacy risk on drivers when using vehicle for private purposes but mitigated by the driver being able to switch system off - level of intrusion into private lives is proportionate to the overall aims of protecting individuals and assessment of the severity of impact on individuals is very low.

9. Have any data protection by design and default features been adopted to reduce privacy intrusion? Could any features be introduced as enhancements? State the privacy enhancing techniques and other features that have been identified, considered and accepted or rejected. For example, has consideration been given to the use of technical measures to limit the acquisition of images, such as privacy masking on cameras that overlook residential properties? If these have not been adopted, provide a reason.

Yes - individuals able to control whether voice recording is activated whilst travelling in vehicle and drivers can control the recording when using for private use only authorised individuals will have access to recorded images if needed.

10. What organisations will be using the surveillance camera images, and where is the controller responsibility under the GDPR and Data Protection Act 2018? List the organisation(s) that will use the data derived from the camera system and identify their responsibilities, giving the name of the data controller(s) and any data processors. Specify any data sharing agreements you have with these organisations.

Craven District Council Data Controller and appointed data processor who will be required to sign a data processing agreement. In the event of a crime then the relevant Police Authority investigating the alleged crime.

11. Do the images need to be able to recognise or identify individuals, or could the purpose be met using images in which individuals cannot be identified? Explain why images that can recognise or identify people are necessary in practice. For example, cameras deployed for the purpose of ensuring traffic flows freely in a town centre may not need to be capable of capturing images of identifiable individuals, whereas cameras justified on the basis of dealing with problems reflected in assessments showing the current crime hotspots may need to capture images in which individuals can be identified.

Yes individual incidents will need to accurately record peoples faces and voices.

12. How will you inform people that they are under surveillance and respond to any Subject Access Requests, the exercise of any other rights of data subjects, complaints or requests for information? State what privacy notices will be made available and your approach to making more detailed information available about your surveillance camera system and the images it processes. In addition, you must have procedures in place to respond to requests for camera footage in which a subject appears, and to respond to any other request to meet data protection rights and obligations.

Notices in all licensed vehicles and privacy notice placed on our licensing web pages.

13. How will you know if the particular camera system/hardware/software/firmware being considered does deliver the desired benefits now and in the future? It is good practice to review the continued use of your system on a regular basis, at least annually, to ensure it remains necessary, proportionate and effective in meeting its stated purpose. State how the system will continue to meet current and future needs, including your review policy and how you will ensure that your system and procedures are up to date in mitigating the risks linked to the problem.

Detailed specification that data processors will have. Any software updates, technology changes will need to be reflected in the approved specification. We will review the system and procedures in light of any incidents which may flag up issues.

14. What future demands may arise for wider use of images and how will these be addressed?

Consider whether it is possible that the images from the surveillance camera system will be processed for any other purpose or with additional technical factors (e.g. face identification, traffic monitoring or enforcement, automatic number plate recognition, body worn cameras) in future and how such possibilities will be addressed. Will the camera system have a future dual function or dual purpose?

Not envisaged that the images will be processed for any other purposes.

15. Have you considered the extent to which your surveillance camera system may interfere with the rights and freedoms conferred under the European Convention on Human Rights? When we consider data protection, our focus tends to be upon the potential to interfere with the Article 8 right to respect for private and family life. Surveillance undertaken in accordance with the law could, however, interfere with other rights and freedoms such as those of conscience and religion (Article 9), expression (Article 10) or association (Article 11). Summarise your assessment of the extent to which you might interfere with ECHR rights and freedoms, and what measures you need to take to ensure that any interference is necessary and proportionate.

Yes - the driver is able to switch the system off when using vehicle for private purposes. The system is overt and people will be aware that there is a system recording images and audio (when activated by either the passenger or driver).

16. Do any of these measures discriminate against any particular sections of the community?

Article 14 of the ECHR prohibits discrimination with respect to rights under the Convention. Detail whether the proposed surveillance will have a potential discriminatory or disproportionate impact on a section of the community. For example, establishing a surveillance camera system in an area with a high density of one particular religious or ethnic group.

No the system is used for all passengers without any discrimination to any group.

Template Level Two

This Level 2 template is designed to give organisations a simple and easy to use format for recording camera locations, other hardware, software and firmware on their surveillance camera system, and demonstrating an assessment of risk to privacy across their system and the steps taken to mitigate that risk.

Principle 2 - The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

When looking at the obligation under the code a risk assessment methodology has been developed to help organisations identify any privacy risks to individual or specific group of individuals (e.g. children, vulnerable people), compliance risks, reputational risks to the organisation and non-compliance with the Protection of Freedoms Act 2012 and/or the Data Protection Act 2018.

A system that consists of static cameras in a residential housing block will generally present a lower risk than a system that has multiple High Definition Pan Tilt and Zoom (PTZ) cameras. However, the DPIA should help identify any cameras (irrespective of the type) that may be directed at a more vulnerable area (e.g. a children's play area) and thus presenting a higher privacy risk. This approach allows the organisation to document a generic and methodical approach to any intrusion into privacy, catalogue your cameras by type and location, and finally identify any cameras that present specific privacy risks and document the mitigation you have taken. It also allows you to consider the risks associated with any integrated surveillance technology such as automatic facial recognition systems, along with security measures against cyber disruption of your system,

As an organisation that operates a surveillance camera system you will also be the controller of the personal data captured by its cameras. Under DPA 2018 (Sections 69-71), a data controller is under a legal obligation to designate and resource a data protection officer and to seek their advice when carrying out a DPIA.

An example of a risk assessment matrix is shown in **Appendix Two**.

When undertaking a DPIA, it is essential to be able to confirm where the organisation's cameras are sited. It is good practice for all organisations to maintain an asset register for all of their hardware (including cameras), software and firmware. This allows the system operator to record each site and system component in a manner to lead into the level two process.

If any new site or installation sits outside of the pre-defined fields, or additional integrated surveillance technologies are added, then new categories can be added as required

Overall step one and step two will cover the uses of hardware, software and firmware of the system. However, it may be contrary to the purpose of your surveillance camera system to publically list or categorise each individual asset.

Template – Level Two

Step 1 (definition of hardware, software and firmware including camera types utilised)

Cameras Specification: System operator owner should include below all camera types and system capabilities (e.g. static, PTZ, panoramic, ANPR) and their likely application and expected use. This will differ by organisation, but should be able to reflect a change in camera ability or system functionality due to upgrade.

Please see example below:

ID	Camera types	Makes and models used	Amount	Description	Justification and expected use
1.	See attached specification	Bosch, Axis, Samsung, Pelco	300	Static images, no movement or zoom function	Fully monitored rec 24hrs, zooming..., Public Safety
2.	Standard PTZ	MICI 400/550, Predator PTZ, Predator White light	150	Pan tilt and zoom function, Standard definition	Public space monitoring from CCTV control room 24 hrs
3.	High-zoom PTZ	JVC "box" (pentax lens), Bosch Shoe box	50		Long stretches of road, across large areas of land. This provides better coverage over straight roads and ensures an ability to get a high quality image over long distances.
4.	HD static				
5.	HD PTZ				
6.	ANPR software				
7.	Automatic Facial Recognition software				
8.	Other				
9.					
10.					
11.					

Step 2 (location assessment)

Location: Each system operator/owner should list and categorise the different areas covered by surveillance on their system. This list should use the specifications above which ID (types) are used at each specific location.

CAT	Location type	Camera types used	Amount	Recording	Monitoring	Assessment of use of equipment (mitigations or justifications)
A.	Town centre	All	250	24hrs	24hrs (only maximum 3 operators) – likely average patrol high hourly	The privacy level expectation in a town centre is very low; our town centres are well signed with appropriate signage for CCTV its use and purpose with contact details.
B.	Public car park	1, 5, 6	100			
C.	Parks					HD camera only include due to proximity to town HD cam
D.	Play areas					
E.	Housing blocks internal	1, 2	200	24hrs (calendar month)	Limited due to the fact that most are static cameras	High level asb historical problems (please see statistical assessment in annual review)
F.	Housing estate (street)					
G.	Residential street					Cameras are install here to respond to high crime trends, deal with the fear of crime
H.						
I.						
J.						
K.						
L.						

Step 3 (Cameras or functionality where additional mitigation required)

Asset register: It is considered to be good practice for all organisations to maintain an asset register for all of the components which make up their system. This allows the system owner to record each site and equipment installed therein categorised in a manner to lead into the level two process.

Please document here any additional mitigation taken on a camera or system to ensure that privacy is in line with the ECHR requirements.

Asset number	Reviewed	Camera type	Location category	Further mitigation/ comments (optional)
230	xx/xx/xxxx	A		(E.g. although this camera is in the town centre, at the height at which it has been installed there is an ability to see into residential windows, this has been removed as a risk through the use of privacy screens.)

Step 4 (Mitigation for specific cameras and any integrated surveillance functionality that have high privacy risks)

Where there is a very high risk to privacy you may wish to conduct an extensive DPIA of specific installations or functionality and have it fully documented. Where you are unable to mitigate the risk adequately you **must** refer your DPIA to the ICO for review.

DPIA for specific installations or functionality

Camera number

Camera location

Privacy risk(s)	Solution	Outcome (Is the risk removed, reduced or accepted)	Justification (Is the impact after implementing each solution justified, compliant and proportionate to the aim of the camera?)

Measures approved by:

Integrate actions back into project plan, with date and responsibility for completion

Name

Date

Residual risks approved by:

If you identify a high risk that you cannot mitigate adequately, you must consult the ICO before starting to capture and process images

Name

Date

DPO advice provided:

DPO should advise on compliance and whether processing can proceed

Name

Date

Summary of DPO advice

DPO advice accepted or overruled by:

If overruled, you must explain your reasons

Name

Date

Comments

Consultation responses reviewed by:

If your decision departs from individuals' views, you must explain your reasons

Name

Date

Comments

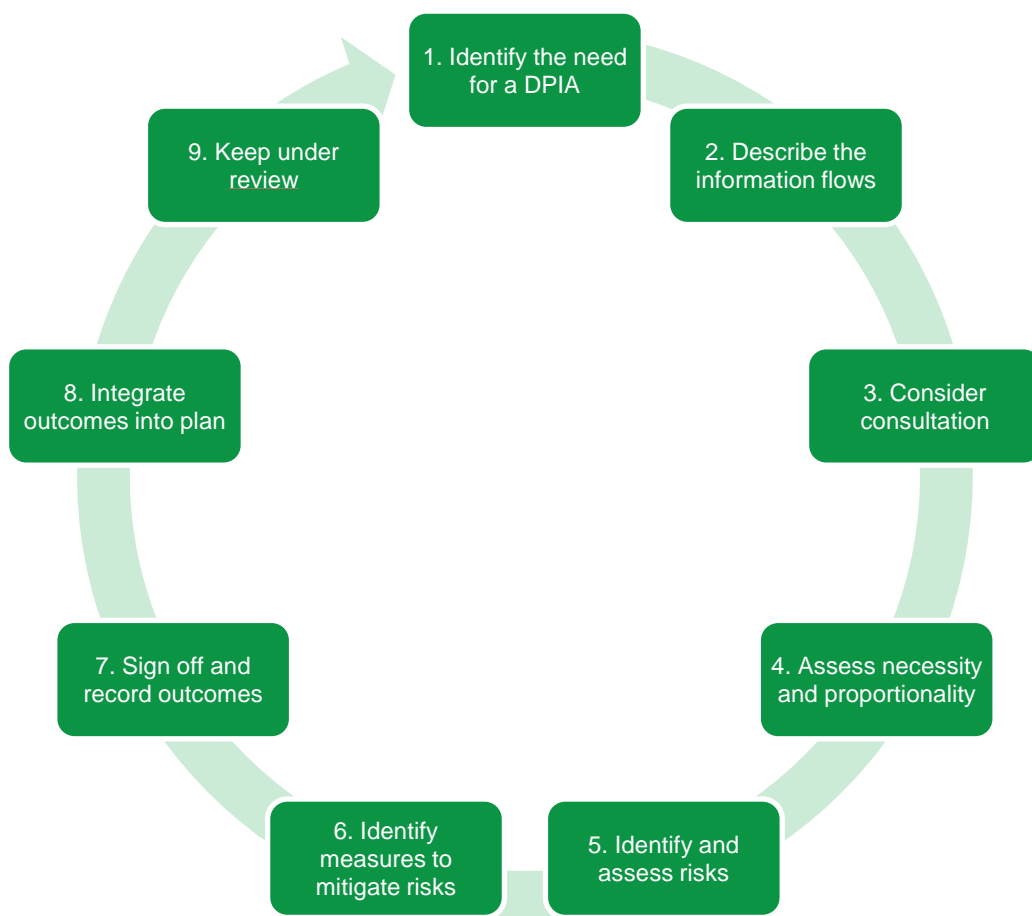
This DPIA will kept under review by:

The DPO should also review ongoing compliance with DPIA

Name

Date

APPENDIX ONE: STEPS IN CARRYING OUT A DPIA



APPENDIX TWO: DATA PROTECTION RISK ASSESSMENT MATRIX

Scoring could be used to highlight the risk factor associated with each site or functionality if done utilising the risk matrix example shown below.

Matrix Example:

	Camera Types (low number low impact – High number, High Impact)									
Location Types										
A (low impact)										
Z (high impact)										

Be aware that use of any surveillance camera system with biometric capabilities, such as Automated Facial Recognition technology, is always likely to result in a high risk to the rights and freedoms of individuals and therefore a DPIA must always be carried out in respect of those systems before you process any personal data.

APPENDIX THREE: LEVEL 1

DESCRIBE THE INFORMATION FLOWS

Optional questions to help describe the collection, use and deletion of personal data.

It may also be useful to refer to a flow diagram or another way of explaining data flows.

5.1 How is information collected?

- | | |
|---|---|
| <input type="checkbox"/> CCTV camera | <input type="checkbox"/> Body Worn Video |
| <input type="checkbox"/> ANPR | <input type="checkbox"/> Unmanned aerial systems (drones) |
| <input type="checkbox"/> Stand-alone cameras | <input type="checkbox"/> Real time monitoring |
| <input type="checkbox"/> Other (please specify) | |

5.2 Does the system's technology enable recording?

- Yes No

Please state where the recording will be undertaken (no need to stipulate address just Local Authority CCTV Control room or on-site would suffice for stand-alone camera or BWV), and whether it also enables audio recording.

Is the recording and associated equipment secure and restricted to authorised person(s)? (Please specify, e.g. in secure control room accessed restricted to authorised personnel)

5.3 What type of transmission is used for the installation subject of this PIA (tick multiple options if necessary)

- | | |
|--|--|
| <input type="checkbox"/> Fibre optic | <input type="checkbox"/> Wireless (please specify below) |
| <input type="checkbox"/> Hard wired (apart from fibre optic, please specify) | <input type="checkbox"/> Broadband |
| <input type="checkbox"/> Other (please specify) | |

5.4 What security features are there to protect transmission data e.g. encryption (please specify)

5.5 Where will the information be collected from?

- Public places (please specify) Car parks
- Buildings/premises (external) Buildings/premises (internal public areas) (please specify)

- Other (please specify)

5.6 From whom/what is the information collected?

- General public in monitored areas (general observation) Vehicles
- Target individuals or activities (suspicious persons/incidents) Visitors
- Other (please specify)

5.7 What measures are in place to mitigate the risk of cyber attacks which interrupt service or lead to the unauthorised disclosure of images and information?

5.8 How is the information used? (tick multiple options if necessary)

- Monitored in real time to detect and respond to unlawful activities
- Monitored in real time to track suspicious persons/activity
- Compared with reference data of persons of interest through Automatic Facial Recognition software
- Compared with reference data for vehicles of interest through Automatic Number Plate Recognition software
- Used to search for vulnerable persons
- Used to search for wanted persons
- Recorded data disclosed to authorised agencies to support post incident investigation by, including law enforcement agencies
- Recorded data disclosed to authorised agencies to provide intelligence
- Other (please specify)

5.9 How long is footage stored? (please state retention period)

5.10 Retention Procedure

- Footage automatically deleted after retention period
- System operator required to initiate deletion
- Under certain circumstances authorised persons may override the retention period e.g. retained for prosecution agency (please explain your procedure)

5.11 With which external agencies/bodies is the information/footage shared?

- | | |
|---|--|
| <input type="checkbox"/> Statutory prosecution agencies | <input type="checkbox"/> Local Government agencies |
| <input type="checkbox"/> Judicial system | <input type="checkbox"/> Legal representatives |
| <input type="checkbox"/> Data subjects | <input type="checkbox"/> Other (please specify) |

5.12 How is the information disclosed to the authorised agencies

- Only by onsite visiting
- Copies of the footage released to those mentioned above (please specify below how released e.g. sent by post, courier, etc)
- Offsite from remote server
- Other (please specify)

5.13 Is there a written policy specifying the following? (tick multiple boxes if applicable)

- Which agencies are granted access
- How information is disclosed
- How information is handled
- Recipients of information become Data Controllers of the copy disclosed

Are these procedures made public? Yes No

Are there auditing mechanisms? Yes No

If so, please specify what is audited (e.g., disclosure, production, accessed, handled, received, stored information)

5.14 Do operating staff receive appropriate training to include the following?

- Legislation issues
- Monitoring, handling, disclosing, storage, deletion of information
- Disciplinary procedures
- Incident procedures
- Limits on system uses
- Other (please specify)

5.15 Do CCTV operators receive ongoing training?

Yes No

5.16 Are there appropriate signs which inform the public when they are in an area covered by surveillance camera systems?

Yes No

Appendix

Licensed Vehicle CCTV

Technical Specification and System Requirements

In order to be considered suitable for installation in a [the](#) Council Licensed vehicle, a taxi camera system must meet the following requirements:

1.0 Operational Technical Specifications

Ref	Specification	Details
1.1	100% solid state design or a proven vibration and shock resistant system	The system should not have any fan and the recording should be vibration and shock proof, i.e.: - Flash-based SSD (100% industrial grade), - Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self-check file writing system. SD cards will not be acceptable
1.2	8 to 15 Volts DC	Operational between 8 and 15 volts DC
1.3	Reverse polarity protected	System to be protected against reverse voltage.
1.4	Short circuit prevention	System to be protected against short circuits
1.5	Over voltage protection	System to be protected against high voltage transients likely to be encountered in the vehicle electrical system.
1.6	Automotive Electromagnetic Compatibility Requirements	The taxi camera equipment must be e-marked or CE-marked with confirmation by the equipment manufacturer as being non-immunity related and suitable for use in motor vehicles.
1.7	System override switch to be located in a position where it is not accessible from inside the vehicle (i.e. in the boot) The over ride switch must be illuminated when switched "on"	The system is required to be active at all times that the vehicle is being used as a licensed vehicle. This will allow the facility for the system to be deactivated during times when the vehicle is being used for private purposes (e.g. domestic use). The switch that deactivates the system must be located within the vehicles luggage area (i.e. it must not be possible to deactivate the system from inside of the vehicle).
1.8	First-in/first-out buffer recording principle	The system must automatically over write to create a constant cycle recording
1.9	Access record	A service log must be kept and maintained by the approved installer and the local authority.

1.10	Security, duration and auto-clearing of log files	
1.11	Image recording formats and media	Images must be encrypted to a minimum of FIPS 140/2
1.12	Image protection during power disruption	Images must be preserved in the event of loss of power. Battery back-up will not be permitted
1.13	Unit must operate without the ignition being turned on.	The Unit must have the ability to operate for at least 30 mins without power from the ignition. The device must be hard wired to both constant and ignition supply.
1.14	Image and audio data shall be recorded and stored in a unit separate from the camera head.	Self contained storage cards within the camera head will not be acceptable
1.15	GPS capability	System must have GPS capability.
1.16	The system must be capable of recording audio time synchronized to the recorded images.	If activated, the audio must record within the video file.
1.17	The system shall not record audio except when audio recording is activated by means of an approved trigger / panic switch	The system should have the ability to start recording audio data by means of a trigger switch.
1.18	The audio playback, when triggered, shall be in 'real time' and synchronised with the images that are captured.	
1.22	Audio data and image data must be stored together, not in separate files, and must be protected against unauthorised access or tampering.	

1.23	The system must support testing of the audio function for installation set-up and inspection purposes.	
1.25	recorded images by the system shall not be displayed within the vehicle.	The monitor must display live images as clearly visible by having a glance around as per ICO specifications, it must not display recorded images
1.26	The system must have a panic switch for audio activation	At least one trigger/audio activate button must be capable of being operated by the driver AND a passenger. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.
1.27	The system must include a visual indicator that will clearly show when audio recording is taking place. This indicator must be visible to all passengers within the vehicle.	This may take the form of an indicator LED built into the audio activation switch which can clearly be seen by passengers.

2.0 Storage Capacity Technical Specification

Ref	Specification	Details
2.1	Minimum of 28 days i.e. (28 x 24 hours) of recording capacity	The camera system must be capable of recording and storing a minimum of twenty eight days of images of HD1 (720/288) size or better.
2.2	Images must be clear in all lighting conditions	System to provide clear images in bright sunshine, shade, dark and total darkness. Also, when strong back light is present without the need for additional components.

3.0 Camera Head Technical Specification

Ref	Specification	Details
3.1	Camera installation non-obstructive	The camera and all system components shall be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
3.2	Protected camera disconnect	The camera head shall be designed to disconnect for ease of removal and replacement only by maintenance personnel.
3.3	Special tools for adjustment/removal	To prevent inappropriate interference only tools supplied to authorised fitters should be capable of carrying out adjustments or removal.
3.4	Field of view to capture all passengers in the vehicle	The lens or the position of the camera must be of a type that captures the driver and all passengers of the vehicle on the recorded image. The lens must be of a style not to create a "fishbowl" effect.
3.6	Compatible for use in vehicles with a partition (shield)	The camera system must be adaptable to provide clear images when a vehicle is equipped with a shield. This may be accomplished with the use of multiple camera heads.
3.7	Multiple cameras	The unit shall be capable of supporting up to four (4) cameras. Four cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose built vehicles or external images.
4.0 Storage Device	Technical specification	
4.1	Impact and shock resistance	The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large, heavy object such as a suitcase.
4.2	Controller in concealed location	The storage unit shall be concealed from within the passenger compartment and effectively inaccessible except by authorised personnel. For example in the luggage area
4.3	Download port provision	The recorder shall be equipped with a communication port within the hard drive housing for downloading by authorised officer

4.4	Download port cable length (1 foot minimum)	Download port shall be at least one foot in length for ease of download.
4.5	Recorder to be securely affixed to the vehicle	
4.6	Log to register each user access	
4.7	Log to register camera system parameter modifications	
4.8	Log to register each image download session	
4.9	Log to register modification/manipulation of downloaded images	
4.10	Log to register exporting of downloaded images	
4.11	Log to register exporting of downloaded clips	
4.12	Log file protected against unauthorised access	
4.13	Time/date stamp	All stored images must be time and date stamped.
4.14	Vehicle ID number stamp	All stored images must have vehicle identification (VIN & or number plate).
4.15	Controller non-modifiable ID code stamp	Each recorded image shall be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record the image.
4.16	Controller (Storage Recorder)	Manufacturer to supply the Council with a supply of specialised tools to allow for removal of the controller and download of data when required.
5.	Specifications for video and audio recording rate	
5.1	Video image recording on system activation (when audio is not activated).	The system shall record images at a minimum rate of twenty five (25) images per second.

5.2	Video image recording when audio is activated.	The system shall record images at the rate of twenty five images per second during periods when audio recording is activated (either due to time requirement, or through activation by the driver trigger switch or passenger audio button).
5.3	When activated, audio recording must be in real time and synchronised with the video recording.	When activated, audio recording must be in real time and synchronised with the video recording.
5.4	System to continue to record images (and audio when applicable) when engine is off.	System must continue to record images (and audio when applicable) for 30 minutes after engine / ignition or override switch is switched off.
6.	Specification for activation via driver or passenger trigger/ audio button	
6.1	The activation of a trigger button when activated by driver or passenger.	The system must be fitted with at least one trigger button that once activated will trigger synchronised audio and video recording
7.0	Downloading Technical Specification	
7.2	Provision of necessary software, cables, security keys to the Council Licensing Team.	
7.3	Windows compatible.	Once downloaded and converted
7.4	Downloaded images stored in non-volatile media	Images are not "downloaded"
7.5	Downloaded images stored in secure format	within the device, so this section is nothing to do with the device specifications
7.6	Verifiable image authenticity	Each image shall be watermarked with vehicle ID, and time and date , and be tamperproof.
7.7	Provision of technical support to the Council Licensing team when necessary.	To assist in accessing system in case of damage to the vehicle or to the system in case of accident within a reasonable time frame
7.8	Wireless Download Prohibited	All wireless hardware to be disabled.

7.9	Filter the specific images for events and times for the approximate time of the crime committed.	The playback software must list the files in date and time slot order for ease of location of required file.
8	Requirements in relation to System Information	
8.1	Provision of service log	The unit manufacturer shall have a service log. The manufacturer shall also provide detailed instructions for the drivers with each unit.
8.2	Serial number indication on service log	The unit will be marked with a serial number
8.3	Installation date indication	A certificate of installation must be provided which will indicate the installation date
8.4	Clarity of operating instructions	The system shall be provided with clear and concise operation instructions which are written or presented with due consideration to varying levels of literacy.
8.5	Installation by authorised agents	The unit shall only be installed by manufacturer's authorised agents, or other installers approved by those agents
8.6	Provision of authorised agents list to the Council Licensing Team	The manufacturer or supplier shall provide a list of all authorised agents to the Council Licensing Team.
8.7	Documentation	The manufacturer must provide clear and concise operating instructions which are written or presented in layman's terms. (Details on how the system operates)
8.8	Image Protection	All captured images must be protected using encryption software that meets or exceeds the current FIPS 140-2 (level 2) standard or equivalent.
9	System requirements in relation to Vehicle Inspection Facility – Inspections	
9.1	Provision of system status/health indicator	The driver shall have an indicator showing when the system is operational and when there is a malfunction. This should include the images as shown to verify the status of each camera.

9.2	Mounting location of system status/health indicator to be seen	The indicators shall be mounted in such a way so as to allow for ease of view.
9.3	Design and or installation to be testable as part of the vehicle compliance test (or persons acting on behalf of the council – such as vehicle inspectors)	The system shall be designed and installed such that the system may be easily tested as part of vehicle compliance test as prescribed.
10	General System Requirements	
10.1	Vandal and tamper resistance	All component parts must be securely mounted, hard wired and small and discreet enough to remove the risk of tampering.
10.2	Provision of statement of compliance	In addition to a formal test of all aspects of this requirement specification, a statement of compliance shall be provided and signed by an officer of the company.
10.3	Reliability in operational and environmental conditions	The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation of taxis.
10.4	Programmability of image timing parameters	It shall be possible to change timing and parameters without the requirement to change components.
10.5	Training and Technical Support and Equipment	Manufacturer must provide the Council Licensing Team with a Training and Technical support
10.6	Software and Hardware	Manufacturer to supply the Council Licensing Team with a supply of cables and software to be installed under the supervision of the council's authorised staff.
10.7	Agreement between the Camera Manufacturer and the Council	Agreement to allow the Council access to the relevant software from the supplier so that in the event the manufacturer goes out of business, council will be able to support the system.

CCTV Questions

Organisation Name: MCD Security Systems Ltd

Contact Details: St Johns Court, 5 Square Street. Bradford, BD4 7NP, 01274 449 786

Can you meet the specification attached to the email?

Yes we can meet the specification set

what is the cost for the system, including fitting?

The cost of the system is £460 inc VAT Fitted, which includes the camera, DVR with a 1TB Hard Drive

What support do you offer to ensure drivers can use and operate the system?

We can give full training to each driver at the consent of the council, however from experience it is best the council become the data controllers to ensure data integrity.

What is the cost to move the system from one vehicle to another?

£150 plus VAT fitted

Does your organisation offer any form of financing packages?

We can offer a split payment plan which means the drivers pay 50% deposit and pay the remaining on installation.

Where would vehicles be required to go to have the equipment fitted?

At our Bradford offices as we have a workshop there with waiting room facilities. From here we have done over 500 vehicles for Rotherham, Rossendale and private vehicles.

If enough drivers where to purchase units from you in one go, would you do a one off fitting within the district? If so, what would the minimum sign up number be?

If the drivers could have a group of 10 or more together we can drop the amount to £400 inc VAT per vehicle

What is your aftercare service like? Do cameras supplied by the company come with any form of warranty/guarantee and how does the company operate to resolve any issues with the CCTV system, that drivers may have? Eg when the device may break.

We over a no quibble 2 year warranty on the DVR, camera head, and audio/panic switches

How quickly can units be repaired once an issue is identified, does the vehicle have to go to a central location or do you have a maintenance team that will go to the vehicle?

We always have stock of equipment so in an event of an issue with the equipment the equipment will be replaced and allow us to repair the faulty equipment in our own time. Less downtime for the drivers CCTV system

Do you provide any temporary replacement equipment should it be required?

Yes this can provided if required as we say we always have stock so if required we can provide

Any there any additional costs/fees that may be incurred that have been missed?

Nothing missed, no hidden extras we like to be honest and straight with our customers.

The only thing like anything one the 2-year warranty is up we have to charge for any faults which are charged at £40 and anything further for equipment required.

We offer a service plan for drivers who wish to extend the warranty for a year. Cost of this is £120 plus VAT for year. This can be paid as a Standing Order through the bank or a one of payment

Any other comments:

CCTV Questions

Organisation Name: **AC Security Solutions Ltd**

Contact Details: **Eric Leon, Managing Director: 0208 391 8369 & 07802 248 330**
or Lucy Cooper Customer Relationship Manager: 0208 391 8362

Can you meet the specification attached to the email?

Yes, we do offer CCTV systems meeting these specifications (see attached examples)

what is the cost for the system, including fitting?

For a two-camera system with 2 separate triggers and visual indicator the installed cost would be approximately £520 + VAT for a single vehicle. For a four-camera system, the cost would be cost around £630 + VAT. For larger number of vehicles, the cost would be lower. Please see attached for example of prices.

What support do you offer to ensure drivers can use and operate the system?

We provide instruction card as well as a simple notice of use. We have a phone help desk and our certified installers can help drivers understand how to operate the system.

What is the cost to move the system from one vehicle to another?

It is usually a simple operation that cost around £100 for a straight swap even if cables have to be replaced.

Does your organisation offer any form of financing packages?

Yes, we can offer leasing arrangements or financing over a set period subject to credit check.

Where would vehicles be required to go to have the equipment fitted?

Although our own engineers can fit vehicles nationwide, we prefer to operate through local certified installers. We provide all the training and necessary support to these installers.

If enough drivers where to purchase units from you in one go, would you do a one-off fitting within the district? If so, what would the minimum sign up number be?

Initially we may wish to do the first few fittings ourselves and therefore would prefer to have at least four vehicles to fit in a day in the district.

What is your aftercare service like? Do cameras supplied by the company come with any form of warranty/guarantee and how does the company operate to resolve any issues with the CCTV system, that drivers may have? Eg when the device may break.

We normally offer a two-year warranty That can be extended up to 5 years at a modest additional cost. Our local installers would provide the after-care service. Any issues can be addressed on the

spot and the part replaced immediately. We provide a stock of spares to our certified installers and in Case of emergency can send a new system within 24 hours.

How quickly can units be repaired once an issue is identified, does the vehicle have to go to a central location or do you have a maintenance team that will go to the vehicle?

Normally the driver will have to go to our local installer site for repairs. Exceptionally we can send an engineer to where the vehicle is located but a charge may be applied.

Do you provide any temporary replacement equipment should it be required?

Yes, we can. Our local installers would normally swap the DVR and send the malfunctioning one to us for repair.

Any there any additional costs/fees that may be incurred that have been missed?

Not we can think of.

Any other comments:

As with other Councils, onsite training and support can be provided to the District Council (Licensing Office), as the Data Controller. Training could include operation of the system and/or downloading recordings.

We can also provide training to the Police if required. Depending on the amount of time involved a modest charge may be required. Any online or telephone support is provided free of charge.

Safesystems

what is the cost for the system for this including fitting?

Basic 2 camera system is £500, if vehicles are brought to our depot then fitting is included, we do however have a local fitter in craven who is on our approved list of installers, but that does incur a fitting fee of £100+vat, so the cost including fitting is drivers choice, £500 with a small journey, or £620 installed locally.

What is the cost to move the system from one vehicle to another?

£150 which includes removal, storage, refitting reprogramming and re certifying, which then maintains the warranty.

Does your organisation offer any form of financing packages?

Yes, we can offer a finance option for anyone who needs this through our independently contracted finance house with a 20% deposit, and then payments calculated based on the number of months over which the drivers choose to pay. (up to 12 months)

Where would vehicles be required to go to have the equipment fitted?

As above, they will have the option to come to us saving themselves the installation fee, or go to the installer in craven at the additional installation fee

If enough drivers where to purchase units from you would you do a one off fitting within the district? If so, what would the minimum sign up number be?

Not sure that would be possible since the time taken to install would be the same per vehicle regardless of how many were booked in

What is your aftercare service like? Do cameras supplied by the company come with any form of warranty/guarantee and how does the company operate to resolve any issues with cameras that they may have? Eg when the device may break.

We are well known for our after care service throughout other areas where we are very successful, including rotherham and Rossendale, we offer a 2 years parts and labour guarantee, any issues which are brought to us will be resolved immediately with no appointment necessary, any issues which we need to go to would of course necessitate an appointment to be arranged. We are every proud to say we have very few "breakages" all of which are resolved and repaired within 48 hours access to vehicle permitting.

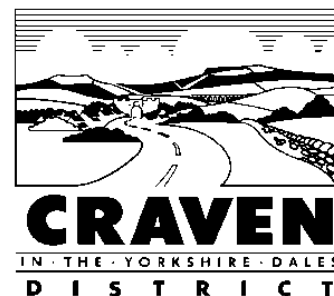
Any additional costs/fees that may be incurred that may have been missed?

No additional costs or fees.

Licensing Committee –
27th January 2020

Officer Scheme of Delegation

**Report of the Solicitor to the Council (Monitoring
Officer)**



Ward(s) affected: All

- 1. Purpose of Report** – to consider undertaking a review of the Terms of Reference for the Licensing and Appeals Sub-Committee.
- 2. Recommendations** – Members are
- 3. Report**
 - 3.1 In June 2017 this Committee considered a report proposing that the Officer Scheme of Delegation be amended to authorise the suspension and/or revocation of Hackney Carriage and Private Hire Drivers, Vehicle and Operators Licences. Had Members been minded to approve this proposal it would have necessitated an amendment to the Licensing and Appeals Sub-Committee Terms of Reference to hear informal appeals against decisions to refuse applications, suspend or revoke licences.
 - 3.2 A copy of the report of the Licensing Solicitor is attached as Appendix A.
 - 3.3 After a lengthy debate, Members resolved not to approve the amendments proposed.
 - 3.4 At a recent meeting of the Licensing and Appeals Sub-Committee, there was some concern expressed that Officers hadn't taken immediate action in relation to a taxi licensing matter.
 - 3.5 Given that it is some time since both the Terms of Reference and the Scheme of Delegation to Officers were last reviewed, Members are asked to consider whether it would now be appropriate to review the two, particularly as the revised Hackney Carriage and Private Hire Licensing Policy has been in place for over 12 months.
 - 3.6 If Members are minded to review the Terms of Reference and the Scheme of Delegation, it is suggested that a report is presented to the next meeting of the Committee for consideration.

4. Financial and Value for Money Implications

4.1 There are no financial implications arising directly from the report.

5. Legal Implications

5.1 There are no legal implications arising directly from the report.

6. Contribution to Council Priorities

6.1 Not applicable.

7. Risk Management

7.1 Not applicable.

8. Equality Impact Analysis

8.1 Not applicable.

9. Consultations with Others

9.1 None.

10. Background Documents

10.1 None.

11. Appendix

Appendix A – Report dated 13th June 2017

12. Author of the Report

Annette Moppett, Solicitor to the Council (Monitoring Officer)

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

Licensing Committee – 13 June 2017



Terms of References and Officer Scheme of Delegation

Report of the Licensing Solicitor

Ward(s) affected: ALL

1. **Purpose of Report** – To consider the Terms of Reference for the Licensing and Appeals Sub Committee and make associated amendments to the Officer Scheme of Delegation
2. **Recommendations** – Members are asked to
 - 2.1 Amend the Officer Scheme of Delegation to grant delegated authority to the Chief Executive to authorise suspension and revocation of Hackney Carriage and Private Hire Drivers, Vehicle and Operators Licences
 - 2.2 Amend the Licensing and Appeals Sub Committee Terms of Reference to hear informal appeals against decisions to refuse applications, suspend or revoke licences
 - 2.3 Approve a system of appointment to a Licensing and Appeals Sub Committee by way of a rolling alphabetical list of Members of the Licensing Committee.
3. **Report**
 - 3.1 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides that the Council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or private hire vehicle on any of the following grounds:
 - (a) That he has since the grant of the licence
 - (i) Been convicted of an offence involving dishonesty, indecency or violence; or
 - (ii) Been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of this of this Act; or
 - (b) Any other reasonable cause.
 - 3.2 Section 61(2) goes on to provide that a suspension or revocation normally takes effect at the end of the period of 21 days beginning on the day on which notice is given to the driver but;

If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, and the notice given to the driver includes the statement that this is so and an explanation why then the suspension or revocation takes immediate effect when the notice is given.

These provisions (setting out when the decision takes effect) were inserted by the Road Safety Act 2006.

- 3.3 The decision must be taken in the interests of public safety and should be fair, reasonable, proportionate and in accordance with human rights and natural justice principles.
- 3.3 The Licensing Authority may come into possession of information that raises concerns as to whether a person holding a taxi driver's licence remains a fit and proper person. For example, the council may have been informed that a driver has been charged with a serious criminal offence. The practice of a number of councils has been to suspend the driver's licence under s.61 in order to allow a full investigation into the matter to be conducted and to consider at a later date what action, including revocation, should be taken.
- 3.4 Following the case of *R (application of Singh) v Cardiff City Council* this approach is being challenged as unlawful. The case establishes that the Act provides no sanction or power of interim suspension: Suspension "is rather after a considered determination a final decision on whether a ground for either revocation, or suspension of a licence is made out". This means that suspension is a sanction and cannot be used as an administrative measure to allow an authority to investigate matters: "it is not, as it were, a protective or holding power. It is a power of final suspension, as alternative to a power of final revocation". It is, therefore, a final determination on the fitness and propriety of the driver and, as such, appealable.
- 3.5 This curtailment in the use of suspensions means that the current Scheme of Delegation and Terms of Reference make it difficult for the Licensing Authority to act quickly when information is received that calls in question whether a driver remains "fit and proper". The current arrangements allow a driver to continue to drive while a Licensing and Appeals Sub Committee is held.
- 3.6 It is proposed that the Scheme of Delegation is amended to grant delegated authority to the Chief Executive suspend or revoke Hackney Carriage and Private Hire Driver, Vehicle and Operator licence. In order to continue to include Members in such decision it is proposed that the Terms of Reference of the Licensing and Appeals Sub Committee are amended to include a right of appeal for Drivers and Operators to the Licensing and Appeals Sub Committee.
- 3.7 Should Members accept the proposals it is further suggested that the Scheme of Delegation is further amended to grant delegated authority to the Chief Executive to refuse such applications. It is again proposed that there would be a corresponding right of appeal to the Licensing and Appeals Sub Committee.

3.8 The proposed changes to the Scheme of Delegation and Terms of Reference would mean that the Licensing Authority is better placed to be able to deal with concerns promptly while retaining Member involvement in the form of an appeals process.

3.9 Drivers and Operators would still have a right of appeal to the Magistrates Court.

3.10 In terms of setting up Licensing and Appeals Sub Committee, Members will be aware that three Members of the Licensing Committee are required to sit on each Sub Committee. In order to assist Officers in setting up Sub Committees promptly and efficiently it is proposed that the membership of a particular Sub Committee is selected from Members of the Licensing Committee in rolling alphabetical order of surname of those who can participate in the Sub Committee. This should result in the Sub Committees being shared equally between Members. There is some flexibility in terms of when Sub Committees can be heard and recent Sub Committees have taken place in the day time and evening to accommodate Members.

4. **Implications**

4.1 **Financial Implications** – None arising directly from the report.

4.2 **Legal Implications** – None.

4.3 **Contribution to Council Priorities** – Not applicable.

4.4 **Risk Management** – Not applicable.

4.5 **Equality Analysis** – Not applicable.

5. **Consultations with Others** – None.

6. **Access to Information: Background Documents** – Not applicable.

7. **Author of the Report** – Lisa Lord, Solicitor; e-mail: LLord@cravendc.gov.uk.

8. **Appendices** –
Appendix A – Current Terms of Reference

COMMITTEE	<u>LICENSING COMMITTEE</u>
MEMBERSHIP	12 Members of the Council
LEAD OFFICER	Legal Services Manager and Solicitor to the Council
SUB-COMMITTEE	Licensing and Appeals Sub-Committee
<p>TERMS OF REFERENCE</p> <p>The Licensing Committee will exercise all the Council's powers relating to the discharge by the Council of its licensing functions, subject to its recommending policy for those areas that fall outside the budget or framework policy which will be submitted to the Council Meeting for approval or adoption.</p> <p>For the avoidance of doubt, the Licensing Committee will recommend fees to the Council Meeting for approval or adoption for all the Council's licensing functions.</p> <p>The Licensing Committee will (save as set out above) exercise all the Council's licensing and registration functions including relating to:</p> <ul style="list-style-type: none"> (a) licensing under the Licensing Act 2003 (b) gambling or gaming under the Gaming Act 1968 and the Gambling Act 2005 (c) decisions upon applications under Schedule 1 part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (d) the control of sex establishments pursuant to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 (e) licensing under the Scrap Metal Dealers Act 2013 <p>The Licensing Committee will set the parameters within which licensing applications will be dealt with by this Committee or the Licensing Sub Committee or under the Scheme of Delegation to Officers.</p>	

COMMITTEE	<u>LICENSING AND APPEALS SUB-COMMITTEE</u>
MEMBERSHIP	3 Members of the Licensing Committee
LEAD OFFICER	Legal Services Manager and Solicitor to the Council
SERVICE PLANNING RESPONSIBILITIES	Licensing Committee
<p>TERMS OF REFERENCE</p> <p>To determine matters relating to the discharge by the Council of its licensing and gambling related functions under the Licensing Act 2003, the Gaming Act 1968 and Gambling Act 2005, and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 namely:</p> <ul style="list-style-type: none"> (a) Licensing Act 2003 <p>To discharge any function exercisable by the full committee in respect of any application licence, permit or consent subject to any direction given by the full committee</p>	

(b) Gambling Act 2005

To discharge any function exercisable by the full committee in respect of any application, licence, permit or consent subject to any direction given by the full committee. In particular, the Licensing and Appeals Sub Committee shall determine new premise licence applications under the Gambling Act.

(c) Local Authorities (Functions and Responsibilities) (England) Regulations 2000

To discharge any function exercisable by the full committee subject to any direction given by the full committee and to act as an Appeals Panel from Officer decisions upon applications under part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

(d) all other applications and appeals relating to the Council's licensing functions, which are not delegated to officers.

In respect of Hackney Carriage and Private Hire licences the Licensing and Appeals Sub-Committee will determine matters where an Officer is minded to refuse an application or revoke a licence.