

Community Safety and Community Services Scrutiny Committee
– 17th January 2013

Report of the Director of Corporate Resources

Closed Circuit Television (CCTV) in the Dudley Borough

Purpose of Report

1. To provide Scrutiny Committee with (a) details of the outcome of an internal review of the Council's CCTV arrangements and (b) an update regarding new requirements arising out of the Protection of Freedoms Act.

Background

2. A previous report to the Committee provided an overview of the Council's CCTV responsibilities within the Borough, and made reference to the Protection of Freedoms Bill and its implication in relation to CCTV. For the benefit of the Committee, the main points of the original report (updated as required) are summarised in paragraphs 3 to 10 below.
3. CCTV was reportedly 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
4. 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 malls etc
 - To assist in traffic management
 - To assist in supporting civil proceedings
5. 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 (now OCS) Group.

6. The original report identified that there were 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.

The CCTV Control Room at Sedgley

7. The Council's CCTV control room is located in 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 187 cameras are pro-actively monitored and recorded.
8. Of the 187 cameras, 52 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; 5 are monitored on behalf of the Healthy Hub sites; 6 are monitored on behalf of the Castlegate retail/leisure park; 71 are monitored on behalf of Centro at Dudley and Stourbridge bus stations (where we also respond to activations of a total of 15 emergency help points at both bus stations); there are 23 Wolverhampton Urban Traffic cameras (we are able to view the images and record them by agreement) and finally there are 9 security cameras situated in and around Sedgley Police station. A map indicating the locations of the cameras will be available at the committee meeting.
9. 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).
10. Whilst the Council has responsibility for the CCTV service, the control room operators are employed by OCS Group. All staffing issues relating to recruitment; disciplinary procedures; pay; hours of work; leave etc are a matter for OCS Group, not the Council.
11. 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 a supervisor and a deputy supervisor both of whom work shifts alongside colleagues.

Disclosure

12. 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.

Police Usage of DMBC CCTV Images

13. A Police representative will be attending the Scrutiny Committee Meeting to respond to any questions members may have.

The Review

14. The report was prepared by the Council's Head of Audit Services, who will be attending the Scrutiny Committee Meeting. His report is attached as appendix A. In summary, the current CCTV arrangements have worked reasonably well to date, the service is much appreciated by partners such as the police, but there is scope for efficiency improvements to be made.
15. Further to the report:
 - a) the Council will improve our CCTV administrative processes. For example, Housing have agreed to put in place a programme of work to assess all of the systems under their control in accordance with the Council's CCTV checklist. This will include ensuring that appropriate signage is in place and correct procedures are followed.
 - b) a new Information Governance Officer for schools has been appointed. As part of her ongoing work programme she will be visiting all schools in the Borough, ascertaining whether they have a CCTV installation and if they have, ensuring that the CCTV checklist is completed and systems are registered with the Information Commissioner as appropriate.
 - c) an audit-led value for money review of the current CCTV arrangements (including schools) will be undertaken with a view to realising efficiency savings and an action / improvement plan will be developed by Corporate Board for consideration.

The Protection of Freedoms Act

16. The Protection of Freedoms Act became law in 2012. It required the appointment of a CCTV Surveillance Commissioner. The Act gives the public more power to challenge the use of surveillance cameras by the police and local authorities through the creation of a new Code of Practice.
17. The theory is that the Code of Practice, still being drafted, will be designed to encourage greater transparency in the use of CCTV and Automatic Number Plate Recognition (ANPR) and, as well as ensuring these systems are being used proportionately, will provide coherent guidance for police forces and local authorities to increase image quality and boost the chances of catching criminals. The new Commissioner will represent the interests of the public, ensuring police and local authorities use surveillance camera systems responsibly and follow the Code of Practice that is due to be agreed in April 2013.
18. The CCTV Commissioner is currently only responsible for technology employed in state owned public places, covering less than 5% of the cameras in the country. However, it has been suggested that this remit is due to be widened to include schools and hospitals eventually, as well as shopping centres.

Finance

19. The 2012/13 net operational budget for the Sedgley Control Room and the cameras it monitors is £114,600. This takes into account monitoring income received from external organisations. The vast majority of expenditure incurred relates to Control Room external staffing costs.
20. 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.
21. It is relevant to note that the Government funded Community Safety Partnership allocation reduced from £314,000 in 2010/11, to £250,000 in 2011/12 and then to £153,000 this year. With effect from 1/4/13, all Home Office funding streams that were previously received by the Local Authority will be received by the new Police and Crime Commissioner. As such, Dudley's 2013/14 allocation is not currently known.

Law

22. 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.

The Localism Act provides a general power of competence to local authorities, which enables the Council to do anything that individuals generally may do, subject to certain limitations set out in the Act.

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

23. This report is in accordance with the council's equality policy.
24. 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

25. It is recommended that the committee note and comment upon the information contained in this report.



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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](#)

[Report to Community Safety and Community Services Scrutiny Committee 3/11/11](#)