

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	CAB CAMERAS – REVIEW OF SUBSIDY PROVISION		
DATE OF DECISION:	8 APRIL 2014		
REPORT OF:	HEAD OF LEGAL AND DEMOCRATIC SERVICES		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY
Not applicable.

BRIEF SUMMARY

Since 26 August 2009 the Authority has required, by way of policy and conditions, that all new and replacement vehicles be fitted with Council approved cameras and those cameras be subsidised by the Authority to the effect that the cost to the driver be capped at £250 excluding VAT and fitting costs.

This requirement was reviewed by Licensing Committee on 19th September 2013 when it was resolved that the Authority would continue to pay the subsidy.

However, as the forecast financial position for the Authority continues to be extremely challenging it is considered timely that the application / funding of the subsidy be reviewed.

Although there is a fixed number of 283 licensed hackney carriages, there is no such limit on private hire vehicle licences so new licences are continually granted. Between 1st March 2013 and 14th February 2014 95 new licences have been issued. It is therefore difficult to accurately forecast the future level of subsidy required if the current funding requirement were to continue, however it is in the region of £64,000 to £79,000 per year. In addition, the new requirement to fit a panic button has increased the camera costs and will therefore increase the value of the subsidy.

RECOMMENDATIONS:

- (i) To cease the current subsidy to proprietors of hackney carriages and private hire vehicles for the installation of an approved camera at renewal or initial application of a licence, with effect from 1st June 2014.
- (ii) To reaffirm the policy and condition of both hackney carriages and private hire vehicles as follows:
 “A secure digital taxi camera system approved by the Council shall be fitted to the vehicle prior to the grant of the licence and maintained in the vehicle thereafter for the duration of the licence to the satisfaction of the council.

The above is effective on the grant of a new (other than by renewal) or on the replacement of a licensed vehicle”.

REASONS FOR REPORT RECOMMENDATIONS

1. On 26th August 2009 the Licensing Committee resolved “in line with Government and Council priorities on crime and disorder, public and driver safety all licensed vehicles will be fitted with Council approved digital cameras as soon as possible and in any case at the time a current licensed vehicle is replaced with the cost to the proprietor capped at £250 excluding VAT and fitting costs.”
2. In light of the forecast financial position for the Authority a review of any ongoing subsidy is considered to be necessary.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3 None. All options are contained in this report.

DETAIL (Including consultation carried out)

4. Of the 283 licensed hackney carriages on 14th February 2014 36 have not been fitted with an approved camera.
5. On the 14th February 2014 there were 70 licensed private hire vehicles that still had no approved camera to be fitted. Since 1st March 2013 to 14th February 2014 a total of 95 new private hire vehicle licences were issued.
6. The cost of a camera varies from approximately £650 to £700. Therefore the subsidy for each camera is between £350 and £400.
7. Letters have been sent to all the proprietors of hackney carriages and private hire vehicles and the drivers licensed by the council informing them of this report and inviting responses. A copy of this letter is shown at Appendix 1. This amounted to 1353 letters. 9 responses have been received 6 from individuals, one from a private hirer operator, Unite cab section and the Southampton Hackney Association. The responses raised the following points:
 - Cameras should be voluntary
 - When mandatory cameras voted in the belief subsidy would remain
 - The recovery of the cost of the camera through HMRC is only appropriate if the individual earns enough
 - The cost of the required camera is excessive
 - Should only apply to hackney carriages
 - Places Southampton licensed operators in a poor position with an additional cost compared to operators in neighbouring areas who can undercut prices as their overheads are lower.

One response felt the subsidy should cease as the trade has had plenty of time to fit a camera and claim the subsidy.

8. In response to the objections, the cost of the cameras is “high” due to the security required within the approved systems to meet the needs to present acceptable evidence in criminal proceedings before courts and civil hearings when necessary. Cheaper systems are available but do not provide this security rendering the evidence they offer as unreliable in court as well as council decisions and are therefore not considered to be acceptable. In light of the significant ongoing financial commitment under the current arrangements the committee is requested to reconsider its decision of 19th September 2013 when it resolved that the subsidy be continued.

9. There is some evidence to suggest proprietors of private hire vehicles have realised if they have a broken camera in a car they are better off surrendering that plate, applying for a new licence and being eligible for the subsidy for a new camera. Under the current system there is nothing to prevent this.

10. **Options**

Option 1- to remove the subsidy with effect from 1st June 2014

Pros: Removes an ongoing budget requirement within the General Fund of £79,000 in 2014/15 and £64,000 from 2015/16 and ongoing. Improves competition between the suppliers as their customers now pay the cost and this in turn could reduce the costs charged by the suppliers. A June implementation date would provide the trade with time to make appropriate arrangements.

Cons: Places the financial burden on proprietors although the cost is a recoverable business expense for tax purposes.

Option 2 - to fix the level of subsidy paid by the Council

Pros: To adjust the subsidy to fix the amount paid by the council will improve competition between the suppliers and provide an incentive to reduce costs.

Cons: The General Fund will be required to retain an ongoing budget provision, which would need to be recalculated to reflect the revised subsidy set. Could place an increased financial burden on proprietors dependent on the level of subsidy set.

Option 3 - to retain the existing subsidy

Pros: No change for the proprietors

Cons: The General Fund will be required to retain the ongoing budget provision to fund the subsidy.

11. It is proven that the cab cams are of benefit to both the drivers and customers in reducing crime and disorder. When giving evidence at the ICO hearing on the use of cameras in taxis Deputy Assistant Police Commissioner Martin Hewitt explained how the setting inside a taxi is a unique area bringing together a lot of the requirements for serious offences. The ICO and other parties were in agreement cameras were of a significant benefit, it was the degree of audio recording that was contentious. This has been partially resolved by a panic button being fitted. In addition, the ongoing financial burden of a subsidy is unreasonable in the current financial climate.

RESOURCE IMPLICATIONS

Revenue

12. The revenue subsidy for camera installation currently paid by the Authority was reviewed by Licensing Committee on 19th September 2013. The review was required in part due to the lack of any ongoing funding being available for the continuation of the subsidy. However at that time Licensing Committee agreed to continue with the subsidy and an ongoing revenue budget was subsequently approved as part of a list of budget pressures by Full Council on 12th February 2014. The approved budget comprised £79,000 in 2014/15 and £64,000 from 2015/16 and ongoing
13. The annual revenue budget required will need to be reviewed dependent on the option chosen. If the report recommendation to implement option 1 is agreed this would generate a saving to the General Fund of £79,000 in 2014/15 and £64,000 from 2015/16 and ongoing.

Property/Other

14. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. Section 37 Town Police Clauses Act 1847
16. Section 47 Local Government (Miscellaneous provisions) Act 1976

Other Legal Implications:

17. Section 17 Crime and Disorder Act 1998
18. European Convention on Human Rights

POLICY FRAMEWORK IMPLICATIONS

19. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED: none	None
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SUPPORTING DOCUMENTATION

Appendices

1.	Letter sent to owners and drivers informing of proposals
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Documents In Members' Rooms

1.	Consultation responses relevant to the camera subsidy
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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