

LICENSING COMMITTEE

WEDNESDAY, 30 OCTOBER 2019

PRESENT:- Councillors Vera Tomlinson (Chair), Abdul Amin, John Ballman, Malcolm Davies, Paul Dixon, Steph Exell, Nick Martin, Brian Mattock, Garry Perkins, Imtiyaz Shaikh, Caryl Sydney-Smith and Peter Watts.

Apologies for absence were received from Councillors Alan Bishop, Emma Faramarzi and Nadine Watts.

22. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting. Councillor Abdul Amin made a non prejudicial declaration of interest in respect of Agenda Item No. 4 as he had a number of friends in the Hackney Carriage and Private Hire trade.

23. Minutes

Resolved – That the minutes of the meeting held on 5th September 2019, be confirmed and signed as a correct record.

24. Public Question Time

Ms Tracey Waggott submitted written questions in respect of (i) consultation for any mandatory policy for CCTV in Taxis, (ii) the involvement of the Taxi trade in any consultation, and (iii) an assessment of costs involved in the introduction of a mandatory policy for CCTV in Taxis. The Council's Licensing Manager responded at the meeting.

Mr Andy Lucas made comments and asked public questions relating to (i) the wording of paragraph 3.15 of the report, (ii) whether there was sufficient grounds for the introductory of mandatory CCTV in Taxis, (iii) the cost implication of installing CCTV in Taxis, (iv) the rationale for the introduction of a voluntary policy of the installation of CCTV in Taxis given the Government was considering the introduction of a mandatory policy, and (iv) guidance sought from neighbouring Licensing Authorities when producing the report on a voluntary policy for the installation of CCTV in Taxis as work was sometimes undertaken in other licensed areas. The Solicitor to the Committee and Council's Licensing Manager responded at the meeting.

Mr John Stocker made comments and asked public questions relating to (i) drivers being forced to install CCTV in their Taxis, (ii) who controlled the data arising from this use, and (iii) the need for a review of the Licensing Department. The Chair and the Council's Licensing Manager responded at the meeting.

Mr Keith Radway made comments and asked public questions relating to (i) the voluntary use of CCTV in Taxis and standards applicable to such installation and use, (ii) the decision taken at the previous meeting regarding the use of front seats in Hackney Carriages and the difference between licensing this for new and

renewed licenses. The Chair, Solicitor to the Committee and Council's Licensing Manager responded at the meeting.

25. Introduction of CCTV in Private Hire and Hackney Carriage Vehicles

The Committee considered (a) a report of the Head of Planning, Regulatory Services and Heritage concerning the introduction of the voluntary installation of CCTV in Private Hire and Hackney Carriage vehicles licensed by Swindon Borough Council, taking into account representations made during the consultation on the mandatory installation of CCTV in licensed vehicles and other material considerations, and (b) the comments of the Council's Licensing Manager in introducing the report.

Resolved – (1) That the representations made during the public consultation process for the introduction of the mandatory installation of CCTV in licensed vehicles.

(2) That the Licensing Manager be authorised to continue with the potential introduction of mandatory installation of CCTV in all licensed vehicles but to await the publication of formal government Department for Transport ("DfT") guidance following their recent Task & Finish Group consultation document before formulating Swindon Borough Council's policy, which will be brought before the Licensing Committee and will need to include consulting the Surveillance Camera Commissioner and the Information Commissioner's Office ("ICO") regarding Swindon Borough Council's consultation, evidence and Data Protection Impact Assessment ("DPIA") and that any change of policy be submitted to this Committee.

(3) That licensed drivers be encouraged to enter into a voluntary agreement to install CCTV subject to appropriate conditions including (i) their registration with ICO, as a data controller, (ii) their adherence to the Surveillance Camera Commissioners Code of Practice – documented processes and procedures in place, including their information security and data encryption arrangements, and (iii) their completion of a data protection impact assessment.

(4) That the Council's Licensing Manager be authorised to agree the wording of such conditions in respect of voluntary installation of CCTV.