

## Licensing Committee Workshop 20 September 2022

### Part 1 -CCTV

1. In November 2019, after considerable consultation, the Licensing Committee determined that all licensed hackney carriage and private hire vehicles would be required to be fitted with CCTV by no later than March 2021. However, at the Licensing Committee meeting on 7 September 2021, as a result of the pandemic, it was agreed It was agreed that the CCTV would be implemented by no later than 1 March 2023, with precise wording to be agreed upon at a later date.
2. Members were advised that in July 2020 the Department for Transport Statutory Taxi & Private Hire Vehicle Standards were published and stated that “Imposition of a blanket policy to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and **will therefore require an appropriately strong justification** and must be kept under regular review. Members had not previously been presented with sufficient evidence to continue to mandate that CCTV but had agreed that the imposition of the requirement was appropriate.
3. Officers have considered data relating to incidents within licensed hackney carriage and private hire vehicles, based upon reported incidents to the Licensing Authority, and to crime/incident reports force-wide received from Cambridgeshire Police, and consider that there is adequate justification to mandate the installation of CCTV in licensed vehicles.
4. However, **none** of the reported crimes or incidents related to executive hire exempted vehicles. In addition, due to the nature of contract hire, executive drivers are much less likely to transport vulnerable persons and do not generally work in the night-time economy, as such this part of the sector is deemed a lower risk.
5. In addition, the typical executive hire trade is made up of 75-80% repeat corporate customers who book their journeys well in advance, and are therefore known to the companies and drivers, and are not undertaking the higher risk late night city centre pick-ups.
6. For those reasons, requiring executive hire proprietors to install CCTV is **not** proportionate or suitably evidenced. Legal Services have confirmed they agree with this assessment.

### Reports to SCDC

Nature of Offence	2017	2018	2019	2020	2021	2022	Total
Sexual advances/assault	2	3	2	1	0	1	9
Child sexual exploitation	2	0	0	0	0	0	2
Aggressive/threatening behaviour	1	0	1	1	0	5	8
Inappropriate conduct	0	1	1	0	2	5	9

**REPORTED INCIDENTS WHERE “TAXI DRIVER” STATED AS OCCUPATION SUSPECT (JANUARY 2021-FEBRUARY 2022)**

<b>DISTRICT</b>	<b>NUMBER OF REPORTS</b>	<b>INCIDENTS WITHIN VEHICLE</b>
South Cambridgeshire CDC	6	0
Cambridge City Council	24	5 (4 relate to same incident)
Peterborough City Council	44	12
East Cambridgeshire District Council	3	1
Fenland District Council	1	0
Cambridgeshire (as marker)	2	1
<b>Total</b>	<b>83</b>	<b>19</b>

<b>OFFENCE TYPE</b>	<b>TOTAL</b>
Assault with injury	2
Assault without injury	2
Cause fear, alarm, or distress	1
Drug trafficking	2
Kidnapping	6
Make off without payment	2
Public order	1
Sexual assault	2
Theft	1
<b>Total</b>	<b>19</b>

7. The installation costs have been estimated at between £75 to £100 for a single camera system, and £100-£180 for a two-camera system, with units costing around £320 for a single camera unit with one panic button, to around £400 to £500 for a two-camera unit with two panic buttons.
8. One company have advised that they estimate an installation could take up to one day to complete and can provide 6 installers. The other company are intending to use local installers, and it is anticipated that once trained, they could install CCTV in up to 4 vehicles per day, so with 2 installers, this could potentially install 40 units per week. Another provider has advised that they can provide a Cambridge based installation service and could install a two-camera system within two hours at a cost of £120 to £180.

9. In addition, car entertainment system installers have been contacted, and have confirmed they should be able to install any approved CCTV system. In light of this, there should be suitable provision of installers over a phased approach.

## Proposals

Current Policy – CCTV	Proposal and Rationale
<p>All Hackney Carriage and Private Hire vehicles must be fitted with a Council approved CCTV system no later than <b>31 March 2023</b>.</p> <p>Drivers, proprietors, and operators must notify this Licensing Authority prior to installation. They must be registered with the ICO (Information Commissioners Office) if required and comply with all aspects of data protection and CCTV codes of practice, including clear signage that the vehicle uses CCTV. Further information can</p>	<p><b>(i) All Hackney Carriage and Private Hire vehicles (with the exception of exempted executive hire) must be fitted with a Council approved CCTV system.</b></p> <p>As per the evidence above, there is no pressing need or justification to mandate CCTV in executive hire vehicles at this time.</p> <p><b>(ii) Any newly licensed vehicle must have CCTV installed prior to licensing from 1 April 2023 and existing licences must have CCTV installed on renewal from 1 April 2023.</b></p> <p>Considering the impacts of the pandemic, and global economic crisis, an extension to the implementation would seem appropriate and pragmatic, whilst supporting the trade and discouraging drivers from surrendering their SCDC licences and applying to other Councils who do not require CCTV.</p> <p>Implementing a phased approach to the installation of CCTV would ensure that suppliers and installers could meet the demands, whilst enabling effective administration of the new requirements.</p> <p>The 1 April implementation date has been recommended by Cambridge City Council and was due to be considered at the City’s Licensing Committee on 12 September 2002. Aligning implementation dates with the two Authorities is a sensible approach and supports the wish of Members to have policies aligned insofar as possible. In addition, the additional period will allow for all required administrative processes to be implemented effectively.</p> <p><b>(iii) Remove the requirement to notify this Licensing Authority prior to installation (of CCTV).</b></p> <p>With the phased approach, vehicles will be required to have CCTV installed on renewal or grant, notifying the Council in advance is an unnecessary administrative burden.</p>

be found on the following link  
<https://ico.org.uk/>.

**(iv) Agree to add to the Policy: “Where a fault of the CCTV system is identified that this must be reported to the Licensing Authority within 24 hours, and if the fault is not rectified within 5 working days, the vehicle will be suspended until the CCTV equipment is fully operational.”**

To provide a suitable timeframe for malfunctions to be addressed and determine the process for dealing with vehicles without operational CCTV.

## Part 2 – Age of Vehicles/Emissions

### Background

1. The 2019 Policy stipulated that all vehicles must be ULEV/Zero emission by December 2021. At the Licensing Committee meeting in November 2021, Members agreed that the financial impact of the pandemic had in effect “stopped the clock”, and to support the trade would consider an additional 2 years a sensible and supportive approach. In addition it was anticipated that within the period up to December 2023, there will be continued progress with regards to technology, with much improved mileage range and availability of electric vehicles, with a wider and more robust charging point infrastructure to enable the Trade to meet the new Policy effectively. In addition, the period will help the trade “prepare” for the investments into new compliant vehicles post pandemic.

### 2. Current Policy

Until 1 December 2023, a new licence will be **granted** for a vehicle if it is;

- Euro 6 compliant and less than 4 years old, or
- Zero or ultra-low emission

A licence will be **renewed** only if it is at least Euro 5 emission standards, subject to provision of a satisfactory MOT Test Certificate and Certificate of Compliance.

Provisionally, **from 1 December 2023**, a licence will be renewed only if it is

- Euro 6 compliant, or
- Zero or ultra-low emissions category

To incentivise investment in ULEV and Zero Emission Vehicles, this rule will be extended as follows

- A vehicle licence will not be renewed for an Ultra-low emissions vehicle unless the vehicle is less than 12 years old.

- A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old.

### 3. Vehicle Emissions

The Euro 6 standard was mandatory for all newly registered vehicles from September 2015. As can be noted in the table below, Euro 6 standard provides comparable harmful emissions limits between petrol and diesel (for example the permitted NOx nitrogen oxides is slightly higher in diesels, whereas the carbon monoxide emissions from diesels is lower.

#### Euro 6 emission limits (petrol)

- **CO** – 1.0 g/km
- **HC** – 0.10 g/km
- **NOx** – 0.06 g/km
- **PM** – 0.005 g/km (direct injection only)
- **PM** –  $6.0 \times 10^{-11}$  g/km (direct injection only)

#### Euro 6 emission limits (diesel)

- **CO** – 0.50 g/km
- **HC+ NOx** – 0.17 g/km
- **NOx** – 0.08 g/km
- **PM** – 0.005 g/km
- **PM** –  $6.0 \times 10^{-11}$  g/km

### 4. Euro 5

The current Policy allows the renewal of Euro 5 vehicles potentially until August 2024 (the 9-year age limit for renewals will take effect in December 2023).

### 5. Considerations

#### (i) Charging Infrastructure

A consideration for the Committee was the lack of charging points and infrastructure, there has been a little progress with 2 rapid chargers to be installed in the Council Car Park.

#### (ii) Financial Implications

Members were supportive of the trade when considering the impact the pandemic had, now we the biggest impact for consideration is the financial crisis, cost of living, fuel prices and this impact on the trade, which is still far from the level it was pre-pandemic.

#### (iii) Challenge to Policy

To date, 2 applicants who had purchased vehicles over the 4-year age limit have been successful in appealing to Panel.

#### **(iv) Cambridge City Council Policy**

The Licensing Committee were supportive of aligning with Cambridge City Council insofar as possible with the vehicle policies.

The City Council implemented a zero/ultra-low emissions policy, however, this was reviewed in June 2022 (to be reviewed in June 2024):

#### **New vehicle licences:**

- Ultra-low or zero emission (no age limit), or; **Until June 2024:** Standard hybrid vehicle (less than 4 years old), with CO2 emission levels less than 120g/km
- New multi-seater or Wheelchair Accessible vehicles must be less than 4 years from date of registration.

#### **Renewals:**

- Less than 9 years old (this is for currently licenced petrol and Diesel vehicles, and all multi-seater, Wheelchair Accessible vehicles, and standard hybrid vehicles.
- Less than 15 years old (Zero emission vehicle)
- Less than 12 years old (Ultra-Low Emission Plug- in vehicle)

(It was also agreed that standard hybrids vehicles too old to renew at the next renewal until June 2023 could be granted an extra year on current vehicle. In addition, where proof of purchase of a new zero/ultra-low emission vehicle is provided, the licence holder would not lose their licence and could continue to renew (as there have been considerable waiting periods for delivery).

#### **(v) Taxi and Private Hire Licensing - Best Practice Guidance**

The consultation which ended in the summer suggests that the setting of an arbitrary age limit may be inappropriate and counterproductive and result in higher costs to the trade and ultimately passengers. For example, a maximum age for first licensing may have adverse unintended consequences; a five-year-old used electric vehicle will produce less emissions than a new Euro 6 diesel or petrol fuel car – enabling the trade to make use of previously owned vehicles will assist it to transition more rapidly to zero emission vehicles and improve air quality. Licensing authorities should not impose age limits for the licensing of vehicles but should consider more targeted requirements to meet its policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.

## 6. Proposals

Current Policy	Proposal
<p><b>Until 1 December 2023</b>, a new licence will be granted for a vehicle if it is</p> <ul style="list-style-type: none"> <li>• Euro 6 compliant and less than 4 years old, or</li> <li>• Zero or ultra-low emissions</li> </ul> <p><b>Until 1 December 2023</b>, a licence will be renewed only if it is at least Euro 5 emission standards, subject to provision of a satisfactory MOT Test Certificate and Certificate of Compliance.</p> <p>Provisionally, <b>from 1 December 2023</b>, a licence will be renewed only if it is</p> <ul style="list-style-type: none"> <li>• Euro 6 compliant, or</li> <li>• Zero or ultra-low emissions category</li> </ul> <p>To incentivise investment in ULEV and Zero Emission Vehicles, this rule will be extended as follows</p> <ul style="list-style-type: none"> <li>• A vehicle licence will not be renewed for an Ultra-low emissions vehicle unless the vehicle is less than 12 years old.</li> <li>• A vehicle licence will not be renewed for a zero emissions vehicle unless the vehicle is less than 15 years old.</li> </ul>	<p><b>Until 1 December 2023:</b></p> <p>A new licence will be <b>granted</b> for a vehicle if it is</p> <ul style="list-style-type: none"> <li>• At least Euro 6 compliant or</li> <li>• Zero or ultra-low emission</li> </ul> <p>A licence will be <b>renewed</b> only if it is at least Euro 5 emission standards.</p> <p><b>From 1 December 2023</b></p> <p>A licence will only be granted if it is:</p> <ul style="list-style-type: none"> <li>• Euro 6 compliant</li> <li>• Zero or ultra-low emissions category</li> </ul> <p>A licence will only be renewed if it is:</p> <ul style="list-style-type: none"> <li>• Euro 6 compliant, or</li> <li>• Zero or ultra-low emissions category</li> </ul> <p>By no later than 1 December 2028, <b>all</b> licensed private hire and hackney carriage vehicles must be zero or ultra-low emission. This is to coincide with the restrictions for Cambridge City Centre access for Ultra-Low and Zero Emission licensed vehicles only</p> <p>This aspect will be kept under review and may be modified by the Authority at a prior date.</p>