

Rother District Council

Report to:	Licensing and General Purposes Committee
Date:	15 January 2024
Title:	Surveillance Activity Annual Update and CCTV Policy
Report of:	Richard Parker-Harding, Senior Responsible Officer
Ward(s):	All
Purpose of Report:	To note the Council's annual report on covert surveillance
Officer Recommendation(s):	It be RESOLVED : That the Council's 2023 annual update report on covert surveillance be noted.

Introduction

1. As Members will be aware Rother District Council (RDC) has a range of surveillance powers under current legislation. These powers are covered by a Council policy and the express approval of a senior officer. This report brings the annual report for Members, as recommended following a review of RDC's surveillance powers in May 2023 by the Investigatory Powers Commissioner's Office.
2. The Council adopted a revised Regulation of Investigatory Procedures (RIPA) policy in December 2023.

Annual Update Report

3. RDC's use of legal powers for surveillance is very limited. The last time the Council applied for these powers was in 2015. RDC's approach is fundamentally on the ground observations, and the Council only uses the legal surveillance powers when they are definitely required.
4. It is confirmed that there was no use of legally approved surveillance powers in 2023.

CCTV on Council owned property

5. The Council owns and operates CCTV equipment on its own property, for the detection of crime and to deter crime. It adheres to the CCTV policy.

Training

6. Staff have been trained on RIPA (one day) with additional training on the use of social media for research and investigations.

Conclusion

7. The annual report to Members on surveillance activity meets the key recommendations of the Surveillance Commissioner's report. The next inspection is likely to be in 2026. The importance of undertaking surveillance activity in a way which conforms to legal requirements, is critical. However, it must be emphasised, that these powers are very rarely used by RDC. Equally, to re-assure Members on the enforcement work undertaken by the Council, there are many other observations and investigations that are carried out overtly that are not captured by this policy.

Human Rights Implications

8. Any use of the Council's Covert Surveillance Powers must comply with the Human Rights Act, in particular the right to private and family life. Any breach of the Act or the Codes of Practice can lead to a claim for damage.

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

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Appendix:	RIPA Policy
Relevant Previous Minutes:	LG22/12
Background Papers:	None
Reference Documents:	None