

TONBRIDGE & MALLING BOROUGH COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

03 December 2020

Joint report of the Director of Central Services and Deputy Chief Executive together with the Director of Street Scene, Leisure & Technical Services

Part 1 - Public

Matters for Recommendation to Cabinet

1 REVIEW OF CCTV

Members are requested to give further consideration to the provision & operation of CCTV within the Borough, in light of recent discussions with Kent Police

Background

- 1.1.1 Members will recall that a review of community safety, including the provision of CCTV, was previously considered by this Committee on 28 August and 10 October 2019. The recommendations arising out of that review were subsequently considered by Cabinet on 16 October 2019 and thereafter by Council on 29 October 2019.
- 1.1.2 Copies of the previous reports to this Committee are attached at **Annexes 1 & 2**.
- 1.1.3 In respect of the Community Safety Partnership Members agreed that growth to the Borough Council's budget for 2019/20 and 2020/21 should be accepted and that the provision of the Community Safety Services should be retained at the current level of resource.
- 1.1.4 In relation to CCTV provision Members agreed that a decision regarding the level of operation be deferred in order for the Borough Council to write to the Police and Crime Commissioner (PCC) and Clarion Housing regarding their level of financial contribution towards both the operation of CCTV and the level of financial contribution to the Community Safety Unit. For clarity the recommendation made by the Overview and Scrutiny Committee to Cabinet was that the CCTV operation be maintained at its current level.
- 1.1.5 The Director of Central Services and Deputy Chief Executive wrote to the PCC and the Chief Executive of Clarion Housing Group.
- 1.1.6 The PCC replied as follows: "*The question of funding for CCTV is one that has been raised on a number of occasions by the Districts. If Council's wish to use the Crime Reduction Grant that I provide them to support their CCTV network then*

this is not an issue. This is already taking place in a number of areas with around £110,927 allocated from this grant to support CCTV during 2019/20. However, CCTV provision is not a core function for the Police and it is up to Local Authorities to decide what the CCTV service looks like going forward’.

- 1.1.7 Members will remember that the Community Safety Partnership currently receives (2020/21) a total of £30,771 from the PCC’s Crime Reduction Grant which is already allocated towards a number of community safety projects such as domestic abuse support, addressing neighbour disputes and providing outreach work for young people.
- 1.1.8 The response received from Clarion was that they are unable to contribute financially for CCTV provision unless the benefits to their residents can be evidenced. However, it is clear that none of the areas and/or estates where they have homes are covered by the static CCTV cameras provided by the borough. They state that they continue to support the positive work that the Community Safety Partnership continues to deliver and do work closely with the Borough Council and other statutory agencies to manage both anti-social behaviour and other related activities in the areas where they have homes.
- 1.1.9 The responses from the Police & Crime Commissioner and Clarion are shown at **Annexes 3 & 4 respectively.**
- 1.1.10 A further meeting subsequently took place attended by the Chief Executive, the Head of Service for Licensing, Community Safety and Customer Services, the deputy Chief Constable, and the Chief Inspector. Kent Police reiterated that they greatly valued the CCTV network/operation across the County. However, they recognised the difficult financial pressures faced by local authorities and as CCTV was the responsibility of district/borough councils Kent Police would not object to the cessation of live monitoring by Tonbridge and Malling Borough Council.
- 1.1.11 The response from the Assistant Chief Constable is shown at **Annex 5.**
- 1.1.12 On 14 October 2020 Cabinet reviewed the responses from the PCC, Kent Police and Clarion Housing Group and, in light of these responses resolved to refer the review of CCTV back to the Overview and Scrutiny Committee on 3 December 2020 for further consideration.

1.2 Updated analysis

- 1.2.1 Given the elapse of time since the Committee last considered this matter, updated statistics have been prepared to assist Members in their review.
- 1.2.2 A copy of the CCTV Operational Analysis – April 2019 to March 2020 is shown at **Annex 6.**
- 1.2.3 A copy of the updated numbers including (2019-2020) from the previous report dated 29 August 2019 is shown at **Annex 7.**

1.3 Legal Implications

- 1.3.1 Section 17 of the Crime and Disorder Act 1998 imposes a statutory duty upon the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that I reasonably can to prevent:-
- (a) Crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment);
 - (b) The misuse of drugs, alcohol and other substances in its area; and
 - (c) Re-offending in its area.
- 1.3.2 The above duty also applies to Fire & Rescue Authorities and local Policing bodies.
- 1.3.3 The 1998 Act also imposes a separate duty on the Council, together with other Responsible Authorities, to formulate and implement a strategy to reduce/ combat the matters set out at (a) to (c) above.
- 1.3.4 The Council is under no specific statutory duty to provide CCTV cameras. The current arrangements are provided in support of our wider crime and disorder duties set out above, and as landowner (in respect of Council owned buildings and car parks).
- 1.3.5 The live monitoring of the CCTV system is undertake in partnership with Tunbridge Wells Borough Council under a formal Agreement. If either party wishes to withdraw from the Agreement, 2 years notice is required.

1.4 Financial and Value for Money Considerations

- 1.4.1 As set out in the previous report dated 29 August 2019 is shown at **Annex 1**.
- 1.4.2 In the event that Members are minded to make changes to the provision of CCTV, a further detailed analysis will need to be undertaken to include any possible exit costs. This would be reported to Cabinet prior to any to any final decision.

1.5 Risk Assessment

- 1.5.1 Any reduction in the current level of service delivered by the Community Safety Unit, or through the provision of CCTV cameras, carries with it the potential to negatively impact upon the discharge of our statutory duties set out above or upon the safety & security of car parks/ other Council property.

1.6 Equality Impact Assessment

- 1.6.1 To ensure that the Borough Council have due regard to equality duties an Equality Impact Assessment will be undertaken if it is opted to make any changes to the current CCTV provision. This would need to be reported back to Cabinet to allow

the impact of any recommendations to be fully considered. It is not considered that the provision of CCTV is a function that impacts upon a specific group with protected characteristics in any different way to end users and any service changes recommended would have a remote or low relevance to the substance of the Equality Act.

1.7 Policy Considerations

- Customer Contact
- Communications
- Community

1.8 Recommendations

1.8.1 Members are requested to **RECOMMEND** to Cabinet one of the following options:-

1. Keep the CCTV operation as it is now with no change.
2. Provide passive only cameras with a saving of circa £100,000 contributing towards the Council's overall savings target within the medium term financial strategy (MTFS). Due to the existing agreement, 2 years written notice is required to be given. In the event that Members were minded to recommend this option, it is suggested that a further piece of work would then need to be undertaken to review the appropriate locations for passive only cameras.
3. Discontinue the existing CCTV Service with a saving of circa £215,000 contributing towards the Council's overall savings target in the MTFS (following the required 2 year written notice period).

contact: contact:
Anthony Garnett
Andy Edwards

Director of Central Services and Deputy Chief Executive
Adrian Stanfield
Director of Street Scene, Leisure & Technical Services
Robert Styles