OVERVIEW AND SCRUTINY COMMITTEE

Monday, 8 May 2017

Present: Councillor Catherine Rankin (Chair)
Councillors Hills (Vice-Chairman), Chapelard, Dawlings, Hill, Huggett, Simmons, Uddin and Woodward

Officers in Attendance: Adam Chalmers (Head of Communities and Engagement), Jane Clarke (Head of Policy and Governance), Estelle Culligan (Interim Head of Legal Partnership) and Paul Taylor (Director of Change and Communities).

Other Members in Attendance: Councillors Dr Basu, Elliott, Hamilton, McDermott, Lidstone and Stewart

APOLOGIES FOR ABSENCE

OSC89/15 Apologies for absence were received from Councillors Nathan Gray, James Hannam and Bev Palmer.

DECLARATIONS OF INTEREST

OSC90/15 Councillor Ben Chapelard declared a non-pecuniary interest as the lead signatory of the call-in.

Councillor Diane Hill declared a non pecuniary interest as a co-signatory of the call-in.

ITEMS CALLED IN UNDER OVERVIEW AND SCRUTINY PROCEDURE RULE 13 - CABINET DECISION ON 14 APRIL 2017, CCTV REVIEW

OSC91/15 The Chair, Councillor Rankin outlined the background to the item which was the call-in of the Cabinet decision taken on 13 April 2017, following consideration of a report on the review of the Council's CCTV monitoring. Part of the original decision was for the Council to commence a one year pilot of passive monitoring of CCTV from 1 April 2018 with a report back after six months. The call-in was made in line with 12.5 of Part 4 of the Council’s Constitution.

Councillor Rankin confirmed the reasons cited for the call-in, which were lack of consultation and inadequate evidence on which to base a decision. Councillor Rankin reminded members that they were only able to consider the validity of the original decision based on the reasons above, given for the call-in. Councillor Rankin went on to confirm the procedure for the meeting.

Councillor Lidstone, a co-signatory of the call-in along with Councillors Chapelard and Hill, addressed the committee and expressed the following views:

- Those local councils contacted by the call-in signatories had not been officially notified of the decision to move to passive CCTV monitoring.

- The Cabinet report had not included any details of consultation with local voluntary groups such as Tunbridge Wells Street Pastors. The Safe Town Partnership stated that the removal of operators would put the Partnership
at risk of failure through a reduction in membership.

- The Cabinet report had not included any detail on the impact on crime levels of moving to passive monitoring of CCTV.
- The Communities Cabinet Advisory Board voted against the move from active to passive CCTV monitoring and those parties consulted (and in attendance at the meeting) were unanimously opposed to the proposal.
- The evidence on the effectiveness of CCTV was mixed. The 2008 paper cited by officers provided an example of one scheme where a 10 per cent reduction in crime was identified, although the sampling was not considered to be statistically significant. The Council’s own figures stated an average of 40 arrests a year were attributable to CCTV monitoring.
- A number of authorities had already withdrawn CCTV coverage, however, these were decisions based on reductions in funding and not because CCTV was considered ineffective; it was too early to measure the impact of these decisions on crime rates. Some authorities had either reinstated CCTV or were considering doing so.

Kay Williams, a Tunbridge Wells resident, addressed the Committee and expressed the following views:

- The Council had chosen to move to passive CCTV monitoring in a period when official statistics indicated a year-on-year increase in violent crime with a reduction in police resources.
- Comments received from a number of groups across all ages and social classes in Tunbridge Wells suggested that residents were unaware of the proposals.
- The Cabinet had ignored the views of the Communities Cabinet Advisory Board and a report had not been produced to assess the impact on crime levels should active CCTV be removed.
- It was considered that active CCTV provided a deterrent to crime in the night-time economy and assisted the emergency services in responding quickly to incidents.
- If the call-in was not upheld the only alternative would be to start a petition.

Pete Heaton, representing the Tunbridge Wells Safe Town Partnership, addressed the committee and expressed the following views:

- The Cabinet decision did not specify how the success or failure of the pilot scheme would be measured or what would happen if the pilot scheme was unsuccessful.
- The camera operators were key to maintaining the crime reduction partnership and the significance of their role was not detailed in the original report. As well as the 31 arrests attributable to the camera operators’ work, there were 132 known arrests-assisted that may not have been made with a passive CCTV system.
• 13 Council departments used Safe Town radios for staff safety. Without camera operators and the radio network, risk assessments would be needed and costly, lone worker monitoring systems would have to be introduced.

• Opinion was that the long term impact on the borough’s economy compared to other areas resulting from a move to passive CCTV had not been taken into account. Some of the borough’s crime was in the areas where the cameras were installed and where there is radio network coverage. The impact on crime reduction in those areas would disproportionately affect the overall crime figures for the borough.

• The long term impact on the borough if passive CCTV monitoring was introduced would be a shrinking of the night time economy and then a reduction in the day time economy.

• Many members of the Safety Camera Partnership (particularly from Pubwatch) had indicated they would cease their membership of the Partnership if passive monitoring was introduced. A number of premises had a condition in their licences that required them to be members of the Partnership or have it included it in their operating schedule. A reduction of 30 per cent in the Partnership’s membership would result in it folding and with the radio network being switched off.

• A further impact could be the loss of a unified and coordinated approach to crime, disorder and particularly drug use, in licenced premises.

Councillor Hills asked for clarification on the status of those licenced premises who said they would leave the Partnership, if they had a condition in licences that required them to be Members. Mr Heaton said the premises that had indicated they would leave did not have the condition in their licences.

Councillor Woodward asked what measures Mr Heaton felt should be in place to monitor the impact of passive monitoring. Mr Heaton said there would need to be increased work with Kent Police to look at unsolvable crimes that could have been solved had camera operators been in place. Mr Heaton added that those premises that maintained membership of the Partnership would need to monitor the number of times they would have needed to access the camera operators.

Lorraine Bram, a resident of Tunbridge Wells, addressed the Committee and expressed the following views:

• The statistics in the report reflected only nine months worth of data - although they were the most recent nine months, and the report did not include any feedback from Tonbridge and Malling District Council, who was a partner in the CCTV service.

• The purpose of CCTV monitoring was not only to ensure arrests but also to prevent crime. Through the use of active CCTV, the camera operators were able to monitor the build up of an incident and contact the relevant organisation before the incident escalated. The Community Safety Partnership had advised that violent crime had increased by thirteen per cent in 2016, with a proportion of incidents recorded at licenced premises.
There was no opportunity in the proposals for the reintroduction of active monitoring and in times of austerity, it was unlikely that, once cancelled, active monitoring would be reintroduced.

Eva Morgan, representing Tunbridge Wells street pastors, addressed the Committee and expressed the following views:

- The street pastors worked as volunteers nine nights each month in the night time economy helping keep individuals safe. The street pastors relied heavily on CCTV monitoring to do their work and felt they should have been consulted on the proposals.

- The street pastors used the prevalence of active CCTV to advise users of the night time economy that their activities were being monitored. Opinion was that this preventive measure reduced the likelihood of anti-social behaviour.

- The street pastors were able to contact camera operators when incidents of anti-social behaviour or escalating violence were observed. The cameras could then be turned, where possible, to observe the behaviour, allowing the necessary emergency services to be notified. Conversely the camera operators notified street pastors when situations (including those involving vulnerable people) were observed where it was felt a police presence may not be needed, but where street pastors could provide comfort and assistance.

Councillor Sarah Hamilton addressed the Committee and expressed the following views:

- Neither local councils, local businesses, nor interest groups were given the opportunity to discuss the proposals in the context of their own areas.

- The statistical evidence in the report was not current and comparisons to other areas were not provided. The maintenance and associated costs of passive cameras had not been detailed.

- Further consultation with stakeholders and in particular, with regard to the impact at a local level of passive monitoring, was needed.

Councillor Woodward asked for clarification on the reference to ‘old data’. Councillor Hamilton felt that, in light of technological advances, the data was not current.

Councillor Simmons referred to the level of consultation with local councils and asked Councillor Hamilton if the consultation with the Parish Chairmen’s Forum on 14 March had taken place. Councillor Hamilton advised that she had not attended the meeting, however, the report had not been distributed to Paddock Wood Town Council and in any event, it would not have fitted in the Town Council’s timetable of meetings and statutory requirements for agenda publication. Councillor Simmons also asked, in reference to the maintenance and deterioration of the cameras, whether this was a factor as the cameras were not being turned off. Councillor Hamilton said the issue was more around the fact that the continuation of a service had to be paid for and the opportunity for local councils to discuss taking on the responsibility was not provided. She added that all associated costs should be known if this
opportunity were to be considered.

Councillor Rankin asked for confirmation of the number of CCTV cameras in Paddock Wood and also asked if there was an equivalent of the Town Centre Safe Town Partnership in Paddock Wood and if there was, whether it had been consulted with. Councillor Hamilton confirmed that there were four cameras in Paddock Wood, that although the Paddock Wood Business Association was part of the Safe Town Partnership it had not been consulted with separately. Mr Heaton confirmed that, following discussion with the Council, shortly before publication of the report, he had been advised that, due to operational and employment sensitivities, details should not be widely distributed. Mr Heaton added that, as a result, he had only been able to consult with the Partnership management board and not the wider membership.

Councillor Claire Stewart addressed the Committee and expressed the following views:

- The consultation process was not what would be expected for major changes to policy and reduction in services. In view of the significance of the decision, the level of consultation had been inadequate.

- The recommendations of the Communities Cabinet Advisory Board included the collection of additional data. The three main stakeholders who had been consulted with: Kent Police, the Safe Town Partnership and the Traders Association were unanimously against any reduction in the service.

Councillor David Elliot addressed the Committee and expressed the following views:

- Both the Community Safety Partnership and the Safe Town Partnership wanted active CCTV monitoring to be retained as the view was that it contributed to the borough remaining the safest place to live in Kent.

- Southborough Town Council had one camera at the junction of the A26 and Yew tree road but had not been formally notified of the proposals. Both Southborough and Paddock Wood Town Councils should have been given the opportunity to discuss management of the service. The new Southborough Hub would benefit from the provision of CCTV cameras.

Councillor Chapelard asked Councillor Elliot if he was at the Parish Chairmen’s meeting on 14 March. Councillor Elliot was unable to recall whether he had attended the meeting.

Councillor Hill was not aware that the issue had been raised at any meetings of Southborough Town Council. Councillor Hill asked if, having been made aware of the proposals at the 14 March meeting, whether parish chairs would have reported back to their respective parishes. Councillor Elliot confirmed that this should have been the case.

Councillor Basu, on behalf of the Cabinet, responded to the call-in and expressed the following views:

- The decision had been discussed in open at the Communities Cabinet
Advisory Board and the Cabinet meetings. These meetings had been attended by members of the public and local groups. The proposals had been advertised in the local press and stakeholders had been kept informed.

- The decision to introduce passive monitoring was based on the effectiveness generally of CCTV and based on evidence provided by the control room.

- The revised Cabinet recommendations offered a sensible and effective solution and the changes would not come into effect until April 2018.

Members expressed the following views:

Councillor Chapelard asked if, in light of the minimal response time given to local councils to respond to the proposals, whether there had been adequate consultation. Councillor Basu said if this was the case, then it could be argued that there was inadequate consultation. Councillor Basu advised that the comments and views expressed would be reported to the Cabinet.

Councillor Dawlings asked which areas, other than Southborough and Paddock wood had cameras. The Head of Communities and Engagement, Adam Chalmers, confirmed that there were 39 CCTV cameras in total, with the majority sited in the town. He confirmed that the rural cameras were sited in Lamberhurst, Hawkhurst, Cranbrook and Pembury.

Councillor Uddin asked what the normal consultation process was for a decision such as the CCTV review, where the affected service impacted on a significant number of residents. Mr Chalmers confirmed that, in those circumstances, the issue would be discussed with key stakeholders and local councils. He added that agendas and relevant reports would be published and be made publically available, and any questions from the local press would be dealt with in an open forum.

Councillor Uddin went on to ask whether the process described had been applied in the case of the CCTV Review. Mr Chalmers considered that the issues had been discussed with the key stakeholders, along with Kent Police, the Safe Town Partnership and Royal Tunbridge Wells Together, and other groups with an interest. Mr Chalmers further added that discussions had also taken place with Tonbridge and Malling Borough Council, which was referred to in the report and the report itself had been presented to the Parish Chairmen’s meeting on 14 March and the representatives were asked to report back to their parishes. Mr Chalmers felt that, in terms of consultation, this was a normal approach. Mr Chalmers went on to say that, although the issue was not discussed directly with the Tunbridge Wells Street Pastors, their important contribution to the safety of residents in the night time economy was recognised and the proposals for the radio scheme had been discussed with the Safe Town Partnership.

Councillor Rankin asked for clarification on the presentation of the report to the Parish Chairmen’s meeting and whether the chairmen were provided with paperwork to take back to their councils and whether they were given a date to provide feedback by. Mr Chalmers confirmed that the actions of the meeting, which were that there were no specific action points arising from the report, other than to communicate the proposed move to passive CCTV with
an accompanying review, were proposed and agreed by the parish chairmen, and confirmed in the minutes of the meeting. Mr Chalmers also confirmed that his presentation to the meeting had been verbal.

Councillor Woodward felt that, based on the expectation that parish chairmen would report back to their councils, the timings were tight. He asked where provision was made for the feedback from local councils. He asked whether it was expected that the parish chairmen would make a decision on behalf of their councils at the 14 March meeting. Mr Chalmers confirmed that, although the timescale was tight, the Parish Chairmen’s meeting was regularly used to communicate this type of issue. Councillor Woodward also asked if there was a request to constrain the level of consultation because of staffing issues, which prohibited the Safe Town Partnership undertaking its own, more in depth consultation. Mr Chalmers advised that he had met with Mr Heaton and discussed potential staffing implications and sensitivities around the report. Mr Chalmers further advised that the Safe Town Partnership had been consulted with and its views had been published in full within a public report.

Councillor Rankin asked how much time the Safe Town Partnership had been given to provide feedback. Mr Chalmers said he did not recall the exact timescale but he had discussed the issue two weeks prior to production of the report in order to get a full response. Mr Heaton confirmed that there were 150 members of the Safe Town Partnership. Mr Chalmers said he had expected a response from the board of the Safe Town Partnership on behalf of its members. Councillor Rankin felt that there was an important point to be noted in respect of how widespread the consultation had been.

Councillor Chapelard asked how many local councils had formally responded to the consultation, via their chairmen, having been asked to do so. Mr Chalmers advised that he was not aware of any formal response being received; however, he had discussed the issue with two members of Paddock Wood Town Council and an initial, detailed discussion with Councillor Hamilton regarding how the Council could work with the town council, including the potential for setting up of a working group. Mr Chalmers confirmed that the discussions had taken place following consideration of the report by the Communities Cabinet Advisory Board.

Councillor Hill did not consider that any positive responses had been received from those groups consulted with on the proposals and that the element of safety that residents felt would be lost if the current CCTV structure was removed. Councillor Hill did not consider there to be any real evidence suggesting CCTV monitoring did not work and that there were difficulties supporting the proposals. Mr Chalmers advised that there was clear evidence within the report, including studies, that showed there was a only a modest impact on crime and that CCTV use was most effective in car parks. Mr Chalmers went on to say that reviews conducted demonstrated that CCTV was not an effective deterrent for violent crime. Mr Chalmers added that the Council’s own CCTV monitoring figures had been analysed and the most recent statistics available were provided as evidence to demonstrate the number of arrests directly linked to CCTV monitoring.

Councillor Rankin was disappointed that the Portfolio Holder for Communities and Engagement was not available to comment on the report. Councillor Rankin also considered that the two studies referred to were in effect the same study, with one providing a summery of the other. Councillor Rankin
also referred to one of the findings in the studies which advised that CCTV should continue to be used to prevent crime in public spaces.

Councillor Simmons asked whether there was a particular urgency for a decision that necessitated a short consultation period. Mr Chalmers said there was not.

Councillor Hills had attended the Parish Chairmen’s meeting and spoken at the Communities Cabinet Advisory Board meeting, and the following Cabinet meeting when the report had been considered. He said that, had he been aware of Cabinet’s response when speaking at that meeting, to the Cabinet Advisory Board’s views, his response would have been put differently.

Councillor Uddin referred to the consultation and the perceived fear of incidents of extremism, and said that there were a number of minority groups in the borough who should have been consulted also. He felt that the consultation process should have been more thorough and that the responses to consultation had largely been ignored and further, that an opportunity to include those minority groups in the consultation should have been included.

Councillor Rankin asked what level of detail on the response from the Parish Chairmen’s meeting on 14 March had been provided to the Cabinet. Mr Chalmers advised that a number of Cabinet members had attended the meeting and that Cabinet as a whole had been advised that the proposals had been discussed at the Parish Chairmen’s meeting. Councillor Rankin did not feel that there had been adequate feedback to the Cabinet on the results of discussion at the Parish Chairmen’s meeting.

Councillor Huggett felt there was an appearance that the consultation process had been rushed. She added however, that the CCTV cameras were still in operation, still operated as a deterrent and reassurance to the public was still provided.

Councillor Hill felt that any consultation process should be meaningful and provide confidence to residents in its outcomes. In reference to hate crimes, Councillor Hill said that in many incidents the public were afraid to come forward and in these cases, CCTV footage could be helpful.

Councillor Chapelard felt that the Council's consultation process was a topic that the Overview and Scrutiny Committee could include in its work programme.

**RESOLVED** that, the decision be referred back to the Cabinet for the following reasons: that

I. There had been inadequate consultation prior to the Cabinet’s original decisions; and

II. There was insufficient evidence on which to base the decisions.

**DATE OF THE NEXT MEETING**

OSC92/15
NOTE: The meeting concluded at 8.00 pm.