



## To the Licensing Team

[licensingteam@colchester.gov.uk](mailto:licensingteam@colchester.gov.uk)

### Colchester Travel Plan Club response to Taxi Policy Consultation

Colchester Travel Plan (CTPC) works with 39 member organisations, employing over 12,000 staff, and educating over 20,000 students. We collectively promote sustainable travel and encourage travel behaviour change to reduce traffic congestion, improve air quality, improve health and encourage more active lifestyles.

### In response to the Taxi Policy consultation we make the following recommendations:

#### Encouraging Environmental Sustainability

##### *Air pollution*

6.4

*The Council further requires that drivers of licensed vehicles turn off their engines when waiting in the Borough's Air Quality Management Areas as set out on the plan at Appendix 1. There may be exceptional circumstances when drivers are permitted to wait with their engines idling*

We strongly recommend that Taxi drivers are required to turn off their engines when waiting **throughout the Borough** and not just in the air quality management area.

- We frequently notice Taxi drivers idling their engine outside schools, GP surgeries, hospitals and at the train station. School children, the elderly and people with heart and lung conditions are most at risk from air pollution.
- Colchester Borough Council and other CTPC members introduced a No Idling policy on Clean Air Day 21<sup>st</sup> June 2018. This is just the beginning of a wider campaign to encourage all drivers to turn off their engines when stationary regardless of where they are in the borough, so we feel the Taxi policy should be in line with the aims of this campaign.
- As an Ambassador for the Borough; Taxi drivers can show the community their commitment to reducing local air pollution and supporting the wider sustainability agenda
- In order for turning off when waiting to become an ingrained behaviour it needs to be consistently applied so it becomes automatic. Simply asking them to switch off when in the air quality management area and not elsewhere will not embed the habit.

#### Protection of the Public, Safeguarding Children and Vulnerable Persons and the Prevention of Crime

We recommend an additional subject is added into this area and/or Driving Training.

**Safe distances for passing cyclists.**

'Close passes' of cyclists are a major barrier to encouraging more people to cycle and research shows that 52 % of drivers are unaware of how much space they need to give when passing cyclists.

The government has made a commitment to improve education around passing cyclists especially through driving instructors and the police force.

As a growing town with an air quality management area and traffic congestion, we need to encourage more people onto bikes.

As Taxi drivers are out on the road all day, we recommend a compulsory part of gaining/renewing a licence should be education on close passes. This could be delivered by the Council's Approved Driving Assessors accompanied by:

- Compulsory Bikeability training so that Taxi drivers receive practical experience of cycling and the guidance cyclists are given for interacting with other road users.
- Cycling UK's 3 minute educational virtual reality film which gives a driver the opportunity to see what it feels like to be a cyclist when someone passes them too closely in a vehicle. It also provides information about how to pass safely.

The VR film in both [20](#) and [30](#) is available on the Cycling UK YouTube channel: <https://www.youtube.com/user/CTCOnline/videos>

Colchester Travel Plan Club

Coordinators Emily Harrup & Pam Nelson

01206 506476

## Annex 1

<https://www.taxi-point.co.uk/single-post/2018/09/10/CCTV-in-taxis-What-is-the-law-on-continuous-recording>

You may find this article helpful in regards to CCTV in taxis and private hire

---

Good Morning all

I have today received your letter dated 10 September regarding the above Consultation.

There are a couple of points in the Consultation that I will address formally in a further e mail, but in the meantime may I ask a couple of questions regarding CCTV specifically.

1. The specification you require is to a very high quality, may I please ask for what supplier system you based the specification on?
2. What was the quoted price for supply and fitting?
3. Was any potential discount offered for supply to the the Authority's licensed vehicle fleet?
4. Do the Council intend to subsidise the costing for equipment to this specification?

I have had a brief look on line and would anticipate the cost to each vehicle to be quite considerable. Unfortunately a lot of suppliers do not publish full specifications for their systems so it is very difficult to get a comparison between different systems.

Back in the day, after some research, the Hackney Trade were offered a CCTV system supplied and fitted for around £120.00 deposit and an ongoing charge of around £10.00 per week. For the life of me, I cannot remember the supplier but it may still be on the F drive somewhere. Have the Council looked at this option?

Hope you are all well and I look forward to hearing back from you in due course.

---

Dear Sir/Madam

With regards to your recent publication of a new taxi policy and conditions, I noticed that under the dress code you have added a preclusion against the wearing of baseball caps. This seems to me a bit strange, I personally wear one when driving for practical reasons, it is much more efficient in keeping the sun out of your eyes than the standard in car visor, especially because it covers side dazzling and still allows you to have full view of your mirrors. It also during the day reduces glare even when not driving into direct sunlight.

On another point, in this day and age they are an acceptable part of actual uniform for all kinds of people from postmen to fully uniformed police officers, in fact your own parking enforcement officers wear them.

I can understand if you ask that they are a simple plain colour without any logos or team emblems, same as shirts, but to ban them outright is, frankly, unreasonable.

On another point, could I please ask how to go about viewing a historical copy of the hackney carriages register from previous years? I'm particularly interested in how plate 105 became exempt from being a wheelchair accessible vehicle.

---

Dear Licensing team,

Thank you for the revised policy for consultation.

I refer you to my previous correspondence sent in February 2018. I see no reason to change my views following the new version. I can see no circumstances for the Executive companies to have CCTV fitted. All the passengers I carry are pre booked well in advance. I collect name, address, phone contact and email contact for all my customers. All my trips are confirmed in writing by email. The majority are pre paid two weeks prior to the date of travel so there are not any disputes over payment.

I do have a forward facing dash camera fitted in my vehicle.

As a business who encourages feedback on my website and social media, I would be unwise to create a situation whereby my actions would generate negative feedback that could be viewed by my existing, or potential new customers.

In conclusion, I can only reconfirm that I am against any form of CCTV being fitted internally in my vehicle, but do support the policy in the Hackney and Private Hire vehicles who work in town.

I would be happy to attend a meeting with the licensing team if required and provide any evidence required to substantiate my views.

---

Cctv Specifications

Proposed changes.

1.7

The Cctv should be active at all times. Drivers will forget to turn the system on and off and if they want to use there Car as a personal vehicle then why must they always display doors signs.

1.17

There should be no triggers to start and stop recording. One this will keep the costs lower and secondly I feel it will cause more tension during the journey if either the passenger or driver starts to record each other. This also applies to 1.26

3.6

Vehicles with shields would need 3 cameras and incur more cost. I'm not sure if the borough even has any vehicles with shields.

4.2

All units would need to be fitted within the rear luggage compartment.

4.3

Lockable sata hard drive which will be removed by the authorised personnel only to be able to download any files.

4.4

Unable to be done.

4.5

As 4.4

4.15

Vehicle Reg and plate number.

4.16

Vehicle Reg

6.2

Unable to do this. All files that need to be viewed must be done within 28 days. Or get larger hard drives to record and store for longer periods.

9.1

This will be by lights on the unit which is in the boot. There is no other way to display this on the dash.

9.2

9.3

All as 9.1

The system will not allow downloads via cables or internet. All files that need to be viewed must be done within 28 days and the hard drive will need removing from the unit located in the boot. Which will be locked by a key supplied to the authority.

As most complaints within our company and probably every other as well, are dealt with internally. Only serious and repetitive complaints are sent to the council. With this in mind operators who hire vehicles to drivers should also have access to the system and be able to view any necessary files. The operators must hold a ico licence.

---

My heart soared as I read the article in the county standard.

I am so pleased to see a positive measure and back the proposal wholeheartedly.

A small but welcome step towards improving our town.

---

Dear Sir or Madam,

I am writing to raise my objection over the proposed plans to install CCTV into private hire taxis/Hackney taxis. I object for the following reasons;

- I have already spent a significant amount money on my own CCTV in my private hire taxi and I do not wish to spend anymore on another system that does the same job
- My current CCTV system does the same job as the proposed system at the cost of £150, which is a lot less than the council's CCTV suggestion
- I have already taken out a loan to buy my car of £12000 and financing for an extra unwanted CCTV is an extra burden
- My camera/CCTV would be a wasted purchase
- My camera/CCTV can be transferred to another vehicle easily, without all the extra cost of re-wiring if I was to change my car.
- I do not want CCTV watching me when I am using my taxi for personal/family use, as I have option of turning my camera off
- also some customers, do not agree to have my camera switched on for genuine personal reasons and I use my discretion to decide when it is appropriate to turn off my camera, I will not have this choice if the council install their CCTV
- If any incidents happen such as a theft, I am able to replay the footage for identification and safety purposes for myself. However, I will not have this crucial access if it is centrally controlled and recorded elsewhere by the council
- Presently, I am completely happy to share my footage with the police or for any legal reasons etc
- Also there is a overall sense of unease with the thought that people will be watching and monitoring me all the time

I hope you will consider all my points in this matter that will affect my livelihood and that of many others in Colchester. The comments raised are shared by many taxi drivers across the town.

---

I am responding to the [Council consultation on taxis and the Hackney Carriage and Private Hire Licensing Policy](#). I note that "The policy sets out ... how drivers and operators are expected to operate to pursue and promote the following licensing objectives: ...Encouraging environmental sustainability."

Please could the Council enforce the law on idling wherever taxis are waiting for fares and especially at North Station? Many times, as a returning commuter in the evenings, I have found taxis at the back of the queue with engines running for no apparent reason. This is in breach of the licensing objective to encouraging environmental sustainability and I would like the Council to put a stop to this.

Note: Vehicle idling is an offence against the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002. The law states that is an offence to idle your engine unnecessarily when stationary. If you fail to turn your engine off after being spoken to you may be issued with a fixed penalty notice of £20.

See [http://www.legislation.gov.uk/ukxi/2002/1808/pdfs/ukxi\\_20021808\\_en.pdf](http://www.legislation.gov.uk/ukxi/2002/1808/pdfs/ukxi_20021808_en.pdf)

Freedom of Information request. Please could you let me know what the Council policy is on enforcing the law on idling generally and tell me how many fines have been imposed year by year since the offence was introduced?

Thank you for your attention and I look forward to hearing from you.

---

Dear Sirs,

I am writing to object to the proposed plans to install CCTV into private hire taxis/Hackney taxis for the following reasons;

- I have already spent a significant amount of money and installed my own CCTV in my private hire taxi.
- I do not wish to spend anymore on another system that does the same job.
- I have borrowed money from family to buy my taxi car which I am paying back slowly and do not want to be further burdened to paying for an extra unwanted CCTV.
- My camera/CCTV would be a wasted purchase
- My camera/CCTV can be transferred to another vehicle easily, without all the extra cost of re-wiring if I was to change my car.
- I do not want CCTV watching me when I am using my taxi for personal/family use, as I have option of turning my camera off
- also some customers, do not agree to have my camera switched on for genuine personal reasons and I use my discretion to decide when it is appropriate to turn off my camera, I will not have this choice if the council install their CCTV
- If any incidents happen such as a theft, I am able to replay the footage for identification and safety purposes for myself. However, I will not have this crucial access if it is centrally controlled and recorded elsewhere by the council
- Presently, I am completely happy to share my footage with the police or for any legal reasons etc
- Also there is a overall sense of unease with the thought that people will be watching and monitoring me all the time.

My suggestion would be to that all drivers install their own CCTV system of a reasonable quality and price for their own reassurance/safety as well as offer piece of mind to the public. Rather than have a expensive CCTV put in where they have no control or choice of privacy. In most cases it is the Taxi drivers who are at risk of attack and violence. There are occasions where passengers run off without paying, or drivers are abused, and having a CCTV system would provide the crucial evidence to resolve disputes.

I hope you will consider all my points in this matter that will affect my livelihood and that of many others in Colchester. The comments raised are shared by all taxi drivers across the town.

---

I would like object to CCTV being compulsory for all Taxis and private hire vehicles. On the Basis of the expense young drivers with families struggle to earn a living as it is can't see any positive benefits for the great expense that it is.

This should be the choice of the individual drivers and not Compulsory.

---

I would like to know who is going to pay to maintain these cctvs. Who do I charge my time to when I have/ if an incident in my cab and I have to take time off work while a member of the council download the footage as I would want to be present while that is happening. Who is going to pay for replacement cctv if it breaks and can not be fixed. So my concerns are for money. I can replace a £20 cctv but not a £600 plus one. Who else is going to pay for a replacement if the cctv is damaged or stolen. The police recommend that we all take electric items out of our cabs because of break ins. And as you know a lot of cabs are broken into regular by thieves.so if we leave them in our cabs we will not be covered by insurance. This is my objection. Debbie shore. Plate number I can't remember I think it's 655 not sure tho.

---

Hi

I'm not interested having that system fitted in my taxi firstly because it's very expensive why should I pay for it. Secondly I feel you are invading my privacy, therefore I'm not interested at this time.

I currently have my own cctv in the event should anything occur.  
Sent from my iPhone

---

Hello

I'm not interested having that system fitted in my taxi firstly because its very expensive why should I pay for it. Secondly I feel you are invading my privacy, I therefore I'm not interested at this time.

I currently have my own cctv and I paid £160 in the event should anything occur.

Kind regards

---



I strongly disagree with with this idea, too intrusive, unnecessary, way to big to carry in my car I need all the space I have. Lastly way, way too expensive, with no help for my customers what so ever.I have two way camera only cast £157.00 Many to help with other car drivers.  
Please call me if you disagree with this

---

Dear Sir/ Madham,

I am writing to you with regards the latest letter I received to the potential compulsory CCTV added to all HC & PH CBC licensed vehicles.

I would like to state my personal driving experience in the town & offer my opinion based on this (please note I have been doing this for 12 years).

The towns economy has turned flat on day & night earnings over this period & with Tuesday, Thursday & most nights falling short of a busy town 10 years ago.  
Saturday night is the only real economy time earner.  
This is a sign of the times with the economy suffering since the recession in 2008- customers just don't have the money they had back then.

In ANY town/city you will have small incidents & Colchester would be in be same bracket as Glasgow, Bristol, Brighton, Stoke & others across the country.

I would like as a "Freedom of Information Act 2000" numbers of policing & CBC reported incident's involving Hackney Carriage & Private Hire vehicles over the past 5 years which include....

2017  
2016  
2015  
2014  
2013

CCTV footage is a grey spot with many legal restrictions & requirements needed to operate on.

My personal view is that it should be the OWNER/DRIVER who should have the choice if they wish to install this to their vehicles, NOT the councils compulsory choice to add them (at the licence holders cost!).  
I strongly disagree with the route they are taking & object to this going forward.

I could write a large dossier on the pros & cons on having this installed however the conclusion for me is simple.....  
Owner/Driver's should have the choice to have CCTV dash cameras fitted.

I look forward to hearing from you with regards incident numbers over the past 5 years & if you wish to discus this further, please call or email me.

---

Dear Jon ruder

Why is not surprised that you would rush punish driver's of having no rank to work,instead of build a rank of 131 taxis, rather than a stand of 21 taxis

Stalking driver's

Stalking is unwanted or repeated surveillance by an individual or group towards another person. Stalking behaviors are interrelated to harassment and intimidation and may include following the victim in person or monitoring them. It is illegal may led to prosecution

Take a look at!

Traffic Management Act 2004

The Secretary of State's Statutory

Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions

1.9 Authorities must have regard to this Statutory Guidance (as stipulated by section 87 of the traffic Management Act 2004) when exercising their functions.

1.10 If enforcement authorities are themselves uncertain about any aspects of these requirements,they should get the appropriate legal advice.

---

Dear Sir/Madam, as a Colchester Hackney Carriage driver I'd like to object to the proposed CCTV scheme for all licensed cabs. The cost would be extremely unfair to all drivers, as would the compulsory nature of the proposal.

---

11/10/2018

Dear Sir,

Hackney Carriage and Private Hire Licensing - Policy Consultation, General Information and other Matters

I wish to make some observations on Representatives, Policy and Policy Consultation. I will "Bullet Point" concerns.

\* Representatives.

On the CBC Web site, it gives the Private Hire Representatives as Dave Boylan, Christine Hardy and Tony Tokley; who are all owners of Private Hire Companies. There may be a time where a Private Hire Driver or a member of their staff have a problem with the owner or company. It should be made clear that Private Hire Driver

and members of Staff can report matters and raise concerns directly to Licensing Officers.

\* Driver Health.

Why do drivers over 65 have to have a medical every year, what happens after 65 that drivers need a medical? Do Staff members or subcontractors who work for CBC have medicals after the age of 65. I find this very discriminatory, especially as I have just had a three-year medical at the age of 68, with no problems! Also, this will be an extra cost which will eat in to the viability of continuing to work.

\* CCTV

I only do a "School Run" and do no private hire work, my income is limited. I have a "Passenger Assistant" with me at all times to look after the children's wellbeing while in my car. The car I use is owned by myself. I have been doing a "School Run" for at least

five years without any problems and as far as I know have not had any complaints made against me.

I only intend working for a further two years at the most, having to purchase, install and maintain CCTV in my car would just not be viable, which would then cause financial hard ship as I still have a mortgage.

There are nine pages of "Specifications" for the standard of CCTV, well I am a driver and have no "idea" of what these specifications mean, I left school at 16 in 1966 without any "qualifications" in a world where there were no "mobile phones" or "computers". This all could lead me to receiving "Penalty Points" if I have the wrong type of CCTV!

CCTV will not reduce crime and if a crime is committed will the police take any action, we all see in the press that no action is taken by the police as they are under staffed.

\* Night Time Economy

I have worked as a Licensed Driver for 17 years

I used to work late nights Thursday, Friday and Saturdays as Private Hire

Work place was all over the Borough and neighbouring areas

During my last few years of working nights, I have had many incidents of Aggression, theft, vandalism and vomiting in car.

All apart from theft were alcohol or drug related.

No incidents were reported to the police as there was no point as they would not take any action or be of any help. I was once told by a Policeman in Colchester High Street "what do you expect you are a cabbie"

Do I feel safe in Colchester Town Centre "No" As I have stated I now only do a school run and I would never go out in the evening for a meal or drink in Colchester Town Centre.

\* A Question

What support do CBC as a Licensing Authority give to Drivers who have been assaulted?

---

Your letter re above subject dated 10th September 2018.  
My e-mail re above subject dated 26th February 2018.  
Colchester Borough Council Licensing Committee Meeting dated 21st March 2018.

Thank you for the invitation to comment once again on Colchester Borough Council (CBC) Licensing Policy.

I have studied the changes to the policy with interest, they confirm to me the impression I formed at the Licensing Committee Meeting referenced above (where I witnessed what can only be described as a travesty of democratic discussion).

I was left with the conviction that this policy is going to be forced through by the Licensing Department and the chair of the licensing committee irrespective of objections.

Despite this, I feel obligated to offer the following points for your consideration.

## **1. Consultation process.**

It appears that the consultation process has so far been limited to members of the licensed trade, who are obviously directly affected by the policy both administratively and financially.

However, the policy regarding the installation of CCTV in every vehicle will immediately remove from all members of the public, who use Taxis or Private Hire Vehicles registered with CBC, a fundamental right granted under the recently introduced General Data Protection Regulations (GDPR).

That is, the right to refuse consent to the collection of identifiable personal data.

As this is the case it would seem right and proper that a Public Consultation should be held, so as to avoid introducing by stealth such a removal of rights, and to make the public aware of yet another intrusion by an official body into their personal lives.

## **2. Costs.**

At the committee meeting referenced above, a price of 'about £300' was casually mentioned as the cost for each vehicle to be equipped with CCTV. However, the system being discussed at that time was what might be described as a 'dumb' system, which was either on or off.

The changes to the technical specification in the current proposals require a much more sophisticated system. Unfortunately I have not been able to find a local supplier/installer who will offer me a quotation based on the council specification. If you could advise me of who you are recommending for this role I would be most grateful, as this will enable me to obtain an accurate costing for consideration.

There are also two further costs to the vehicle owner which have possibly not been considered.

a). On changing their vehicle, the owners will be forced to pay to have the installed system removed, and for its installation into a replacement vehicle.

The policy allows the transfer of the system, but this assumes that the components are suitable for any replacement vehicle.

I do not believe this transfer cost has been considered.

If they are not suitable then the owner will be required to pay for a completely new system.

b). The other hidden cost which the vehicle owner will be faced with is the cost of making good any damage to the interior fittings of the vehicle.

It is highly likely that there will be damage caused to the dashboard and front and rear console, plus possibly to roof or pillar linings.

To be able to sell the vehicle the owner will be required to either replace the damaged components or sell at a much lower price. Either way will have a significant financial impact on the owner.

This particular point has even greater relevance to those operators who lease their vehicles, who are required to return the vehicle at the end of the lease in an undamaged condition.

We are therefore left with the following calculation.

Cost of initial purchase and installation.	£ Unknown
Cost of removal and reinstallation into replacement vehicle.	£ Unknown
Cost of making good damage caused by installation.	£ Unknown

<b>Total cost to vehicle owner.</b>	<b>£</b>
<b>Unknown</b>	

### 3. Proportionality.

To quote Elizabeth Denham, UK Information Commissioner, "installation of CCTV should be undertaken only when it is a necessary, justified and effective solution to the problem".

I have yet to see any analysis of the scale of the problem CBC is attempting to combat, other than statements such as 'We get a lot of complaints'.

In order to rectify this shortcoming I have made a Freedom Of Information request (CBC reference 354942) for data regarding complaints made in the years 2015, 2016, 2017 and 2018 (Jan-Sept inclusive).

As I have not, as of today's date (15th October 2018), received any data I would like to request an extension of the consultation period beyond its 21st October 2018 deadline. This will enable CBC to provide the required data and for its analysis and presentation. I feel a three month extension would not be unreasonable under the circumstances.

#### **4. Administration.**

According to the Council Policy each vehicle owner will be required to register their system with the Office of the Information Commissioner.

Given that the systems will be installed at the insistence of CBC and that the owner will have no control over the collection or use of the data, which can only be accessed by the council, it would appear that under the GDPR it becomes the responsibility of CBC to administrate both the systems and the data, via the appointment of a Data Controller.

#### **5. Loss of business.**

I have discussed the proposal for the installation of CCTV with all my regular customers, most of whom are business travellers and have yet to meet one who is in favour of this proposal.

Indeed, one of my largest customers, who is also one of the largest employers in Colchester, has suggested that if necessary they could consider using vehicles registered with other boroughs as a means of short circuiting what they perceive as an unnecessary and intrusive piece of legislation.

This would have disastrous consequences not only for me but also other operators in the borough, who benefit from an annual spend running into tens of thousands of pounds from this one company.

I am also aware that other operators have received a similar response from their customers.

#### **6. Outside recording.**

By the very nature of the camera being required to capture clear images of everyone in the vehicle it seems highly likely that images will be captured through the windows of people and places not associated with the vehicle.

I have not been able to find any reference to this specific situation, though there is case law regarding household CCTV being intrusive if it overlooks other property. I would value your views on this point.

## **7. Conclusion.**

Whilst I appreciate the thoughts behind the proposal for the installation of CCTV with regard to possibly increasing safety for both driver and passengers I feel that it should be left to each owner/operator to decide what is required for their business and that there are many other considerations which have not been properly explored.

There is also the possibility that the installation of a system matching the specification could contribute to unnecessary confrontation.

As an example. If the driver activates the audio recording, the passengers will be made aware of this by an indicator light. Depending on circumstances this could trigger a hostile and possibly physical response by the passengers, who may consider the recording unnecessary or provocative. This could turn a normal(ish) journey with rowdy and intoxicated passengers into something else entirely.

As in my previous submission to the council, I remain fully prepared to meet with members of the Licensing Dept or the Licensing Committee to discuss the points raised, and I am aware of many other operators who would also value the opportunity to have a face to face discussion.

---

With regards to the Licensing Policy Consultation relating to the installation of CCTV in Private Hire Vehicles and Taxis I have the following comments for your consideration.

I fully recognise and support any measures to enhance Public Safety and also that of the Private Hire drivers during transportation particularly in the evenings and as such I understand the benefits that the installation of CCTV in Taxis engaged in this work may bring.

I would however draw your attention to the guidance of the UK Information Commissioner to Councils which states "you need to go back to the start of your project and consider the problem you are seeking to resolve and whether a CCTV system would be a necessary, justified and effective solution.

Take into account whether other, potentially less intrusive solutions exist that can achieve the same aim, as well as the effect that each aspect of the CCTV may have on individuals, and whether their use is a proportionate response to the problem identified".



1. Your consultation e-mail has been circulated to Colchester Hackney Carriage, Private Hire Operators and Drivers only, however, in accordance with the GDPR regulations issued this year the other major party affected is of course the General Public so I submit that they should also be consulted regarding the collection and storage of close personal Data when considering the installation of CCTV as it is their right of consent particularly as you claim you are acting in the interests of their Safety.

2. With regards to local taxi work I am not in possession of information relating to incidents, complaints and allegations registered in the Borough (although I believe this information has been requested from you) so I am unable to make a judgement as to whether the installation of CCTV in Taxis undertaking this work might be considered to be a proportionate solution to any problems identified.

3. The Licensing Team recognise that there are distinctions between Private Hire Business's and Taxis in that discretionary exemptions are granted in certain circumstances for example where contracts exist between Companies such as my own and Business Clients whom sub-contract Chauffeur and Ambassadorial Services in respect of their Clients and Employees. I will not undertake ANY public transportation only working for those companies for whom I hold an exemption to display private hire license plates or branding using expensive Executive quality vehicles.

During the 13 years that I have been granted this exemption there has never been one single incident involving the behaviour of our Clients or myself and drivers that work for me. If there were to be any issues these would be dealt with under the Terms and Conditions of the contract.

Therefore in consideration of my Business model the imposition of CCTV installation would be clearly DISPROPORTIONATE to any potential risk to Public and Driver safety and I hope this could be included within the discretionary exemption granted to me.

4. I have discussed your proposals with the Principals of those companies with which I have contracts and the unanimous feedback is that were CCTV installations to be imposed upon my vehicles they would cease to use my Company or any other vehicles with this equipment installed and instead utilise alternative Sub-Contractors licensed by authorities whom have not adopted this policy. I have explained the Technical Specification which allows the audio recording to be switched off and deactivated by them but they are adamant they will not permit video recordings either.

Their reasons are that during journeys often for many hours travelling to business meetings around the Country or to and from Airports, confidential business documents and correspondence could conceivably be viewed and recorded when working in the Car and they would not agree to this confidential data being recorded or stored.

Those companies are prepared to provide written substantiation of the above. Indeed one of my Clients whom are a Global Company do not permit the installation

of CCTV within their buildings as a company policy for the reasons stated and also in compliance with the recent GDPR regulations introduced.

Therefore I believe there is an obligation to take into account the rights, policies and consequences of CCTV installation may have upon all parties in compliance with the Information Commissioners policy guidance and also to take account of loss of Business or Trade.

My fear though is that the proposed change in Policy will be implemented as a Mandatory requirement for everyone without giving due consideration to all those affected, indeed Mr John Ruder has recently expressed the view to one of my colleagues that Directors of Companies, CEO's, VIP's and overseas Business visitors should not be an exception and cites the example of CCTV installed in Buses, Trains, Aircraft, High Streets etc.

He seems not to understand that the term "Private Hire" is the facility for the Public or Business Man to be transported in complete privacy without the intrusive recording and storage of close up personal or sensitive data for which they choose to pay a premium.

5. This would seem to be implied by the tone of the recent correspondence issued by the Licensing Team in the statement "you should read this because it may affect your Business or Job" indicates that the Committee may impose this new policy irrespective of the cause and effect it may have upon the livelihood of Licence Holders and Operators. This echoes a comment made by John Ruder at a meeting of the Licensing Committee in March at the Town Hall when he stated that his only interest was for Public Safety and he held no interest for the impact upon Licence Holders Business or Jobs as a consequences of amendments to the Licensing Policy.

For this reason I have consulted another of my contracted Clients whom are a Company of Solicitors and Barristers. They have advised me that whilst CBC has the authority under the Licensing and Police act to implement such policy that if it is imposed retrospectively on existing Licence Holders and they suffer loss and expense as a consequence then CBC may be held liable for such costs and Legal actions for recovery could be instigated.

6. At the meeting of the Licensing Committee in March this year when amendments to the Licensing Policy were passed by the Council Members a limited no of Licence Holders were allowed to attend but were only allowed 3 minutes to make representations regarding the proposed changes with no right of redress to the Teams response. This was the most inflexible, autocratic and inconsiderate meetings I have ever intended and it was clear that the Committee had already decided the outcome and were only ticking the box by inviting us.

I have understood from a third Party that a meeting has been convened on the 18th November with the Licensing Committee to which members of some of some of the Principal Taxi Operators and Hackney Carriage Drivers have been invited to discuss their various views but whilst I accept that not all of the Independent Operators would

logistically be able to attend we have not received any invitation and are therefore unrepresented.

Therefore I suggest that it would be in the interests of everyone involved including representative members of the public to convene a meaningful meeting with the Licensing Committee and selected representatives of Operators, Private Hire and Taxis drivers to discuss the many differing views and concerns of the Public, Licence holders and all affected by this proposed Policy to give due consideration to the Legal and Technical aspects, cause and effects, Safety benefits and or consequences in order reach a considered, pragmatic and acceptable resolution to a very important and sensitive matter.

I also believe the Local Press should be invited to witness that there is fair representation, consideration and discussion and not a "fait accomplis" presented.

---

To the Licensing Department.

I am writing to object to the forced introduction of CCTV onto the Colchester Taxi/Private Hire trade. The main reason being cost. In this time of austerity and the Council themselves always telling us they have had to make cuts here and cuts there, closing this department etc etc. Then there trying to force the trade to pay out over 3/4 of a million pounds (£780,000) on these systems, with an unknown on going cost as well.

---

Charles Isbill Hackney carriage plate 54.

Chairman of Hackney carriage association.

I wish to object to the following of the new taxi policy:

CCTV

Reasons of objection

1 taxi policy page 112 1.3

To assist insurance companies in relation to motoring claims

I don't agree insurance companies having the right to access the cctv system. Most drivers already have dash cameras for this. I would suggest this needs to be removed.

2 page 115 7.3

Members of the public may make a request for the disclosure of cctv data. What right have the public to access to the cctv data in our cars, only taxi licensing and police need to access it.

Other objections

I would like to object on the fact the cctv is being made compulsory/mandatory. I think it's wrong we are being forced to have cctv.

I would like to object on the price of the cctv. £300-£600 is quite a lot and still only estimated, due to the high spec I can see the price being a lot higher, also to raise, this isn't just a one of payment, there are fees for repairs, damages, change to another vehicle. Another big expense to our costs/overheads.

Questions and situations I think it will raise.

People with learning difficulties, eg children on school runs, will press the audio button stated in the spec.

Children's parents might request cctv to be turned off, while in the car or a school run, I think they have that right.

A drunk passenger might request for the cctv to be turned off, even though it states it's legal, they won't care and create a bigger argument, also they can mute the audio before they get aggressive.

Transport For London. Have a cctv specification for there drivers to have in there cars, but it's not compulsory to have, I think we should adopt this idea.

---

Hi

Further to our meeting at the town hall regarding cctv, we were asked to go away and find a better quote to beat £300-£600 for the cctv system. I have been in contact with a cctv company in stanway, and they have been happy to quote me a price for the full specification. The price they've quoted is £1000-£1200. I will forward the estimate to you, with the email sent to me.

---

Thanks for contacting us regarding the potential requirements for taxis in the Colchester area requiring CCTV systems by the local council. We had been contacted back in June with a very similar specification and had explored the requirements and associated costs for this type of system. Based on the specification sheets and the time required for the work we would estimate a total cost per vehicle of £1000 - £1200 for the supply and installation of the hardware.

These prices are only approximate and could change depending on final specs and requirements.

---

I would like to object to the fact we can not buy and install our own Cctv at a much lower cost to us.

---

Hi,

I have been a taxi driver for last seven years and never had cctv in my cars and never felt uncomfortable .

I am objecting this cctv enforcement simply for the cost and the complication its going to course to us.

---

Dear Sir/Madam,

Thank you for your letter dated 10th September 2018 and the link to the licensing policy conditions dated 29th August 2018.

I do not have CCTV in my vehicle and I don't have any plans to install it in the future.

I have been working as a licensed hackney carriage driver in Colchester for the last 23 years. This has for the most part been during the day time only.

During this time and to the best of my knowledge the only vulnerable persons who have travelled with me have been children with special needs. These passengers have always been accompanied by an adult who is qualified look after and deal with any needs that they may require.

I have not in this time been the victim of or the perpetrator of any crimes. I would be grateful to know why it is now that the licensing team are considering this policy. Are more crimes being reported? Are there reports of drivers abusing their position? Are there more vulnerable people within the borough? CCTV has been available for many years, is there now a greater need to protect the public travelling in taxis and those that drive them than there was in the past? Is it proposed that CCTV is to be introduced in other forms of public transport within the borough?

Is the proposed CCTV to record both video and audio?

The hackney carriage trade has seen exponential increases in both fixed and variable costs in recent years and the implementation of CCTV would add to this if drivers and operators are expected to meet the costs. Who would meet the cost of the installation and maintenance of CCTV?

I feel that CCTV in my vehicle would be a privacy invasion both to me and my passengers.

I do not wish to have CCTV installed in my vehicle. However I would not object to it being implemented on a voluntary basis if passengers are made aware of it and it doesn't involve any cost to individual drivers or operators involved in transportation.

---

### **Air quality**

We would like to see far stronger controls on idling by diesel and petrol cabs. Idling at any taxi rank or while waiting to pick up passengers at the roadside should be prohibited. Infringements should be dealt with at the next licence review, with loss of licence a possibility for repeat offenders. The ban on idling should apply to all areas, not just air quality management areas.

### **Good driving**

Observation at the roadside and personal use of cabs suggest that some drivers exceed the speed limit, endangering cyclists and pedestrians and increasing subjective danger, so impinging upon people's desire to cycle and walk. We would welcome CBC giving consideration to compulsory [telematics insurance](#) for all hackney and private hire vehicles, with a deadline for compliance of January 1 2021. Such policies reward better driving with lower premiums and there is now a sufficient range of companies offering telematics to make quotes competitive.

### **Electric vehicles**

We do not know if Colchester has a date in mind for the introduction of an electric cab fleet. Since January 1, all new black cabs in London have had [to be electric](#) or capable of producing zero emissions. We would encourage Colchester to set a date for the compulsory use of electric or hybrid hackney and private hire vehicles.

### **Bus gates**

Cabs can currently use nearly all bus lanes and bus gates in Colchester. With the advent of the new Transport for Colchester, we would welcome a review on a site-by-site basis. We are aware, for instance, that cabs use Mile End Road northbound rather than the Northern Approaches to avoid the traffic lights and delays at the station junction.

### **Training**

Cab drivers are generally safe around cyclists but we would welcome even greater awareness. All new cab drivers should have a stage 2/3 Bikeability course as part of gaining their licence, and all current drivers should attend a course before January 1

2021. All drivers should also be informed of police initiatives to help cyclists, including the Stay Wider of the Rider initiative to reduce close passing.

Colchester Cycling Campaign  
October 2018

---

To the Licensing Team:

This feedback is in response to a letter I have received dated 10th September 2018 headed 'Hackney Carriage and Private Hire Licensing - Policy Consultation and General Information' and in particular in relation to the Licensing Committee discussing its policy in relation to CCTV.

I'll keep this short as I can. As proprietor of my Executive Private Hire company, 'Ward Executive Cars', with whom I am licensed with Colchester Borough Council operating with two executive Mercedes vehicles, I would emphatically state that:

- \* I do not need CCTV in either of my vehicles

- \* I do not require CCTV in either of my vehicles

- \* and even more importantly, my customers certainly do not wish to have CCTV installed and operating in either of my vehicles whilst I am transporting them on their journeys.

I have been operating as Ward Executive Cars for the last 13 years and the vast majority of my clients are regular customers, many of whom I have been driving for numerous years. I have recently taken the opportunity of explaining to customers why the Council are looking at implementing this proposal and the reasons behind it and no one that I have spoken to would wish to be recorded in the car by a CCTV system, either visually OR audibly and they feel that it would be an invasion of their privacy if this plan were to go ahead. As examples, a few days ago, I collected a regular customer from Heathrow Airport and the lady engaged in 2 separate business calls during the journey amounting to over an hour in time and because of the nature and the content of the calls, which also involved handling important and private and confidential paperwork, she emphasized that she would have been completely against the use of CCTV equipment being used during the journey because of the highly private and confidential business she was conducting.

Also, yesterday, I transported a customer on a two hour journey in which he spoke to representatives from two Daily Newspapers regarding the nature of his business and referring to official private and confidential paperwork he was handling within the car and under no circumstances would he have wished for CCTV to be operating in the car, either visually or audibly, for the same reason as stated above, the highly private and confidential business he was involved with.

Whilst I can see the benefit of normal local taxi companies possibly using CCTV for their journeys, often taking people they have not driven previously on probably very short journeys and the respective drivers feeling vulnerable with certain people in the car on certain occasions, I cannot possibly see any benefit for a Private Hire company such as mine, as I do NOT feel vulnerable with anyone I drive as I provide executive transport to customers who use my service time and time again and engage in important phone calls and also conversations with fellow colleagues within the vehicle environment.

In addition to the above, there's also the cost element of having a system installed and also uninstalled when selling or changing the vehicle. I understand that an installation cost amounting to hundreds of pounds would be required. I would emphasize that even if the system and its installation was COMPLETELY funded by Colchester Borough Council, I would still NOT wish to have a CCTV system in either of my vehicles.

Since I received the letter in the middle of September, I've given myself time to consider the situation before replying, but now want to convey my strong views to the Licensing Committee.

I am totally against the idea of having CCTV installed and in use in my vehicles. My customers are of the same opinion and have also mentioned should such a plan be implemented, they would unfortunately have no alternative but to source a Private Hire Operator in a different Licensing area for all their travel requirements, one that does not facilitate the use of CCTV in vehicles licensed with them.

If this situation occurred and I were to lose my client base, this would obviously have a severely damaging effect on my financial situation and income and would result in me ceasing to trade, thereby losing my livelihood.

In the circumstances, I would urge the Licensing Committee to consider the position after receiving my and other comments, observations and representations regarding this matter.

---

I would like to register my objection to the imposition of CCTV for all Hackney Carriages.

Whilst I accept there are advantages to having CCTV, if a driver would feel safer for example then fine, they should be able to have it, but why does it have to be compulsory?

Also why should we have to pay? It's not just the initial cost either, there will be maintenance of the system and more expense and time when transferring to a new vehicle.



I have been asking passengers for their comments and very few are fully OK with this invasion of their privacy.

Only a small minority of Licensing Authorities have such regulations so why do we need this huge expense to the trade in difficult economic times?

---

On Saturday the 15th at 11-45 am I was working on the rank at North station when a lady with her 9 year old son and 10 week old baby got into the back of my taxi and asked to go to the zoo , the baby was crying and I asked if the baby was hungry and the lady said she had fed her on the train but she was going to now feed her some more, I asked if she had made up some bottles for the day out and she replied I'm actually breast feeding her now to which I replied can I ask you a question, she said go ahead, I asked her how she would feel if I had CCTV in my vehicle to which she replied I would feel uncomfortable but I have to feed the baby or she would keep crying as she's still hungry, why should a paying passenger be made to feel uncomfortable.

---

Dear sir/Madame

I have held my colchester Taxi badge for around 13 years and have operated in both private hire and hackney carriage vehicles. I have not had CCTV installed in any of my taxis nor have I felt the need to as in my personal opinion I find Colchester and its surrounding areas a perfectly safe and friendly area to operate in. Where as I am aware of the POTENTIAL benefits of CCTV I also feel strongly (after speaking with many of my customers) that the installation of CCTV in all taxis/privat hire vehicles could dissuade people from using them especially with audio consented or not due to a feeling of invasion of privacy therefore having a negative impact on a already challenging trade.

If the decision was made to proceed with CCTV and after looking at the specification (which I find to be over the top and a invasion of my own personal privacy) that a fare pricing scheme should be put into place whether this be a subsidy from the council or monthly installments.

I will be scanning my night time economy review questionnaire to you.

---

Further to my previous submission dated 15th Oct 2018, I have received additional information which I would like to place before the Licensing Committee and Licensing Department regarding compulsory installation of CCTV in Taxis and Private Hire Vehicles.

In accordance with my Freedom of Information request (CBC reference 354942) I have been presented with partial figures which have allowed a rudimentary analysis

of the scale of the problem CBC is attempting to combat and I offer this analysis below.

In order to carry out this analysis I have been forced to use some averages which are based on my own knowledge of the industry.

These are

Average number of drivers council supplied figures). = 800 (slightly lower than

Average fare value. = £20 (possibly slightly high estimate).

Average required gross weekly take (per driver) =£1000 (pre expenses take).

To achieve the above take with the average fare it is obvious that each driver will be required to carry out 50 runs per week ( $\text{£}1000/\text{£}20 = 50$ ).

Projecting this over a 52 week period the average total number of runs carried out by CBC registered Taxis and Private Hire vehicles per year is 2,080,000 ( $50 \times 800 \times 52$ ).

Using these figures and the number of complains received (as supplied by CBC) we can see an average percentage of runs that have resulted in a complaint being registered.

These are

2015. 147 complaints = 0.00007%

2016. 108 complaints = 0.00005%

2017. 127 complaints = 0.00006%

For 2018 I have carried out the same calculation but have only used 39 weeks (Jan-Sept inclusive) as opposed to 52, that is, number of runs reduced to 1,560,000.

2018. 170 complaints = 0.00010%

These figures give the chance of anyone making a complaint about a journey in a CBC registered vehicle as

2015. 14,149 to 1.

2016. 19,264 to 1.

2017. 16,382 to 1.

2018. 9,176 to 1.

If we then look at the numbers of driving badges which have been revoked or suspended, which presumably reflects the numbers of 'serious' complaints, an even more ridiculous picture emerges.

Badges suspended or revoked as a percentage of total journeys undertaken.

2015. 7 badges suspended or revoked. = 0.000003%

2016. 2 badges suspended or revoked. = 0.0000009%

2017. 2 badges suspended or revoked. = 0.0000009%

2018. 6 badges suspended or revoked. = 0.000003%

A phrase often associated with number such as these is 'Statistically Insignificant'.

Although there has been no information forthcoming regarding who the council suggests the CCTV systems are purchased from, or who is to instal them and consequently we are unable to obtain proper quotes for costing purposes, I have heard 'guesstimates' of anything between £600 and £1000 per vehicle installation.

Using these figures and estimating that there are approximately 1000 Taxi and Private Hire Vehicles registered with CBC, it becomes obvious that the council is attempting to foist onto the licensed T&PHV drivers of the borough a collective initial spend of between £600,000 and £1,000,000 to solve a problem that statistically hardly exists.

This spend does not include ongoing costs such as transfer between vehicles when old stock is replaced nor the cost of making good the damage caused to the interiors of vehicles by the fitting of these systems.

I suggest that the proposed policy fails to meet the criteria laid down by the Information Commissioner for the UK, Elizabeth Denham, who states that CCTV should only be installed where their use is a 'proportionate response to the problem identified'.

Looking at the above figures and the potential costs involved I feel no sane and rational person could feel that this proposal, even without considering the impact on privacy and people's rights under current data collection regulations, can be justified as anything more than a council vanity policy, with private citizens and businesses footing the bill.

An interesting alternative question is 'If the council was paying for this proposal from public funds would it be passed by councillors'?

---

I feel that being forced to have CCTV installed in my taxi, is wrong for the following reasons:

It is another expense on the driver, which I feel is not needed

The system that you have specified will have to be custom built, and this is going to be very expensive.

As the passenger will be able to turn audio on and off, they will do so before they get abusive to the driver, this is wrong as most problems are verbal abuse and refusal to pay the fare.

The number of people being allowed to view/access the footage is too great, why should members of the public be allowed to request viewing of any images; it should be limited to those involved in any incident , ie police and licensing team.

It should be up to individual drivers if they wish to install CCTV in their vehicle: but it should meet with council specifications. This is what TFL have done with London black taxis.

Time off the road when changing taxis ,will incur loss of earnings, as it could take anything up to 4-5 days to have it removed from 1 vehicle and installed into another vehicle that you have purchased .

---

**Circular letter completed by plates 2, 3, 5, 7-10, 12, 14-17, 19-21, 25, 28, 29, 33, 35, 37, 38, 41, 43- 48, 50, 51, 54-56, 58, 59, 62, 64-71, 73-75, 78, 79, 81-84, 88-93, 96-100, 102, 104, 106, 108, 109, 111, 113, 115, 117, 121, 123-125, 127, 128**

I would like to register my objection to the introduction of compulsory CCTV in all Hackney Carriages.

Whilst I accept there can be advantages to having such a system, why does it have to be compulsory?

Is this not a sledgehammer to crack a nut situation? And is people trafficking in Colchester taxis really such a problem?

My objections are as follows:

1 Cost, Mr Ruder estimates that the council's procurement department should be able to obtain a "bulk purchase" discount price of £300 to £600, the majority of the cost is not the actual unit but labour fitting the wiring. This means it's not simply a one off fee but will be required individually, to transfer the system whenever the vehicle is replaced. He also said the cost is "down to the rade" but why should we be expected to pay for something we don't want?

2. What about law abiding citizens who, for all sorts of personal reasons don't wish to be on camera, shouldn't they have a choice?

3. What penalty will the driver face if he/she has forgotten to switch on the audio or the whole system on?

As we have seen from the recent case involving Ben Stokes (the England cricketer) CCTV evidence is certainly no guarantee of solving any problem.

Please give this matter some careful consideration before implementation.

Dear Sir /madam

I'm writing this letter because it has only recently been brought to my attention that the council want CCTV/Audio recording in their licensed vehicles. I was only made aware of this on Wednesday 22<sup>nd</sup> August.

I have not yet been told the specifications however I have been informed that the system will continue to record for a further two hours after the vehicle has been turned off, why? In the long run this will more than likely have an adverse effect on my stop/start vehicle, battery and alternator to name a few.

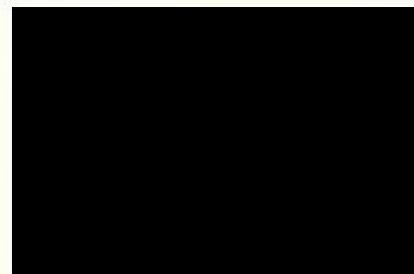
If there is such a problem in Colchester as Mr Ruder implies about people trespassing, why hasn't there been a local advertising campaign in respect to this.

I myself was involved in an incident with an off-duty police officer, and CCTV/Audio would've helped if it was needed but thankfully it wasn't. Abuse of Power.

How would this be policed? Drivers continue to smoke in their vehicles, drivers wear non-appropriate footwear (Aip-props), drivers will wear non-tailored shirts and continue to wear football shirts, which I didn't realise was such a crime & is the reason behind having the system just to self-incriminate?

I've also heard that there will be an on/off button for the audio that customers can press if they feel that way inclined, why? Surely this defeats the purpose of having the system, so it'd be surprise to just have the CCTV.





19<sup>th</sup> September 2018

Licensing Manager  
Environment  
33 Sheepen Road  
Colchester  
CO3 9WG

Dear Licensing Team

I have recently been in touch with Jon Ruder regarding the proposed amendment to the Taxi policy for Colchester and he asked me to write a letter for the Team with my views regarding the compulsory installation of CCTV in all HC and PC vehicles.

I understand there will be a committee meeting in October and I would like to put forward my points regarding this matter.

In January 2019 I will be starting a new business in Colchester transferring the public to all Airports and ports.

I am writing to ask if there will be any exclusion regarding the installation of CCTV in all vehicles as I feel that as my vehicle will not be used for unknown clients therefore the risk of problems arising are very low.

Please see my reasons below:

All clients would have pre-booked their trip online and also paid online in advance therefore I would know who they are and where they live prior to their transfer.

As I will be an online business which will rely heavily on feedback on social media from my clients all feedback will need to be positive therefore I would behave in an appropriate manner at all times as I would not want any negative feedback to cause loss of business.

I cannot imagine that my clients would be drunk or cause problems during their trip or be inappropriate in any way.

There will only be small amount of cash carried by myself for possible emergencies.

I will be transferring a lot of business clients who may be working during their journey who may feel uneasy about having their calls recorded this could have an impact on my bookings.

I will be using the vehicle for family and myself and would find an always-on system intrusive.

Thanks for you time.

Regards

