

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Portfolio Holder for Localism and Big Society and the Community Development Manager

To: Cabinet – 18 February 2014

(Author: Emily Holmes – Community Development Team Leader)

Subject: The future provision of CCTV Services in South Holland

Purpose: To consider the future of CCTV services in the district and recommend a preferred approach for system improvements.

Recommendation to Council:

- a) That Option 4 be progressed – to enter into a partnership agreement with Boston Borough Council to transfer the operation of the CCTV service to Boston Borough Council for an improved monitoring service;
- b) That the Council reviews the level of future camera provision to make the system fit for purpose and to reflect the financial commitment from partners;
- c) That local partners including Lincolnshire Police, Parish Councils and businesses continue to be engaged on revenue funding for each of the towns, the number of cameras in each location and on future partnership working;
- d) That £31,000 allocated in reserves be released from the Council Tax reserve as capital funding contribution; and
- e) That delegated authority be given to the Community Development Manager in consultation with Portfolio Holder for Big Society and Localism to implement any changes to the CCTV system that involve partners and are within the budget identified.

1.0 BACKGROUND

- 1.1 The current system has been in place across the district since 2007. There are 28 cameras across the district and these are currently monitored by volunteers in Spalding Police Station. There are 17 cameras in Spalding, 5 in Holbeach, 2 in Crowland, 2 in Long Sutton and 2 in Sutton Bridge. The current system records information which can be downloaded and is of good quality in terms of images but the monitoring system is unsatisfactory. The location of the monitoring station and the use of volunteers is not the most effective way of using the system. The current communication system between the cameras and the monitoring station affects the quality of the image on the screen and the ability to track effectively, but the picture quality that the cameras record is clear.

- 1.2 The Effectiveness of CCTV Task Group (May 2010) made a number of recommendations to the Performance Monitoring Panel which were approved and then agreed at Cabinet (June 2010) to improve the effectiveness of the system. Improved performance measures to establish the effectiveness and use of the system are needed. Feedback from parish councils is that improved and increased monitoring of the cameras and of performance is needed to enable more effective use of the system. Improved monitoring of the cameras will enable this to happen and to demonstrate in part the value of the CCTV service.
- 1.3 The current system is monitored by volunteers. This service costs £2,716.33 per month for maintenance work and the cost of the broadband lines to transmit images. Any replacement parts to the cameras which are now 6 years old are in addition to the monthly revenue costs. There is no longer a financial contribution from parish councils towards the ongoing cost of the CCTV system. This ceased following failures in the system and lack of 24 / 7 monitoring.
- 1.4 The Police and Crime Commissioner was elected on 15 November 2012. With the Lincolnshire Community Safety Partnership he commissioned a report into the feasibility of a countywide CCTV solution. This report was discussed by the Lincolnshire Community Safety Partnership in July 2013. Following this, a survey was undertaken on South Holland's CCTV cameras to look at the technical possibilities of working with other authorities in the district.
- 1.5 Pre market engagement has taken place to look at options for monitoring, modifications needed to enable monitoring and for an indication of costs. Exact costs cannot be determined until the precise number and location of cameras are decided. Figures are indicative and volume discounts will apply. This initial investigation suggests that to enable the monitoring of the cameras from a remote monitoring station, replacing the hardware would be the more effective longer term solution. The quality of the current cameras and the images they capture is good. However, replacement cameras with the relevant and compatible technology would be needed for remote monitoring.
- 1.6 There are options to host our own monitoring station but this is costly and resource intensive. There are options for monitoring remotely by existing stations. This could be from a private company, or from a public open space monitoring station. 24/7 monitoring has been discussed as part of the pre market engagement but a more cost effective and value for money option would be 'eye time' monitoring – approximately 18 hours a day to cover peak hours only. These figures are based on the existing number of cameras and costs are a maximum of £32,000 per year. New cameras with increased capabilities and coverage could lead to a reduction in the total number of cameras needed across the district and therefore a reduction in monitoring costs. Should an incident occur outside of the prescribed contract hours for monitoring, the cameras can still be monitored but an additional fee per incident could be charged.
- 1.7 The legal framework that CCTV operates within has undergone some changes. In June 2013 the Home Office published the Surveillance Camera Code of Practice which was presented to Parliament pursuant to Section 30 (1) (a) of the Protection of Freedoms Act 2012. This guidance should be used in conjunction with the Information Commissioner's CCTV Code of Practice and the statutory obligations on operators and users of CCTV systems to comply with the provisions of the Data Protection Act 1998 and the Regulation of Investigatory Powers Act 2000. Changes to the way that South Holland's CCTV system currently operates will be needed in order to meet the standards in the guidance.

2.0 OPTIONS

2.1 **Option 1 - Do nothing, maintain existing level of service. Leave the system as it is and the cameras not monitored as effectively as they could be and have a limited service.**

2.1.1 **Benefits to Option 1** - No capital budget would need to be identified for a replacement system, no ongoing budget for monitoring at the monitoring station would be needed.

2.1.2 **Risks with Option 1** – recruitment and retention of volunteers could be a challenge and impact on the sustainability of the system. The current system and procedures will need reviewing in order to meet the standards in the new guidance. Camera outages are increasing and could increase further as parts need replacing. The cost for replacement parts are outside the scope of the maintenance contract. There is no funding identified to continue with the existing contract. The Council is unlikely to attract financial support from other organisations for the current system.

2.2 **Option 2 – To switch off and remove the CCTV cameras.**

2.2.1 **Benefits to Option 2** - no capital budget would need to be identified for a replacement system, no ongoing budget for monitoring at the monitoring station would be needed, no ongoing revenue budget for replacement parts, maintenance nor broadband costs would need to be identified. However, some funds would be needed for removal and disposal of existing infrastructure.

2.2.2 **Risks with Option 2** – this could lead to increased crime or increased fear of crime in the district. It would negatively impact on community safety in the district, on local policing and partnership relations.

2.3 **Option 3 – To explore opportunities with Boston Borough Council for the South Holland System, incorporating all existing cameras.**

Benefits to Option 3 – South Holland will receive consistency in service utilising expertise that we do not currently have in the authority. The service will be compliant with the legislation, follow correct data protection guidelines, have effective release of information to Lincolnshire Police and provide quality images that can be used as evidence in court. It will offer a monitoring service by trained staff, be directly linked with police radio and have good tracking capabilities. Maintaining the same number of cameras would offer community reassurance and mitigate against police concerns that crime could increase in areas where cameras are removed.

2.3.1 Boston Borough Council's CCTV control room has recently benefited from significant investment and has existing fully trained, experienced, vetted and licensed staff operating the control room. Due to the vetting level the control room is able to use the Police Airwaves radio system to communicate with Lincolnshire Police Control and officers. In addition the control room has a licensed radio system to communicate with retail and night-time economy premises, special events management and internal business. Boston Borough Council's CCTV control room collects and reports on digital logs and performance data to demonstrate the value of CCTV in the area. An example of this performance data is in Appendix A.

- 2.3.2 **Risks with Option 3** – Significant capital investment is needed to enable cameras to be monitored by an alternative location. Regular monitoring of the cameras is a new service and will require ongoing revenue costs. Budget and potential income streams will need to be identified to do this. Maintaining the existing number of cameras in their current location does not take into account the new guidance which is based on the principle of proportionality and pressing need. There are some camera locations that are not suitable for transmitting the images from the camera to the monitoring station through the wireless network and as such a different solution would be needed for some of the camera locations.
- 2.4 **Option 4 (recommended) – to enter into a partnership agreement with Boston Borough Council to transfer the operation of the CCTV service to Boston Borough Council for an improved monitoring service. Also to review the level of future camera provision making the system fit for purpose in line with commitment from partners**
- 2.4.1 **Benefits to Option 4** - South Holland will receive a regularly monitored service utilising expertise that we do not currently have in the authority. The service will be compliant with the legislation, follow correct data protection guidelines, have effective release of information to Lincolnshire Police and provide quality images that can be used as evidence in court. It will offer a monitoring service by trained staff, be directly linked with police radio and have good tracking capabilities.
- 2.4.2 Boston Borough Council's CCTV control room has existing fully trained, experienced, vetted and licensed staff operating the control room. Due to the vetting level the control room is able to use the Police Airwaves radio system to communicate with Lincolnshire Police Control and officers. In addition the control room has a licensed radio system to communicate with retail and night-time economy premises, special events management and internal business. Boston Borough Council's CCTV control room collects and reports on digital logs and performance data to demonstrate the value of CCTV in the area. An example of this performance data is in Appendix A.
- 2.4.3 In addition, reviewing the number and location of the cameras and basing them on a proportional need will be compliant with the new Surveillance Camera Code of Practice.
- 2.4.4 **Risks with Option 4** – significant capital investment is needed to enable the cameras to be monitored by an alternative location. Regular monitoring of the cameras is a new service and will require ongoing revenue costs. Budget and income streams will be identified for this. There could be concerns from local residents and partners if cameras are removed from some locations and a service is no longer received in this area. There are some camera locations that are not suitable for transmitting the images from the camera to the monitoring station through the wireless network and as such a different solution would be needed for some of the camera locations.
- 2.5 **Option 5 - To explore opportunities from the recommendations for a county wide scheme**
- 2.5.1 **Benefits to Option 5** – the county wide report indicated one or two main monitoring stations across the county. This would see savings across the county, a more consistent service across the county and a more joined up partnership with Lincolnshire Police.
- 2.5.2 Risks with Option 5 – there would not be savings to realise in South Holland. All options require significant financial contribution. Any countywide system will take a longer period of time to reach agreement for all organisations involved and the Council needs to act now on the future of CCTV in the district.

2.6 **Option 6 - a private sector service could be procured.**

2.6.1 **Benefits to Option 6** – the private sector market would be tested.

2.6.2 **Risks with Option 6** – private sector monitoring operates differently to public sector, there is no budget identified to move this forward and commence the procurement process, there is not the expertise in the authority to write an appropriate technical specification and additional budget would be needed for a consultant to do this.

3.0 **REASONS FOR RECOMMENDATIONS**

3.1 The current system for monitoring has not been able to provide evidence for value for money and benefits of the scheme. Partners have been dissatisfied with quality of image and speed of monitoring in the current control room. The cameras are 6 years old, repairs are needed and parts are beginning to need replacing. A replacement system will be more effective in the longer term.

3.2 Boston Borough Council has a control room with systems in place to effectively monitor CCTV and provide surveillance at the times required by the Council. The quality of the image on screen in the control room and the ability to track moving people or vehicles will be an improvement on the existing system and will enable more effective monitoring. The systems in this control room are compliant with the statutory guidance and operators are trained and vetted to the required standards. The monitoring systems in place will be performance managed and information in use for crime detection will be recorded and shared, providing partners and local residents with information on the value of the system. This monitoring station is sustainable and will give the Council a consistent service. There are the appropriate skills and expertise to manage the system and remain compliant with the legislation for public place surveillance and data protection.

4.0 **EXPECTED BENEFITS AND TIMELINES**

4.1 Improved monitoring of the system is needed to increase the level of service provided by the CCTV system, to measure performance and to be compliant with new legislation and guidance.

4.2 CCTV is valuable as a deterrent and for prevention of crime as well as being used to detect crime and is used to help lead to a conviction. Performance monitoring measures will be put in place to ensure a systematic record kept to evidence its value and effectiveness.

4.3 Improved public and parish council satisfaction will be achieved through a more effective system.

4.4 The benefit of working with a neighbouring local authority will strengthen links through the East Community Safety Partnership and they have a greater understanding of the requirements of a local authority, public space CCTV system.

5.0 **IMPLICATIONS**

5.1 **Carbon Footprint & Environmental Issues**

5.1.1 There could be different carbon footprint and environmental issues dependent on the communication methods used to send information from the cameras to the monitoring station.

5.2 Constitution & Legal

- 5.2.1 The Protection of Freedoms Act 2012 was passed on 1 May 2012. Part of this Act concerns the regulation of CCTV and other surveillance camera technology. A Code of practice for surveillance camera systems came into place in June 2013 and the delivery of the CCTV system will need to take this legislation and codes of practice into account.
- 5.2.2 The Data Protection Act 1998 (DPA) will have need to be considered when monitoring CCTV. The DPA applies to the processing of personal data by data controllers. Operation of CCTV systems will need to comply with data protection principles. There is an existing code of practice provided by the Information Commissioner to ensure compliance with the DPA and transparency which gives good practice advice on capturing and using images of individuals and which define the operational requirements, technical requirements and system validation of a CCTV system.
- 5.2.3 The Regulation of Investigatory Powers Act 2000 (RIPA) regulates surveillance including the way in which data is gathered and used. The list of organisations which are able to view surveillance data was extended in 2003 to include local councils.
- 5.2.4 The Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide CCTV coverage of any land within their area for the purpose of crime prevention or victim welfare.
- 5.2.5 The codes of practice issued under the Police and Criminal Evidence Act 1984 detail how exhibits such as CCTV images used for investigations have to be handled so that they are admissible in court.
- 5.2.6 Wayleaves will be needed where cameras are positioned on buildings not owned by the Council and a license is needed for each property.
- 5.2.7 Section 1 of the Localism Act 2011 contains a general power of competence and Section 101 of the Local Government Act 1972 contains incidental powers. The Local Authority (Goods and Services) Act 1970 permits local authorities to deliver services to other local authorities and public bodies. Taken together, these statutory provisions permit the operation of South Holland's CCTV service to be transferred to Boston Borough Council.
- 5.2.8 Section 17 of the Crime and Disorder Act 1998 states: *'without prejudice to any other obligation imposed on it, it shall be the duty of each authority...to exercise its various functions with due regards to the likely effect of the exercise of those functions on, and the need to do all it that it reasonably can to prevent crime and disorder in its area'*. The impact of CCTV on Crime and Disorder is addressed in 5.4 of this report.

5.3 Contracts

- 5.3.1 The existing maintenance and communications contract will need to be extended to maintain the service while the improvements are being made. Any new contract will be robustly monitored, particularly for performance and monitoring of the use of the cameras. To cease our current arrangements a minimum of three months notice is needed.

5.4 Crime and Disorder

- 5.4.1 The National CCTV Strategy maintains that CCTV plays a significant role in protecting the public and assisting the police in the investigation of crime. CCTV is used to gather intelligence for investigations, prosecutions and used as evidence in court. The Effectiveness of CCTV Task Group (May 2010) were informed that in the first six months after the installation of the CCTV cameras in the district, shoplifting reduced by 60% and there was a corresponding increase of 22% in neighbouring areas. Reducing or removing this service may have a negative impact on crime and disorder and public perception of community safety and fear of crime.
- 5.4.2 It is difficult to measure the impact of CCTV on crime and disorder but there are a number of national assumptions around CCTV and its role in crime prevention; it can deter crime, it can encourage feelings of personal safety, it can assist in the identification of offenders, it can help in the efficient deployment of police resources, it can help remind potential victims of the 'risk of crime and the need for caution (Police Federation briefing January 2014).

5.5 Equality and Diversity & Human Rights

- 5.5.1 The Human Rights Act 1998 will need to be taken into consideration. Article 8 of the European Convention on Human Rights protects an individual's right for a private and family life. When CCTV systems are operated by or on behalf of a public authority, the wider human rights issues and in particular article 8 will need to be considered. To comply with article 8, gathering of data needs to be necessary, legal, accountable, proportionate and cause minimum invasion to privacy (Ministry of Justice, 2006).

5.6 Financial

- 5.6.1 During the pre market engagement where initial options were discussed, a maximum £104,000 net would be needed to upgrade the hardware of the existing 28 CCTV cameras, complete a wireless network and put in place wayleaves for the camera locations.
- Overall capital costs would be up to a maximum of £104,000
 - £105,000 capital funds have already been secured, including £31,000 which has been ringfenced in the Council Tax reserve and £74,000 in external funding. £18,000 has been secured from the Lincolnshire County Council Second Homes Income Grant and £56,000 from the Police and Crime Commissioner Second Homes Income Grant.

The recommendation of this report is for approval to release the capital funds in order to commence the project

- 5.6.2 Monitoring costs based on the existing number of cameras will be a maximum of £32,000 per annum. The final number of cameras and level of monitoring, 24/7 or 18/7 will determine the final revenue cost. There is currently provision for CCTV within 14/15 draft revenue budgets from Spalding Special Expenses of £7,700 allocated for Spalding cameras. This means that an additional £24,300 would need to be found from extra income or savings in other budgets in order not to have a negative impact on the revenue budget from 2014-15 onwards. Revenue sources for each of the current towns and locations will be discussed with partners.
- 5.6.3 Options to generate revenue income to off-set some of these costs through contributions from parish councils and other stakeholders in a similar way to the existing system are being pursued.

5.7 Risk Management

- 5.7.1 The CCTV system increases public confidence and feeling of public safety, as demonstrated by the snap-shot e-survey undertaken by the Effectiveness of CCTV Task Group.
- 5.7.2 If improvements to the system are not made there is a risk that parish councils will completely withdraw their support to the service and parts of the district will be left without CCTV coverage when they need it.

5.8 Staffing

- 5.8.1 The control room is currently monitored by volunteers and there are no direct staffing implications.

5.9 Stakeholders / Consultation

- 5.9.1 Parish councils contributed to the existing CCTV system in the past and have been disappointed with the current scheme – particularly with monitoring of the system. All parish councils will be consulted to determine their views on CCTV, whether the location of the cameras in their area are still current and whether they wish to be part of the scheme moving forward.
- 5.9.2 The Police and Crime Commissioner and the Lincolnshire Community Safety Partnership commissioned a consultant to conduct a feasibility study on a potential countywide CCTV system. The purpose of this was to offer a consistent service across the county and have a standard operating model between districts and Lincolnshire Police. After the study was carried out it was determined that this was an unrealistic option due to the differences in infrastructure, budget and technological specification across the organisations. However, it did identify that working more closely in partnership with neighbouring authorities as a way forward.
- 5.9.3 Discussions on the future of CCTV and its impact on crime and disorder have regularly take place with Lincolnshire Police. It is difficult to provide hard data that links the use of CCTV to convictions. Even at a national level it is hard to link CCTV operation to convictions. This is because of the way data is recorded. Lincolnshire Police record crimes and incidents to national standards. When an incident is reported it is entered on to an incident system, if that is then a crime, it is entered on to a crime system. It is hard to marry the information with CCTV records, and also to prosecutions. It is not possible to measure the amount of crime that has been prevented by the presence of CCTV. Experienced police officers are able to anecdotally acknowledge that it does have an impact, highlighting the impact of shoplifters from neighbouring towns in the years before the CCTV system was in place. Taking one crime type as an example, in South Holland, there has been a year on year reduction in recorded offences of criminal damage; vandalism and graffiti, during the period where CCTV was installed, incidents went down and detections went up.

In 2012 there was a monthly average of 23 requests per month for downloading CCTV images. There are also a number of recent case examples highlighted in Appendix B.

The volunteers that are based in Spalding Police station do an excellent job but the hours they cover are limited. There are obvious benefits to live control and on an almost daily basis CCTV operators in Boston identify known offenders or see an offence and are able to track them via CCTV until officers arrive.

6.0 **WARDS/COMMUNITIES AFFECTED**

- 6.1 CCTV currently covers parts of Spalding, Holbeach, Long Sutton, Sutton Bridge and Crowland. There is scope for other wards to join the scheme.

Background papers:- None

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Key Decision – No

Exempt Decision – No

Appendices attached to this report:

Appendix A – Performance data examples

Appendix B – South Holland Cases