

CCTV Consultation Meeting

Date: 21/12/2023

Time: 2pm

Venue: Sand Martin House

Attendees: Jacqui Harvey, Terri Martin, Maria Crowe, Adrian Day, Zameer Ali, Nawab Khan, Amran Masood, Tahir Chaudhary, Nigel Clipston, Ali Haider, Mohammed Tauseef and Mohammed Zahoor

Chair: Jacqui Harvey

Apologies: Peter Gell

| Item no. | Item |
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| 1. | <p><u>Introductions</u> Jacqui Harvey (JH) starts the meeting by introducing herself and explaining her role as Head of Operations. JH then invited everyone to go around the table and introduce themselves which they did.</p> |
| 2. | <p><u>General overview of consultation process</u> JH gave the following overview of the consultation process: The Local Authority operate through a democracy, and they determine the issues we look into. Policy suggested that consideration be given to CCTV. The reason for a consultation is to open discussions between the local authority, the public and the trade. The Local Authority are conscious that the trade is the most affected by the suggestion of CCTV. With regards to the consultation length, the minimum and maximum times a consultation lasts are set by members. Ten weeks is completely lawful, this has been confirmed by our legal team. The committee will convene in July and the trade will have the chance to make their representations at the hearing. We have had 300 representations so far. If after the hearing the trade are unhappy with the result this can be taken to judicial review.</p> |
| 3. | <p><u>Hackney Federation Concerns</u> The following concerns/points/questions were raised by the Hackney Carriage Federation:</p> <ul style="list-style-type: none"> • The majority of the trade are against CCTV. <p>JH response: JH explains that there is a significant push for CCTV by responsible authorities.</p> <ul style="list-style-type: none"> • Incidents reported to the Police are never followed up and action is never taken. • Police are institutionally racist – when public report incident the police will investigate, when driver report police do not investigate. <p>JH response: JH explained that there are currently on-going issues with the Police, including with press releases which the trade is aware of. JH advised that all partnership working with the Police is currently on hold until they can come on board with our way of working with businesses. JH also advised that the Police will not be the data controller and that they can ask to see footage but have no right to the data.</p> <ul style="list-style-type: none"> • If drivers request a copy of the footage from the CCTV will they be charged for this? <p>JH response: JH advised that there would not be a charge for this, and that this will be written into the Policy. Unless there is a law change then there will not be a charge for the footage.</p> <ul style="list-style-type: none"> • Drivers will be paying all costs but will not benefit. • The trade would be happy for CCTV to be installed on a voluntary basis to allow it to be brought in in small steps before mandating it. <p>JH response: JH advised that she is happy to include the discretionary option as she will be required to offer a number of options within the committee report.</p> |

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| | <ul style="list-style-type: none"> • Drivers should be able to choose the company that installs the cameras, but with the specification detailed by the local authority. <p>JH response: JH explained that the consultation is very broad and that many companies are being considered for the installation of cameras.</p> <ul style="list-style-type: none"> • Drivers are financially struggling at the moment. <p>Representation made by Hackney Carriage and Private Hire federations: The best option if CCTV was to be brought in would be that it is a discretionary scheme as opposed to a mandated scheme. Drivers could then sign up for this if they wish, and PCC can regulate.</p> <p>JH explained that the text boxes included in the consultation questionnaire are “free type” so that representations can be included as well.</p> <p>The Hackney Carriage Federation explained that not all drivers have the ability to put in written representations.</p> <p>JH explained that, for this reason, we will be running a workshop that will enable drivers to come and speak to us to ask any questions and/or make representations.</p> |
| 4. | <p><u>Private Hire Federation concerns</u></p> <p>The following concerns/points/questions were raised by the Private Hire Federation:</p> <ul style="list-style-type: none"> • Drivers are willing to strike as they are very unhappy with the proposals. • Consultation – it is written very poorly and is very leading. Information in the consultation is factually incorrect. • Survey – information is factually incorrect and out of date. <p>JH response: JH explained that at the time a consultation is drafted all information is correct, but during the time of the consultation information will change, therefore, there will always be parts that are out of date. JH explained that it's very difficult to put together questions for a survey to match national guidance, but by having the open questions in the survey with free type text boxes it means people can free type their thoughts into the survey.</p> <ul style="list-style-type: none"> • Insurance discount mentioned is incorrect and untrue. <p>Terri Martin (TM) response: TM explained the information relating to the discount comes from best practice guidance from the LGA. The numbers included in the consultation come from there and then Google searches verified this. In all guidance available it states that a discount applies.</p> <p>JH issued apology for any misunderstanding regarding the verification of figures by using Google.</p> <p>Representation made by Private Hire Federation: PCC are indicating within the consultation that there will be a discount for insurance premiums, but this is untrue.</p> <ul style="list-style-type: none"> • We were told that it's going to be like a black box. However, the information a black box collects is not the same as CCTV. (Zamir listed what's recorded on a black box) <p>JH response: JH explained that whilst it's not a black box the data collection is similar.</p> <ul style="list-style-type: none"> • What data is going to be used, are you going to be checking speed etc? From what we understand data will be encrypted, but our fear is that today you're saying you're only going to use certain information, but at a later date you could decide to use other data. <p>JH response: JH explained that the primary reason for CCTV is to protect the driver and the public, not to look at speed etc. JH advised that the Police are not legally entitled to the data, and in the prevent crime agenda if we believe the Police are “fishing” for information we can refuse their request for data.</p> |

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- Both federations raised concerns regarding their privacy and their rights. There is a belief that Bluetooth could be used to unlawfully collect data. Questions were also raised as to whether the public can request a copy of CCTV footage.

JH response: JH explained that the drivers are also able to request the data, and we have to supply it to them upon request. Also advising that the public can request the data, but we will only provide it if they have reasonable grounds for requesting it, and after speaking to the driver first. With regards to Bluetooth being used to unlawfully collect data, if someone was to tamper with something that was mandated that would be illegal.

- Can audio recording be used at all times when there is a customer in the vehicle?

JH response: JH explained that this is possible, or the driver can press the panic button if a situation requires it, at which point the system would be recording audio and image.

- Both federations raise concerns regarding the licensing teams resources, and ability to deal with complaints and data requests should CCTV be implemented.

JH response: JH advised that the licensing team investigate every complaint as it is a statutory service, and that we will continue to do so. We do not have mandatory CCTV currently, but if this were to be implemented then the local authority will have to implement more staff.

- Article 8 requires a person that holds data, as it's our vehicle and data technically we should have access to it. Where do we stand on that?

Representation made by Private Hire Federation: Drivers should have access to their own footage under article 8.

- Drivers that are going to do something will turn the CCTV off beforehand. When drivers carry out school transport jobs the council do not pay us to drive off after the child is dropped off. The consultation states that after you turn the CCTV off it will continue to record for another 30 minutes.

Action: JH/TM to direct trade to section of consultation that covers timings of when cameras go off.

- If a driver failed to turn on his/her CCTV and an incident occurs what would be the implications?
- What would happen in the CCTV was not working?

JH response: JH explained that in this case we would investigate any complaint the same way as we do now. JH advised that if mandated CCTV will be expected to be operating when drivers are working. However, we (the local authority) accept that technical failures happen, and we would be reasonable in our approach to any enforcement, allowing time for the issue to be fixed.

- If a driver has an accident, would any replacement vehicle provided whilst the drivers own vehicle is repaired be required to have CCTV?
- Concerns over installation costs and maintenance costs.

JH response: JH explained that there is currently a lot of work on this aspect at the moment. A consultation is a discussion point and what it does is look at things in general. We are then able to put the meat on the bones. The representations we receive will be publicly listed and taken to the committee hearing. Issues raised in the representations will be worked on, and we will not go to committee until we have nailed those things down. Installation figures will be completely different by this point. Everything will be included in the committee report.

- HC federation – what happens if taxis come in from other areas, will they be expected to have CCTV?

Representation made by HC and PH federations: PCC are likely to lose trade.

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| | <ul style="list-style-type: none"> • HC federation – the drivers in this area have worked hard to gain a certain standard, and that standard is high. <p>Representation made by both federations: Peterborough will lose the high standard.</p> <ul style="list-style-type: none"> • Figures in regard to incidents within the consultation; you've written down thousands of journeys. This is a complete misrepresentation. <p>Representation made by PH federation: Figures of jobs carried out are misrepresentations. We believe that the trade is vastly bigger than indicated within the consultation.</p> <p>JH advises that evidence will be required to show this, and it will need to cover at least 3 years. JH suggested that figures should be averaged as the information will be in the public domain.</p> <ul style="list-style-type: none"> • Nigel Clipston (A2B): from a company point of view, we receive a lot of complaints. I think the number of complaints received will be overwhelming to PCC. When people know there is CCTV in vehicles problems could increase. From a business point of view, it's going to cause issues. The police contact me constantly to track people, drug dealers, if they know I have CCTV they'll be requesting that as well. <p>JH response: JH explained that if members decide to mandate CCTV then they will consider the size of the team.</p> |
| 5. | <p><u>Consultation end date</u></p> <p>JH proposes that the consultation is extended to the 2nd of February 2024, and that PCC will hold a driver workshop on the 25th of January 2024 to allow drivers to come along and speak to officers regarding any concerns they may have. The drop-in service will still go ahead as well.</p> <p>This was agreed by both trades.</p> <p>Zamir Ami (PH Federation) suggested that JH attends a federation meeting on the 25th of January 2024 Gladstone community centre.</p> <p>JH agreed to this but agreed that the drop-in service and workshop to be held at Sand Martin House will still go ahead on the same day.</p> <p>Both parties agreed to confirm all of this during the first week of February.</p> |
| 6. | <p><u>Federation meetings going forward</u></p> <p>JH advised that federation meetings will go ahead as usual but frequency of these needs to be agreed.</p> <p>HC federation agreed to a meeting every 2 months with JH as chair.</p> <p>PH federation agreed to a monthly meeting, but with JH to chair every other meeting.</p> <p>All parties agreed that these meetings will be minuted and a copy sent to all parties after the meeting.</p> |
| 7. | <p><u>Any other business</u></p> <p>Zamir Ali asked if the wording of the consultation would be amended. ZA believes that it should be as it is in the public domain.</p> |

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| | <p>JH explained that if we were to amend then we would have to start the consultation process again but advised that she would see the advice of our legal team with regards to making amendments.</p> <p>Zamir asked if JH had made a recommendation that drivers should get a grant to pay for the CCTV.</p> <p>JH advised that she has not.</p> <p>Representation made by Zamir: If it is mandated will PCC be providing any funding towards cameras?</p> |
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