

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	ENVIRONMENTAL, HEALTH AND HOUSING COMMITTEE	23 FEBRUARY 2016	6

REPLACEMENT CCTV CAMERA ASHTON GARDENS

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

A CCTV camera located in Ashton Gardens, St Annes, which forms part of the monitored scheme has had several repairs carried out but has now been assessed as being beyond further repair.

At a meeting of the Cabinet on the 25th March 2015 it was resolved that “if any of the current camera locations fail, they will, having regard to the Surveillance Camera Code of Practice, be considered for repair/replacement on a case-by-case basis based on a proven need being demonstrated through an impact assessment, that being funded from the approved capital scheme for CCTV provision;”

The purpose of the report is to seek authority to replace the camera which provides an adequate level of security in terms of protecting assets and providing public reassurance.

RECOMMENDATION

To approve the purchase and instalment of a replacement CCTV camera at an overall cost of £3,931 to work in conjunction with existing Town Centre Cameras in St Annes which can be monitored from Wyre CCTV Studio.

CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment (Place)	√	To Encourage Cohesive Communities (People)	√
To Promote a Thriving Economy (Prosperity)	√	To Meet Expectations of our Customers (Performance)	√

SUMMARY OF PREVIOUS DECISIONS

Cabinet Decision of 25th March 2015 regarding CCTV provision with Fylde Borough.

1. At a meeting of the Cabinet on the 25th March 2015 a report was considered concerning the remaining capital budget provision in relation to the provision of CCTV within Fylde Borough. Following discussion, the Cabinet resolved to
 - 1) *To note the balance of approved funding relating to the provision of CCTV within Fylde in the sum of £41,742 that will remain until spent within the approved Capital Programme, any monies unspent at each subsequent year-end being transferred to the following financial year;*
 - 2) *To confirm that if any of the current camera locations fail, they will, having regard to the Surveillance Camera Code of Practice, be considered for repair/replacement on a case-by-case basis based on a proven need being demonstrated through an impact assessment, that being funded from the approved capital scheme for CCTV provision;*
 - 3) *To note that should monies for this purpose remain unspent by 2017 (at which point the police will be able to give the council a commitment to monitoring the cameras post 2017) further consideration is given to any future expenditure on CCTV provision in Fylde*
2. The purpose of this report is to advise the Committee that the CCTV camera located in Ashton Gardens adjacent to the St Georges Road entrance is failing and following assessment has been deemed as being beyond further repair.
3. This camera forms part of the monitored scheme and has previously had several repairs carried out. There is a further camera operating within Ashton Gardens and both cameras when fully operational provide a level of security in terms of protecting assets and providing public reassurance.
4. For the information of members, there are numerous requests made by the Police for the cameras to be directed by the CCTV operators. As they are located in a public park Officers consider that they can be regarded as essential and without their presence there may be a detrimental effect on the feeling of safety.
5. The Surveillance Camera Code of Practice, issued under the Protection of Freedoms Act 2012 requires that the council “must...have regard to the...code when, in exercising any of its functions, it considers that the future deployment or continued deployment of surveillance camera systems to observe public places may be appropriate.” The council does not have to follow the code, but, if it does not do so, it would need to be prepared to justify any departure from it.
6. The code of practice, issued in 2013, reflects government concerns about the effect of the proliferation of CCTV installations on privacy. For Fylde, it asks fundamental questions about the need and justification for continued CCTV surveillance. Those questions need to be addressed before any replacement of a CCTV camera goes ahead. They are also pertinent to the wider issue of the present level of surveillance activity in Fylde.
7. The code refers to article 8 of the European Convention on Human Rights (the right to respect for private and family life) and continues:

“The decision to use any surveillance camera technology must, therefore, be consistent with a legitimate aim and a pressing need. Such a legitimate aim and pressing need must be articulated clearly and documented as the stated purpose for any deployment.”
8. It then sets out twelve guiding principles that system operators should adopt. The first two principles are particularly relevant to the question of whether surveillance cameras should be deployed at all. The first is:

“Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.”

9. The guidance goes on to explain this further:

“Surveillance camera systems operating in public places must always have a clearly defined purpose or purposes in pursuit of a legitimate aim and necessary to address a pressing need (or needs). Such a legitimate aim and pressing need might include...public safety...the prevention of disorder or crime...or the protection of the rights and freedoms of others. That purpose (or purposes) should be capable of translation into clearly articulated objectives against which the ongoing requirement for operation or use of the systems and any images or other information obtained can be assessed.”

10. The second principle is:

“The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.”

11. The code says that this “points to the need for a privacy impact assessment process to be undertaken whenever the development or review of a surveillance camera system is being considered to ensure that the purpose of the system is and remains justifiable, there is consultation with those most likely to be affected, and the impact on their privacy is assessed and any appropriate safeguards can be put in place”
12. The council would not be complying with the code if it went ahead with the replacement of the CCTV camera without identifying the legitimate aim that the deployment of the replacement camera would pursue and the pressing need that it would address. Any identified aim and need must be translated into clearly articulated objectives and the requirement for the camera must be assessed against those objectives. A decision to proceed would need to be informed by a privacy impact assessment.
13. An Impact Assessment has been prepared which is attached at appendix 1. The cost of camera including installation is £3931 which would be met from the existing CCTV Capital Budget.
14. It is therefore requested that Members consider the report and the approval of the replacement CCTV camera, the cost to be met from the CCTV Capital Budget.

IMPLICATIONS	
Finance	As detailed within the report
Legal	As detailed within the report
Community Safety	As detailed within the report
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	TEL	DATE	DOC ID
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LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Cabinet Report	25/3/14	www.fylde.gov.uk

Attached documents

1. Operational Requirements Review and Impact Assessment