

Rother District Council

Report to:	Cabinet
Date:	9 October 2023
Title:	CCTV Cameras
Report of:	Richard Parker-Harding, Head Environmental Services, Licensing and Community Safety
Cabinet Member:	Councillor Field
Ward(s):	Battle and Bexhill Wards
Purpose of Report:	To consider options for operating and maintaining CCTV in town centres.
Decision Type:	Key
Officer Recommendation(s):	It be RESOLVED : That the Chief Executive be granted delegated authority to enter into contracts with companies to maintain existing operating CCTV cameras in Battle and Bexhill and enter into discussions with Battle Town Council and Bexhill-on-Sea Town Council about the future provision of CCTV.
Reasons for Recommendations:	To maintain the current level of CCTV coverage in Battle and Bexhill

Introduction

1. CCTV cameras are installed in town centres to detect and deter crime and reduce the fear of crime. They are also used during medical emergencies and to look for missing persons. The Council owns 12 CCTV cameras in Battle and Bexhill (Appendix A shows their locations). The Council owns the cameras and is responsible for repairs and replacement. The contract for maintaining the cameras is held by BT who have the contract with Sussex Police. The Council also pays the electricity costs. Appendix B shows the financial costs over the last three years and future costs. Sussex Police is solely responsible for operating the cameras, monitoring, viewing and recording images. Requests for data access are made to Sussex Police.
2. Sussex Police have advised that the Battle and Sidley cameras are used at least once a day, the other Bexhill cameras three times a day. The cameras are frequently used in medical and missing persons incidents.
3. Recently, Sussex Police have advised the 22 Councils who own CCTV that they intend to transfer the maintenance contract to them. This would mean the Council would become the Data Controller. Appendix C explains how this would work in practice.

4. BT can no longer operate the cameras and Sussex Police have identified ChromeVision as an alternative provider, using wireless technology.
5. Most of the Sussex CCTV cameras in district councils are owned by the Town Councils. It is therefore recommended that discussions are held with Battle and Bexhill Town Councils to transfer ownership of the cameras to them. Alternatively, the Council may have to reduce the number cameras or cease to provide the provision.

Conclusion

6. The provision of town centre cameras detects and deters crime and reduces the fear of crime. The cost of maintaining the cameras is significant. To be in line with other districts the ownership of the cameras should be transferred to the Town Councils.

Crime and Disorder

7. Effective CCTV coverage will detect and deter crime and disorder.

Environmental

8. CCTV cameras used a significant amount of electricity, costing £11,000 pa.

Financial

9. See Appendix B.

Human Rights

Article 2: Right to life - not applicable

Article 3: Freedom from torture etc - not applicable

Article 4: Freedom from slavery and forced labour - not applicable

Article 5: Right to liberty and security – CCTV can increase security

Article 6: Right to a fair trial - complies

Article 7: No punishment without law - complies

Article 8: Respect for private and family life – may be affected if controls operated by Sussex Police monitoring and restricting access are not effective

Article 9: Freedom of thought, belief and religion - not affected

Article 10: Freedom of expression - not affected

Article 11: Freedom of assembly and association - not affected

Article 12: Right to marry - not affected

Article 14: Right to be free from discrimination - not affected

Protection of property: CCTV cameras may protect property from damage or theft

Right to education: not applicable

Legal

10. An application to exempt a contract with ChromeVision from procurement rules. If the cameras remain under the control of Rother District Council and Rother District Council is the data controller then we must be satisfied with the

agreement with Sussex Police on how their officers will use the data is adequate.

Risk Management

11. Failure to agree to the transfer of the maintenance contract from Sussex Police to the Council may result in the CCTV not operating from April 2024. The Government previously advised councils to consider “an ethical and socially responsible approach where surveillance systems are being bought with public money”. In relation to the ethics of the companies that supply camera technology (especially modern slavery and national security considerations). In addition, whether the Commissioning of the new camera system through an existing contract between Sussex Police and Chroma Vision meets our procurement policy. Sussex Police advise that ESPO Framework No: 628_23 Security and Surveillance Equipment and Services is a framework that other council areas have used to direct awards to a company.
12. The possibility of political ramifications of the removal of Public Facing CCTV for both the Council, Town Councils, Sussex Police and the Office of the Police and Crime Commissioner.
13. Additional responsibilities (and possibly costs) for the Council as the local authority would need to consider due regard has been given to governance, monitoring and procedures e.g.
 - the 12 guiding principles in the Surveillance Camera Code of Practice and/or
 - complete a public impact assessment for the system in question.
 - Data Protection Impact Assessment (DPIA) or
 - Human Rights Impact Assessment and provisions of Section 33 of the Protection of Freedoms Act

Equalities and Diversity

14. The operation of CCTV cameras does not discriminate against any person with a protected characteristic.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	Yes	Equalities and Diversity	Yes
Crime and Disorder	Yes	External Consultation	No
Environmental	Yes	Access to Information	No
Risk Management	Yes	Exempt from publication	No

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Minutes:	None
Appendices:	Appendix A: Locations of cameras Appendix B: Financial costs Appendix C: Data Controller Arrangements
Background Papers:	None
Reference Documents:	Update to Surveillance Camera Code of Practice - GOV.UK (www.gov.uk)

LOCATION OF CAMERAS

Asset Number	Location	
3201	Cantelupe Road/Sea Road	Bexhill
3202	Channel View Road West	Bexhill
3203	Devonshire Square	Bexhill
3204	Sackville Road	Bexhill
3205	Town Hall Square	Bexhill
3206	Ravenside Retail Park	A259
3207	Brett Drive	Bexhill
3210	Ninfield Road	Sidley
3211	Ninfield Road/Smith and Humphreys	Sidley
5221	Chequers Public House Roundabout A2100, and Marley Lane	Battle
5222	Costa Coffee near the square	Battle
5223	Fire Station roundabout A2100 and A271	Battle

From December 2021 to November 2022 – CCTV operators' specific access to:

Cameras in Battle were accessed equally when supporting incidents and all are used on a regular basis. Chequers Inn 427, Costa Coffee 446, and Fire Station 346. The average is just over once a day.

Cameras in Sidley are independently accessed more than 1.5 views per camera a day. Ninfield Road 632 times and Ninfield Road/Smith and Humphreys 489 times.

Cameras in Bexhill are accessed approximately 2.5 times a day. The highest used camera on Devonshire Square is looked at 3 times a day on average.

This Sussex Police report is based around incident reports rather than crime matters as it provides a broader spectrum of understanding in relation to what is viewed by public facing cameras.

- Battle, Bexhill, and Sidley had a total of 4,409 emergency and priority calls for assistance between December 2021 and November 2022.
- CCTV operators viewed and actively contributed to 59% of emergency and priority incidents relating to Battle in the above time frame.
- 48% of emergency and priority calls reported to Sussex Police in Bexhill and Sidley were also viewed. That is a total of 2,191 incidents.
- 10% of these were impacted directly by CCTV operators. This equals 219 reports where CCTV has directly contributed to the identification, or the management of an incident and the result has been a positive outcome. Either by detecting this themselves through proactive monitoring or assisting incoming reports from the public.
- The breakdown of usage is consistent with other areas.

The most common reasons for CCTV Operators to take specific action to look at Rother cameras was Medical or Concern (813) these include incidents where a person has e.g. Dementia, Mental Health is a factor. Suspicious Activity (771) includes drugs, crime, and anti-social behaviour.

FINANCIAL COSTS

- 1.1. Costs of the current public facing CCTV cameras transmission and maintenance for 2023/4 are estimated as £21,388. Which is nearly a £10,000 pa (£9,851) increase on the expenditure under the previous agreement. This equates 48p per household (projected number of households in 2023 i.e. 44,897 from East Sussex in figures).
- 1.2. CCTV Electricity Charges for 2023/24 are estimated based on expenditure 2022/3. However, may be higher as costs have increased and there is a delay in receiving bills from Ecotricity Ltd £11,338 and a further 25p per household.
- 1.3. Making the estimated revenue costs of the current scheme £32,726 in 2023/24. This is currently funded by a budget of £17,520 (20129) and additional funding from the Safer Rother Partnership.
- 1.4. During 2023/24 the Council and/or the Safer Rother Partnership will also need to fund the replacement of the public facing cameras with new routers, recorders and cameras that have digital capability. Chroma Vision estimate that this will cost £41,100 to maintain the same level of CCTV coverage from 12 cameras i.e. £30,700 Sidley and Bexhill Cameras and £10,400 for the Battle Cameras.
- 1.5. Costs have increased since the original estimate (£35,000) because the design has changed slightly due to line of sight concerns (which dictates the number of routers required) and Chroma Vision have changed the technology to 5G routers instead of 4G routers.
- 1.6. Revenue costs of the new scheme for 2024/25 are quoted as:

 Sim cards, data, and maintenance for 12 cameras will be £8,668.80pa.
 (Estimated saving of £13,000pa)
 CCTV Maintenance 12 Months £2,580.00
 5G Data Costs – 10 units 12 Months £6,088.80
- 1.7. If the Council was to run the scheme there will be new staffing costs, from 2025/26 for Data Control, Governance, and subject access requests, estimated at £30,000.
- 1.8. Some limited funding from the Safer Streets 5 grant may be available.

Summary

	<u>2024/25</u>
Energy costs	£11k
Maintenance etc	£ 9k
Staffing	£30k (from 2025/26)
Total	£50k
Less: Partnership cont	(£15k)
Net revenue impact	£35k (increase of £17.5k pa)

Capital investment requirement = £41k

DATA CONTROLLER

Sussex Police have provided guidance and documentation from Runneymede Borough Council to cover the following:

- Data Controller role is covered in the Code of Practice.
- DPIA – (Data Protection Impact Assessment) for the surveillance camera commissioner.
- CCTV Privacy Impact Assessment Form – to comply with governance.
- CCTV Annual Report – contains information on how the system is used and discloses figures of subject access requests and FOI's etc.
- CCTV ISA – Information sharing agreement, the legal governance between council and police that allows police to access the system for a lawful purpose.

Sussex Police will operate a partnership approach to the area of data and governance for the year 2024/25 to ensure every area gets support. They are offering to produce documentation similar to that above that will be bespoke to Rother District Council. They have agreed to ensure that areas of concern such as Subject Access Requests and Freedom of Information Requests (FOIs) go to Sussex Police to ensure data is suitable to release (not subject to criminal investigation etc) going forward.

From 2025/26, the Council would have to employ additional staff to act as the data controller and during 2024/25 obtain specialist legal advice on how it should operate to comply with the legislation and guidance.