

Report of the Deputy Chief Executive

CCTV UPDATE1. Purpose of report

To provide Committee with various updates and information regarding the closed-circuit television (CCTV) cameras owned and operated by the Council and LLeisure.

2. Detail

The Council and LLeisure currently have 201 CCTV cameras and video badges, of which Broxtowe has 65 cameras in public places - mostly town centres. The 65 cameras are managed and monitored centrally as part of a shared service arrangement with Ashfield District Council and Newark and Sherwood District Council.

The other 136 Broxtowe and LLeisure CCTV cameras and video badges are in a variety of other locations, some managed locally from the facility in which they are based, and some managed corporately. Further details are given in appendix 1.

The Surveillance Camera Commissioner has strongly recommended that all local authorities and relevant authorities identified under the surveillance legislation appoint a Senior Responsible Officer (SRO) to ensure compliance with the Protection of Freedoms Act (PoFA) in relation to surveillance; and a Single Point of Contact (SPOC) to deal with all matters relating to CCTV and surveillance.

The establishment of the role of a SRO and a SPOC within a local authority is the first step in demonstrating to the public that the local authority is committed to operating all surveillance camera equipment in compliance with the PoFA, Surveillance Code of Practice, and thereby building transparency, trust and confidence in its use. This action has been undertaken at Broxtowe.

Specific information on Broxtowe's cameras is given in appendix 1. Appendix 2 sets out the requirements of the Surveillance Camera Code of Practice.

3. Financial implications

The financial implications are set out in appendix 1.

Recommendation

The Committee is asked to NOTE the report and to RESOLVE to employ an external specialist consultant to review the effectiveness and value for money of Broxtowe's town centre CCTV. Initial enquiries suggest this would cost £3,000-£8,000 dependent on the extent of the brief.

Background papers

Nil

APPENDIX 1

Broxtowe Borough Council CCTV – facts and figures

Broxtowe Borough Council and LLeisure currently have 201 CCTV cameras and video badges, of which:

Town Centres

- 65 Broxtowe cameras are in public places such as town centres. These are monitored centrally by a private contractor (Profile) as part of a shared service arrangement with two other local authorities. Broxtowe takes a lead role in the procurement and management of both the CCTV monitoring and maintenance contracts and has committed to this active role within the 2018-signed Partnership Agreement.
- The arrangement includes a 24/7 control room based at Police HQ. Broxtowe Borough Council recharges the other two authorities proportionately, based on the number of centrally monitored cameras as of the 1st April each year.

Local Authority in the shared service	No. of cameras
Newark & Sherwood District Council	74
Ashfield District Council	29
Broxtowe Borough Council	65

The total monitoring cost for 2019/20 was £166,143.78 – which works out very close to **£1,000 per camera per year**. Under the terms of the Partnership Agreement, any complete termination of it (eg. unilateral exit by Broxtowe) requires:

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“twenty four (24) months’ notice in writing to the other parties” and

“Any change in the number of cameras to be monitored on behalf of a party shall result in a proportionate and reasonable amendment to the costs paid by that party under this Agreement”

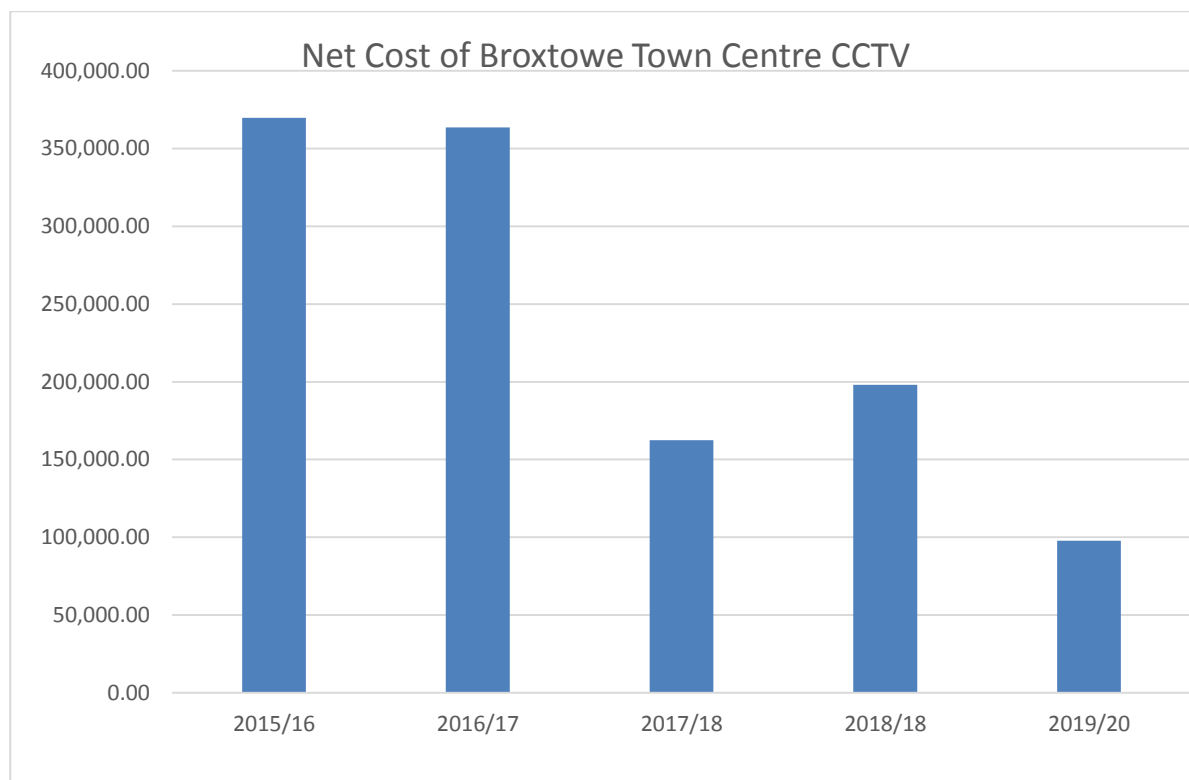
However, other key terms in the Agreement include: -

“The partnership shall meet in September of each year to discuss the respective proposals of each party with regard to the number of cameras they will be monitoring from the 1st April of the following year.

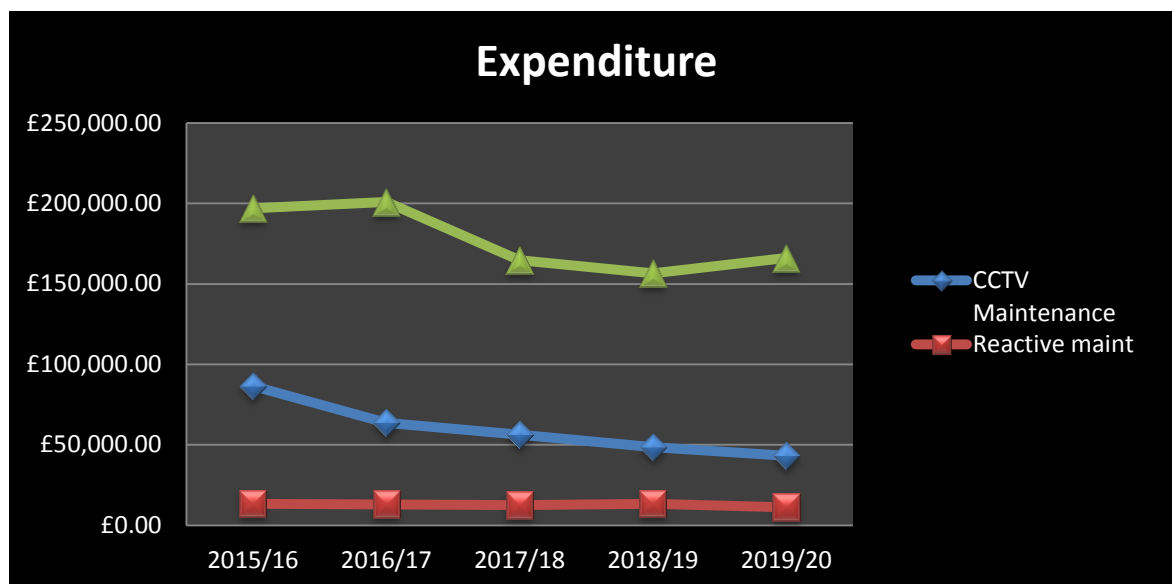
The other partners must be given a minimum of six (6) months’ notice if any partner decides to increase or decrease their number of cameras by 25% or more. If agreed by the parties, a small or insignificant change in a party’s camera numbers will be recorded but may not require a change in contribution rates.”

Effectively this means that any proposed reduction in the number of Broxtowe's 65 town centre cameras by more than 25% (-17) would have to be notified to the other parties by 30th September of any year and implemented by 1st April of the following year to then see a reduction in contribution from that 1st April. For example, if Broxtowe decided in October 2020 to halve the number of town centre cameras, the 6 months' notice period would run into April 2021 and the financial benefit to Broxtowe would not accrue until April 2022.

- The net cost of the main Broxtowe CCTV service has significantly reduced in recent years as illustrated in the graph below (source: Broxtowe accounts): -



- The reasons why these costs have significantly reduced are twofold – a genuine reduction in “hard” (actual cash) costs; and a more appropriate recharging of costs to other departments that were previously incorporated into the main town centre CTV budget heading (for example, £12,000 per year is now charged to the HRA for taking out-of-hours housing calls).
- The out-of-hours call-taking service provided by the shared CCTV control room is an important function to Broxtowe as it covers a range of services including: Housing repairs, Homelessness and general council emergencies (dangerous fly-tipping, flooding, major fires etc).
- The 2020/21 budget for Broxtowe's 65 public place cameras and their associated control room monitoring is **£127,500**. This is approximately £2,000 per camera of which half is monitoring (as previously detailed). This budget includes some planned replacement and renewal as well as the required comms costs and other licences.
- Details of the recent “hard” cost reductions are illustrated in the graph below: -



- The reduction in monitoring costs (green – top line – above) was mostly achieved in 2017/18 when the partners agreed to reduce 2-person 24/7 control room staffing to 2 persons at peak times and one person at other times.
- The significant reduction in the “CCTV Maintenance” line has been due to: reductions in the cost of the Control Room once it moved to Sherwood Lodge, reductions in the cost of comms and licences after the move to Sherwood Lodge, and less planned camera replacement.

The other Broxtowe and LLeisure Equipment

- The other 136 Broxtowe and LLeisure CCTV cameras and video badges are in a variety of other locations, some managed locally from the facility in which they are based, and some managed corporately. The 136 cameras are summarised below:

Location	Cameras	2019/20 Costs *
LLeisure facilities (Bramcote, Chilwell, Kimberley Leisure Centres) - recently reduced from 53 to 39 after a review at Chilwell	39	£1,228
Car parks, parks and video badges	32	£12,733
Housing estates (eg. Ribblesdale Court, Chilwell)	24	£2,145
Other council offices (eg. Foster Avenue)	16	£728
Bramcote Crematorium	15	£250
Community buildings	10	£1,088

*Note: These costs are not a like for like comparison with each other or with the town centre cameras. For example, some are self-contained systems with no comms or dedicated monitoring costs; some budgets include an element of repair and replacement, and others don't; most exclude electricity supply which is piggy-backed of the host building and not separately metered.

Usage of Broxtowe public place CCTV 2019 (the 65 town centre cameras)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
Reactive incidents viewed	26	18	25	12	25	19	18	12	14	14	14	21	218
Proactive incidents viewed	10	7	6	3	4	9	5	14	9	11	4	21	103
Total incidents viewed	36	25	31	15	29	28	23	26	23	25	18	42	321
Arrests made	3	1	3	1	2	5	0	3	2	5	0	7	32
Police viewings	31	15	29	11	9	12	7	5	12	10	9	15	165
Discs produced	5	9	7	2	5	2	5	2	1	4	0	3	45
Out Of Hrs calls taken	86	99	91	89	101	112	81	127	116	93	123	102	1220

The following is a recent real life example of its usage: -

- Eastwood Camera 2042 – CCTV control room officer witnesses **public disorder**
- They report this to the police – police attend scene
- Fight breaks out a member of the public is **assaulted**
- Offender runs off – police are in pursuit
- Control room operator uses Cameras 2042, 2043, 2058 and 2059 to follow the offender to assist the police and ensure that appropriate **evidence** is capture for the CPS
- Police are guided to the offender and the police make an **arrest**
- Offender was carrying a knife, so the interaction may have **prevented a serious crime**
- Police **review footage and retrieve footage** from the council's CCTV system as criminal evidence for CPS prosecution

Surveillance system reviews and general progress

The Council and LLeisure have reviewed a number of surveillance systems throughout the last 18 months.

Chilwell Olympia

Consultation took place in April 2018 and it was agreed to significantly reduce the number of cameras, this rationalisation enabled the leisure centre to retain a number of cameras to facilitate staff security and asset protection whilst becoming more resilient and compliant with the Surveillance Camera Code of Practice. This work is now complete.

Other sites

The council also needs to carry out an examination on other sites - for example, within housing services, Leisure fitness centres, parks and recreation sites and the Council's Kimberley depot to apply the same national requirements and standards which will both ensure compliance with the Surveillance Camera Code of Practice and ensure value for money is being achieved.

Fly-tipping

The Council has approved a project to use CCTV cameras to help reduce fly-tipping. The project will require significant consultation and privacy impact assessment analysis to ensure compliance with the Surveillance Camera Code of Practice, but may help save the council significant cost of removing fly tipping in the future.

Body worn video cameras

Public protection, Environmental health and Licencing are in the process of procuring BWVC's to assist with the protection of staff working in vulnerable locations and gathering evidence to facilitate environmental crime prosecutions.

Future work

A significant range of other CCTV work is planned for the next 12 months including reviewing the operation and effectiveness of cameras in a number of locations in the Borough, and the development of a new set of policies and procedures to underpin usage and relocating the wireless backhaul transmission system from the Town Hall roof to the new Beeston town centre cinema site, which is a significant project and includes the realignment of the Beeston town centre wireless system (timing subject to completion of the new cinema).

It has not been possible within existing resources to conduct the wholesale review of individual cameras within Broxtowe, which is necessary in order to ensure continuing compliance with the code of practice and , and the continuing cost effectiveness of the CCTV service. It is therefore recommended that external expertise is procured to ensure this work is completed during 2020/21.

APPENDIX 2

Considerations for the installation, operation or removal of CCTV

The main principles are outlined in the “Surveillance Camera Code of Practice” published in June 2013 and to which “relevant authorities” (such as local authorities) “must have regard”.

The 12 guiding principles:

1. *Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.*
2. *The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.*
3. *There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.*
4. *There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.*
5. *Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.*
6. *No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.*
7. *Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.*
8. *Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.*
9. *Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.*
10. *There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.*
11. *When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.*
12. *Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.*

As per the Highway Code it is not directly an offence to fail to comply with these guiding principles and the details set out in the Code of Practice, but failure to comply could be a material matter in any legal proceedings:

“A failure on the part of any person to act in accordance with any provision of this code does not of itself make that person liable to criminal or civil proceedings. This code is, however, admissible in evidence in criminal or civil proceedings, and a court or tribunal may take into account a failure by a relevant authority to have regard to the code in determining a question in any such proceedings.”

Principle 2 is especially important when it comes to any proposal to implement or review a CCTV system: -

*This principle points to the need for a **privacy impact assessment** process to be undertaken **whenever the development or review of a surveillance camera system is being considered** to ensure that the purpose of the system is and remains justifiable, there is **consultation with those most likely to be affected**, and the impact on their privacy is assessed and any appropriate safeguards can be put in place. Where such an assessment follows a formal and documented process, such processes help to ensure that sound decisions are reached on implementation and on any necessary measures to safeguard against disproportionate interference with privacy.*

Switching off cameras

Switching off cameras (whilst leaving them in situ) requires “*consultation with those most likely to be affected*” and therefore cannot be done “secretly” in the hope of achieving most of the benefits at a much smaller proportion of the ongoing costs (structural and electrical testing would still be required). Effectively they become false cameras which then either require dishonest signage implying they are still functional, or honest signage saying they are no longer working. In the case of dishonest signage: -

“If there is a false sense of security implied, people have the right to rely on that security and may very well expose the responsible party for the false sense of security.”

Thus it can be seen that switching off cameras, having followed due process, and with honest signage, is a cost-reduction option. However, as detailed at the start of appendix 1, the central monitoring cost-reduction benefits for Broxtowe would take a while to filter through; a replacement out-of-hours call-taking function might be needed; and due process would be required before they could be switched back on. If cameras were left off for a pro-longed period of time they might not work again if rotating mechanisms etc had seized up.