

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR COMMUNITY & LEISURE SERVICES

REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Sarah Robson

Date Issued: 15 August 2013

1. Maidstone Closed Circuit Television (CCTV) Operational Protocol

1.1 Key Issue for Decision

1.1.1 The purpose of this report is to present to the Cabinet Member the Maidstone Borough Council Closed Circuit Television (CCTV) Protocol 2013 – 2017. A CCTV review undertaken in 2012 has resulted in the development of new protocols for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council. The CCTV Operational Protocol has been reviewed and supported by the relevant Overview and Scrutiny Committee.

1.2 Recommendation of the Head of Housing and Community Services

1.2.1 That the Cabinet Member agrees the Maidstone Borough Council Closed Circuit Television (CCTV) Protocol 2013 – 2017 for immediate use.

1.3 Reasons for Recommendation

National Strategic Objectives for CCTV

Maidstone Borough Council operates its CCTV camera systems in compliance with the 3 purposes set out in the Information Commissioners CCTV Code of Practice. This states that CCTV camera use must be necessary to address one of the following pressing needs: Crime Prevention (including antisocial behaviour), Public Safety and/or National Security.

1.3.1 CCTV is recognised both nationally and locally as an important tool within any crime reduction approach.

1.3.2 The Protection of Freedoms Act (PFA) was introduced in May 2012 which seeks to balance the positive benefits of CCTV whilst minimising collateral intrusion, and promoting transparency and proportionality.

1.3.3 The Act, in seeking to maintain an appropriate balance between crime prevention and protecting individual rights to privacy, amongst other things, introduces the new role of 'Surveillance Camera Commissioner'

to oversee the use nationally of local CCTV systems operated by Statutory Authorities.

- 1.3.4 Following the introduction of the Act, the Surveillance Camera Commissioner's draft revised guidelines for the use of CCTV came into effect on 1 April 2013. These guidelines make it clear that Crime Prevention, Public Safety and National Security will remain the only legitimate uses for CCTV, under the PFA (2012).
- 1.3.5 This new draft guidance along with the recommendations from the local CCTV review undertaken during 2012 has resulted in the development of this protocol for the disclosure of images, and for the commissioning and decommissioning of cameras across the Maidstone Borough.
- 1.3.6 The Council uses CCTV cameras to improve public safety and to assist in the prevention and detection of crime and disorder. The Council operates both fixed (static) location visible cameras and a small number of mobile visible cameras.
- 1.3.7 Generally non covert cameras are used by the Council to cover; public spaces, the outside of council buildings, (car parks/public areas/perimeters) and/or the public areas of council buildings. (receptions/interview rooms)
- 1.3.8 A number of mobile visible cameras are used by the Council to provide short term CCTV coverage of public spaces identified as hotspot locations for crime or disorder and/or to assist Council Departments in carrying out their regulatory, investigatory and enforcement duties.
- 1.3.9 Maidstone's CCTV system consists of 104 cameras operating across the Maidstone borough, providing a 24-hour live feed into the main Control Centre for the CCTV Partnership located at Medway Council and are monitored under a Partnership Agreement.

Local Strategic Objectives for Maidstone Borough Council CCTV

- 1.3.10 Under Section 6 of the Crime and Disorder Act 1998 all Local Authorities have a statutory obligation to bring together named 'Responsible Authorities' to work in partnership to develop and implement strategies to protect the local community from crime and disorder related issues including; anti-social behaviour, drug or alcohol misuse and reoffending. In Maidstone this statutory partnership is known as the Safer Maidstone Partnership and includes representatives from Maidstone Borough Council, Kent Police, the Police and Crime Commissioner, Kent Fire and Rescue Service, West Kent Clinical Commissioning Group and Kent Probation (the 'responsible authorities'). CCTV is employed for the following reasons:

- To support delivery of the Safer Maidstone Partnership Community Safety Plan and objectives by assisting in the prevention and detection of crime and anti-social behaviour.
- To ensure that Maidstone Borough Council's CCTV systems are operated in accordance with regulatory requirements in a transparent and cost efficient manner, taking account of appropriate technological developments.
- To assist in the protection of Maidstone Borough Council clients, staff, assets and public areas.
- To assist Maidstone Borough Council, Kent Police and other statutory and enforcement agencies in carrying out their regulatory, investigatory and enforcement duties in Maidstone.

1.4 Alternative Action and why not Recommended

- 1.4.1 The Council could choose not to have a Protocol. However, by not having a Protocol, the Council would not have a formal and consistent approach for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.5 Impact on Corporate Objectives

- 1.5.1 The recommendations in the report contribute towards the Council's statutory requirement to reduce crime under Section 17 Crime and Disorder Act by providing a more robust CCTV service across the borough.
- 1.5.2 Through the Community Safety Partnership Plan (previously known as the Crime and Disorder Strategy), the Safer Maidstone Partnership has overseen projects which support a 'decent place to live' and have resulted in significant reductions in crime and anti-social behaviour in Maidstone. A CCTV service helps to make people feel safe in their environment and contributes towards the council's priority objectives of providing a 'decent place to live' and 'excellent corporate and customer service'.

1.6 Risk Management

- 1.6.1 The use of CCTV has proven beneficial in helping to meet the Council's aims. There are understandable concerns about the level of surveillance, but nonetheless a satisfactory balance with civil liberties can be achieved through adhering to controls and data protection procedures. For the public, there is a need to ensure there is democratic scrutiny of the uses of CCTV and to avoid the temptation of relying on CCTV enforcement of traffic and parking regulations as a means of raising revenue rather than encouraging safety and

compliance, but this risk can be mitigated if the reports recommendations are implemented.

1.7 Other Implications

1.7.1

1.	Financial	
2.	Staffing	
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	x
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.7.2 Community Safety – the Protocol provides the Council with a formal and consistent approach for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.8 Conclusions

1.8.1 The report makes proposals to ensure a more efficient, effective and consistent service is in place, including the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.9 Relevant Documents

1.9.1 Appendices

Attachment 1 – CCTV Operational Protocol

Attachment 2 – Request for Deployment of Maidstone CCTV System

1.9.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes No

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because:

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Wards/Parishes affected: ...Wards/Parishes highlighted in the report.

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How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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