

REVIEW OF CCTV PROVISION

<u>Report of the:</u>	Chief Executive
<u>Contact:</u>	Kelvin Shooter
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
<u>Annexes/Appendices (attached):</u>	<u>Annexe 1</u> - Location of Epsom Town Centre CCTV cameras. <u>Annexe 2</u> - Location of Ewell Village CCTV cameras. <u>Annexe 3</u> - Location of Stoneleigh Broadway CCTV cameras.

Other available papers (not attached):

REPORT SUMMARY

The Council operates Closed Circuit Television (CCTV) in a number of public locations and premises used by the public. This report describes that service provision, outlines its financial and legal implications, and suggests that the Council's use of CCTV be reviewed at the earliest opportunity.

RECOMMENDATION (S)

That the Committee:

- (1) Receive the report on CCTV.**
- (2) Agrees to undertake a full review of CCTV usage by the Council, in order that recommendations can be made to other relevant committees.**

Notes

1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy

1.1 There are no specific corporate plan actions in respect of CCTV in 2016/2017. The provision of Town Centre (Streetscene) CCTV falls within the 2016/20 Key Priority of 'Supporting Businesses and our Local Economy'. It also contributes to Supporting our Community, and a review of CCTV provision could also aid us in Managing our Resources.

2 Background

2.1 The provision of CCTV by the Council falls into four categories, and is managed by four different services:

- 1) Town Centres' (Streetscene) CCTV – Environment Committee.
- 2) Public Car Parks CCTV – Environment Committee.
- 3) Council Venues/Other Facilities CCTV – Community & Wellbeing Committee and Strategy & Resources Committee.
- 4) Council Vehicles CCTV – Environment Committee.

2.2 There is legislation and codes of practice associated with the provision and use of CCTV (See Section 6, below).

2.3 The Surveillance Camera Code of Practice sets out the following 12 guiding principles which system operators should adopt:

- 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.
- 2.4 Whilst there is general compliance with the spirit of the 12 principles, there is not compliance with all, and the required associated documentation is not all in place. Compliance with the Code is monitored by the Surveillance Camera Commissioner, and use of data gathered by camera systems is also overseen by the Information Commissioner, who has specific enforcement powers.

3 Town Centres' (Streetscene) CCTV.

- 3.1 There are currently 20 cameras deployed in the Borough: 16 in Epsom Town Centre, 2 in Ewell Village and 2 on Stoneleigh Broadway. (Annexes 1-3).

- 3.2 A sum of £90K was approved by EEBC in 1993 and in 1994 6 cameras were approved for Epsom Town Centre and 2 for Stoneleigh Broadway. Additional cameras were later added to the current number from EEBC capital funding and 106 grant monies. At the time of the Council's decision to introduce CCTV Central Government launched the 'Partners against Crime' initiative with the Home Secretary of the day stating that CCTV had a major role in helping to detect and reduce crime and convict criminals.
- 3.3 The cameras were initially monitored from the security monitoring suite at the Ashley Centre before this function was moved to Walton Police Station in a joint monitoring arrangement with Elmbridge Borough Council. This arrangement came to end in 2011; this coincided with the closure of Walton Police Station.
- 3.4 A partnership between Epsom & Ewell Borough Council, Elmbridge Borough Council and Surrey Police saw the monitoring of both Epsom & Ewell and Elmbridge Cameras transfer to the CCTV monitoring suite at Runnymede Borough Council. A 5 year contract was entered into with Runnymede by the two Councils and the Police. This contract expires in March 2017. The annual payment by Epsom & Ewell is £40,000 plus CPI while Elmbridge pays £122,000 plus CPI and the Surrey Police pays £95,000 plus CPI. CPI has been applied since year two (2012).
- 3.5 Maintenance of the cameras is carried out under contract with an external provider managed through Elmbridge BC. This contract costs Epsom & Ewell £250 per month for planned preventative maintenance and 'pay as you go' for break downs and repairs. This contract will finish in March 2017 at the same time as the monitoring contract.

4 Other CCTV systems

- 4.1 The Council operates a number of other CCTV systems, comprising the following:
 - 1) Car parks – A small number of car parks have CCTV cameras recording points of entry, exits and parking areas. These are for prevention and detection of crime and disorder and to protect public safety. In addition, there are non-recording cameras in barrier controlled car parks at points of entry, exits and around pay machines. In addition to crime & disorder and safety reasons, these cameras are monitored during opening hours to deal with operational issues relating to the use of the car park. There is also an automatic numberplate recognition system in operation in one car park to verify times of entry/exit in the event of a lost token. The fact that CCTV is in place as appropriate forms part of the reason why the Council has secured the Park Mark safer parking award.

- 2) Venues and other Buildings – A small number of CCTV cameras are located in and around Council Venues and other buildings (including the Town Hall and Depot). Again these are for the prevention and detection of crime and disorder and the protection of public safety.
- 3) Vehicles – Several vehicles have CCTV cameras monitoring the exterior of the vehicles. These are for operational reasons and in order to evidence issues relation to alleged road traffic incidents, service failures and other operational matters.

5 Proposals

- 5.1 With the increasing requirement to review the use of CCTV (under the relevant legislation and codes of practice) and the need to maintain a business case for all service provision, it is proposed that CCTV be reviewed in order to demonstrate and document compliance with the Code of Practice and to determine the appropriateness and value for money of each of the different systems.

6 Financial and Manpower Implications

- 6.1 The cost of maintaining the Town Centres' (Streetscene) CCTV is £75,500.00pa and includes the monitoring and maintenance contract costs. There is no provision for replacement or upgrading of the owned assets within those costs.
- 6.2 The contracts are monitored via a third party (Elmbridge BC) and administered internally via the Community & Wellbeing Division of EEBC.
- 6.3 The other systems are funded separately. Whilst there was a capital cost to the provision of each system, most are not monitored, with the images being used on a reactive basis, so there are not separate monitoring costs, and ongoing maintenance of these other systems is minimal.
- 6.4 **Chief Finance Officer's comments:** None for the purposes of this report.

7 Legal Implications (including implications for matters relating to equality)

- 7.1 The use of CCTV equipment, and the data gathered by such equipment is governed by various legislation, including the Protection of Freedoms Act 2012 and the Data Protection Act 1998. Various other legislation is also engaged, including the Human Rights Act 1998 as well as the legislation dealing with the Council's role in respect of crime and disorder.
- 7.2 The Council must have regard to the Surveillance Camera Code of Practice issued by the Secretary of State under the 2012 Act, though non-compliance does not of itself make the Council liable to criminal or civil proceedings.

- 7.3 There is no legal requirement for the Council to install or maintain CCTV cameras, record images or retain images that have been recorded. However, in reviewing CCTV provision, it is necessary to have regard to the full range of relevant legislation.
- 7.4 **Monitoring Officer's comments:** The Council must have regard to the Code of Practice, and should seek to ensure over time that we comply with all aspects of the Code in relation to all CCTV systems we operate.

8 Sustainability Policy and Community Safety Implications

- 8.1 Town Centres' (Streetscene) CCTV has complex Community Safety implications for and against its provision. Such details would be explored as part of a full review as recommended.
- 8.2 Other systems – similarly, there are Community Safety implications in respect of certain other systems.

9 Partnerships

- 9.1 **Town Centres' (Streetscene) CCTV** is monitored in a joint arrangement with the Surrey Police, Elmbridge BC and Runnymede BC. It is maintained in a joint arrangement with Elmbridge BC. The system and the images taken/recorded are at this time almost exclusively accessed by Surrey Police.
- 9.2 It is important that key stakeholders, such as Surrey Police, are consulted before decisions are taken in relation to CCTV provision

10 Risk Assessment

- 10.1 There are no legal requirements to provide and maintain CCTV. However if such a service is provided it is governed by legislation and codes of practice that if not adhered to could cause financial and reputational damage to the Council. Detailed risks would be explored as part of a full review as recommended.
- 10.2 The risks of removing or ceasing to monitor any systems would need to be assessed as part of any review.

11 Conclusion and Recommendations

- 11.1 Town Centres' (Streetscene) CCTV is a discretionary service provided by the Council and used almost exclusively by the Surrey Police for which they currently pay a contribution towards the monitoring through a contract that ends in March 2017. There are sound reasons why the system has been operated, but it is considered that this would benefit from a review prior to any future decisions being taken.

AUDIT, CRIME & DISORDER AND SCRUTINY COMMITTEE
28 APRIL 2016

11.2 It is considered that other CCTV systems are also used for sound operational reasons, but again, could benefit from a comprehensive review.

11.3 It is recommended that a full review of CCTV is conducted and that appropriate recommendations are made to the relevant Committees.

WARD(S) AFFECTED: (All Wards);