

Community Safety and Community Services Scrutiny Committee
– 3rd November 2011

Report of the Director of Corporate Resources

An overview of Closed Circuit Television (CCTV) in the Dudley Borough

Purpose of Report

1. To provide Scrutiny Committee with an overview of the Council's CCTV responsibilities within the Borough, with a particular focus on the role of CCTV Control Room in Sedgley.

Background

2. CCTV is reported to have been introduced in the 1970s and is defined as a TV system in which signals are not publicly distributed but are monitored, primarily for surveillance and security purposes.
3. CCTV usually has the following aims and objectives:-
 - To help reduce the fear of crime
 - To help deter crime
 - To help detect crime and provide evidential material for court proceedings;
 - To assist in the overall management of the Dudley Borough Town Centres;
 - To enhance community safety, assist in developing the economic well being to the Dudley Borough area and encourage greater use of the town centres and shopping centres etc
 - To assist in traffic management
 - To assist in supporting civil proceedings
4. Within Dudley Borough the development of the CCTV infrastructure was largely shaped by the Government programme of town centre CCTV funding during the 1990's. There were a range of bidding rounds that enabled the Council to successfully receive funding to establish CCTV in the Borough principal towns, following the submission of appropriate information on aspects such as levels of reported crime, proposed coverage, costs etc. As a result of this national allocation, the Council reached agreement with the Police to establish a venue for the CCTV monitoring station at Sedgley police station, together with practical arrangements such as the holding of video records and alerting emergency services in the event of incidents. The contract for monitoring the CCTV images was subject to competitive tendering, and was awarded to the Legion Group.

5. In total there are now around 750 Council owned CCTV cameras (excluding schools) situated in a wide variety of Council buildings and locations including offices, halls, car parks, public spaces, blocks of flats, depots, etc.

6. **The CCTV Control Room at Sedgley**

The Council's CCTV control room is located in leased premises at the rear of Sedgley Police station and is operational 24 hours a day, 365 days a year. Two members of staff ('operators') are on duty at all times. It is here that the images from 127 cameras are pro-actively monitored and recorded.

7. Of the 127 cameras, 41 are Dudley borough 'public space' cameras; 13 are monitored on behalf of DACHS on the Highfields Housing Estate at Halesowen; 8 cover the public car parks on Stafford Street Dudley, Andrew Road, Halesowen and Bank Street, Brierley Hill; 6 are monitored on behalf of the Castlegate retail/leisure park; 30 are monitored on behalf of Centro at Dudley bus station (here we also respond to activations of 9 emergency help points); there are 22 Wolverhampton Urban Traffic cameras (we are able to view the images and record them by agreement); and finally there are 9 cameras situated in and around Sedgley Police station.

8. A limited number of the images are also relayed to other locations in the borough for various purposes. Up to two images are constantly relayed 24 hours a day to the local Divisional Police Control Room at Halesowen Police Station. Images can also be relayed to DUE Lister Road Depot and Mary Stevens Park for traffic monitoring and management purposes, up to four images can be relayed to the Disaster and Contingency Management suite at Himley Hall (a facility that was invaluable during the two EDL demonstrations).

9. Whilst the Council has responsibility for the CCTV service, the control room operators are employed by Legion Group plc (a subsidiary of OCS Facilities Management Company). All staffing issues relating to recruitment; disciplinary procedures; pay; hours of work; leave etc are a matter of Legion Group plc, not the Council.

10. Control room operators are licensed by the Security Industry Authority (SIA) for the activity of monitoring public space surveillance (i.e. CCTV). Operators are trained in the use of equipment, observation techniques, Dudley Council procedures / record keeping, report procedures and action on incidents, evidence handling, etc. There is one supervisor and one deputy supervisor both of whom work shifts alongside colleagues.

11. **Disclosure**

Access to and disclosure of images is restricted and controlled by legislation, this ensures that the rights of the individual are preserved and evidence remains admissible.

12. Under the Data Protection Act members of the public have a right to request access to their personal data. This would include images recorded by CCTV systems. The Council, where a lawful basis exists to disclose information, responds to requests to review footage. There are well defined procedures in place that set out whether disclosure can be made.

13. We receive access requests on a daily basis from members of the public; the Police; Directorate of the Urban Environment in regard to fly tipping; Legal and Democratic Services in respect of illegal taxi operators; insurance companies investigating fraudulent insurance claims, etc.

14. **Police Usage of DMBC CCTV Images**

Superintendent Stuart Johnson will be attending the Scrutiny Committee Meeting to respond to any questions members may have.

15. **Future Strategic Issues/Challenges facing the Service**

The 2010 Queens Speech included an announcement about a review of the use and regulation of CCTV and the impact of CCTV on privacy. The subsequent Protection of Freedoms Bill adds a new layer of control over the use of CCTV by local authorities and other bodies. Although CCTV is already subject to legislative controls, the bill creates two new elements of regulation:

- a requirement on the Secretary of State to produce a new statutory code of practice setting out standards for all aspects of CCTV use. While the code will include practical measures like technical standards and a public consultation requirement, it will also constrain how CCTV operates. It has to include guidance on the purpose for which a CCTV scheme can be used, information on how and when disclosure is allowed, and it will set standards on which people can operate a CCTV system.
- the creation of a new Surveillance Camera Commissioner who will encourage compliance, review its operation, and produce annual reports about the code and its operation to Parliament.

16. The Bill's approach to CCTV clearly adds an additional level of complexity and will allow a member of the public to apply for a judicial review if they believe the code has been breached. The Government plans to enact the Bill later this year.

17. Notwithstanding the Bill, the Council intends to undertake a fundamental, audit - led review of its CCTV usage and to introduce a corporate CCTV strategy and action plan covering implementation, monitoring and management. The review will hopefully be concluded by mid 2012.

Finance

18. The 2011/12 net budget for the Sedgley Control Room and the 127 cameras it monitors is £172,000. This takes into account monitoring income received from external organisations. The vast majority of expenditure incurred relates to Control Room external staffing costs.
19. With few external funding opportunities, the costs associated with maintaining and modernising our CCTV infrastructure, including the repair and replacement of camera parts and control room equipment, presents a challenge at this time of capital funding shortages. In this context it is relevant to note that the Government funding Community Safety Partnership allocation has reduced from £314,000 last year to £250,000 this year, with an additional reduction to £127,000 planned for 2012.

Law

20. Section 111 of the Local Government Act 1972 enables the Council to do anything which is to facilitate or is conducive or incidental to the discharge of its functions.

Section 2 of the Local Government Act 2000 enables the council to do anything which it considers likely to achieve the promotion or improvement of the economic, social or environmental well-being of the borough.

Other legislation includes:

The Crime and Disorder Act 1998 and subsequent amendments;

The Criminal Procedures and Investigations Act 1996;

The Data Protection Act 1998;

The Human Rights Act 1998;

The Regulation of Investigatory Powers Act 2000

The Police Reform Act 2002:


The Police and Justice Act 2006 & subsequent regulations

Equality Impact

21. This report is in accordance with the council's equality and diversity policy.
22. To ensure that control room operators are clear about their responsibilities and to ensure that the law is complied with the 'Dudley MBC CCTV Operational Procedural Manual' clearly sets out the procedures that operators must follow.

Recommendation

23. It is recommended that the committee note the information contained in this report.
24. It is recommended that further information surrounding the new and amended requirements arising out of the Protection of Freedoms Bill and the findings of the internal CCTV review be reported to a future Scrutiny Committee meeting.



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Phil Tart
Director of Corporate Resources

Contact Officers: Mike Williams
Telephone: 01384 814970
Email: mike.n.williams@dudley.gov.uk

Julie Jones
Telephone: 01384 813164 / 815396
Email: julie.jones@dudley.gov.uk

List of Background papers:-

- > Dudley MBC (in partnership with West Midlands Police) Code of Practice for the Operation of CCTV.
- > Dudley MBC CCTV Operational Procedural Manual
- > The Protection of Freedoms Bill