

CCTV Monitoring

For Cabinet on 10 February 2022

Summary

- Lead Member:** Cllr David Scott, Portfolio for Economic Development
- Lead Director:** Paul Taylor, Director of Change and Communities
- Head of Service:** Denise Haylett, Head of Facilities and Community Hubs
- Report Author:** Denise Haylett, Head of Facilities and Community Hubs
- Classification:** Partially Exempt from Disclosure – Exempt Appendix A exempt by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended): Information relating to the financial or business affairs of any particular person including the authority holding that information

Wards Affected: All

Approval Timetable	Date
Management Board	5 January 2022
Portfolio Holder	18 January 2022
Finance & Governance CAB	25 January 2022
Cabinet	10 February 2022

Recommendations

Officer/Committee recommendations as supported by the Portfolio Holder:

1. That Cabinet give the Head of Facilities and Community Hubs delegated authority to award the new CCTV Monitoring Contract to Supplier A referred to in the Exempt Appendix, and to enter that contract with Supplier A for a period of two years from 1 June 2022 with the option of two annual extensions.
2. That Cabinet give delegated authority to the Head of Legal Services and S151 Officer to undertake all legal and financial requirements necessary to complete the CCTV Monitoring Contract.
3. That Head of Legal Services has delegated authority to negotiate and complete the contract and all ancillary documents as may be necessary.

1. Introduction and Background

- 1.1 Tunbridge Wells Borough Council (TWBC) and Tonbridge & Malling Borough Council (T & M) have a partnership arrangement to carry out Closed Circuit Television Monitoring. As part of the partnership arrangement the Council, through a private contract, manages the monitoring contract whilst TMBC manage the hardware and maintenance contract.
- 1.2 This contract expires on 31 May 2022, and TWBC is therefore looking to award a contract to a suitably experienced and qualified contractor to undertake the CCTV monitoring and operation, and the Out of Hours Service for TWBC.
- 1.3 It is important that the new contract prioritised quality. Therefore, the tender document allocated 55% of the marks to quality and 45% to price.
- 1.4 The term of the contract is 2 Years with the option of two possible annual extensions
- 1.5 Both T & M and TWBC are solely responsible for the funding of CCTV resources. No funding to date has been provided from the Police.
- 1.6 Work is being undertaken by T & M, TWBC and Sevenoaks on a joint project and we have commissioned a company to carry out the technical work and to report on the proposals to create a West Kent CCTV/Control Centre at Sevenoaks.
- 1.7 Discussions are also being held with the District Commander for our area Chief Inspector Omid Changizi and Matthew Scott Kent Police and Crime Commissioner to seek funding towards this new West Kent initiative.

2. New Contract

- 2.1 A fully compliant tender was undertaken in line with current legislation.
- 2.2 There were 28 Expressions of Interest in the contract from which we received 3 on time submissions. 4 opted out of the process, and there were 21 no responses.
- 2.3 3 submissions qualified for evaluation.
- 2.4 Supplier A scored the best overall, taking both cost and quality into consideration. The budget for this contract was based on current costs of which is approximately £250K a year.
- 2.5 This report asks that the preferred provider be awarded the new contract commencing from 1 June 2022.

3. Background to the Preferred Provider

- 3.1 The group was founded in 2002 as a manned security company. In 2013 the company acquired the asset of Remploy CCTV and successfully assigned 95% of Remploy client base to this provider.
- 3.2 The provider is the only security company in the country that has a dedicated subsidiary whose sole service is the management and provision of Control Room CCTV monitoring staff.
- 3.3 The provider currently supplies monitoring staff to 27 local authorities across the UK.

4. Options Considered

- 4.1 The following options have been identified together with the advantages and disadvantages of each. This is followed by a comparison of the estimated cost of each option:

Option 1: Do nothing

This would lead to the Council having no monitoring officers in place to monitor and capture CCTV for the TWBC and T & M. Therefore, the Council would have a 'passive' CCTV Unit.

Option 2: Award the Contract to Supplier A

This supplier meets all the criteria set and is the most cost-effective supplier.

5. Preferred Option and Reason

- 5.1 The preferred option is Option 2 – Award the Contract to Supplier A. This is the lowest cost option and gives the Council certainty of cost over the next four years,

Recommendation from Finance and Governance Advisory Board

The Finance and Governance Advisory Board were consulted on 25 January and agreed the following:

The Finance & Governance Cabinet Advisory Board were consulted on 25 January 2022 and agreed to support the recommendations to Cabinet

- 5.1 Contract Award Notice will be issued after expiry of the call-in period to Supplier A.
- 5.2 A Contract will be drawn up and issued to Supplier A to commence from 1 June 2022.

6. Appendices and Background Documents

Exempt appendices:

- Exempt Appendix A: Tender Evaluation Matrix

7. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Council has statutory power under section 1 of the Localism Act 2011 to do anything that individuals generally may do and under section 111 of the Local Government Act 1972 the Council has power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

Acting on the recommendations stated in this report is within the Council's statutory powers

Any procurement process undertaken by the Council must be in compliance with its procurement rules as detailed in the Constitution as well as all legal requirements as may be applicable from time to time.

All necessary legal documentation is to be approved by Legal. Services before completion.

Claudette Valmond, Interim Head of Legal Partnership – 12 January 2022

B. Finance and Other Resources

This tender has been through a fully compliant procurement process and has delivered savings of approximately £50,000 per annum compared to the approved budget. This will contribute to the substantial budget deficit that the council is trying to close. Further partnership working in respect of this service is being investigated and contributions from the Police and Crime Commissioner are also being sought, as they do not presently contribute financially to CCTV in the borough.

Jane Fineman, Head of Finance, Procurement & Parking - 11 January 2022

C. Staffing

There are no direct staffing issues.

Denise Haylett, Head of Facilities and Community Hubs - 7 January 2022

D. Risk Management

The cost proposal carries an element of risk in that legislative uplifts are not factored into their cost. This means that any cost increase associated with (but not limited to) the living wage, pensions or national insurance will be passed onto TWBC.

Denise Haylett, Head of Facilities and Community Hubs - 7 January 2022

E. Environment and Sustainability

I do not see that there are any specific issues for environment and sustainability.

Karin Grey, Sustainability Manager – 7 January 2022

F. Community Safety

No community safety issues of concern arise from this report

Terry Hughes, Community Safety Manager – 10 January 2022

G. Equalities

There are no significant implications identified through this report.

Jane Clarke, Head of Policy and Governance – 12 January 2022

H. Data Protection

There are significant data protection implications as a result of this tender. Any provider will be collecting and processing large amounts of personal data, including special category data, and will be operating a public surveillance function, both of which are restricted except in circumstances where there is a legal basis, and with the relevant safeguards in place.

The Council may use CCTV for the prevention of crime or for the welfare of the victims of crime subject to prior consultation with the Chief Officer of Police for the area (section 163 of the Criminal Justice and Public Order Act 1994).

Any monitoring of the public using CCTV systems must be operated in accordance with relevant data protection legislation and the principles of the Human Rights Act 1998. Alongside this, the Surveillance Camera Commissioner (which works in conjunction with the Information Commissioner) has issued a Code of Practice for the use of CCTV setting out requirements and principles which must be complied with.

Covert surveillance may only be conducted if formal authorisation is provided through the Regulation of Investigatory Powers Act 2000 (RIPA).

As part of the tender process due diligence was conducted. Both tender submissions provided a data protection impact assessment, policies on processing special category data, and records of processing activities and retention schedules. These were considered as part of the quality assessment when scoring the tenders. Specific data protection clauses will be included in the contract to ensure further protection of personal data.

Jane Clarke, Head of Policy and Governance – 11 January 2022

I. Health and Safety

No health and safety implications to this report.

Mike Catling, Health and Safety Advisor – 10 January 2022

J. Health and Wellbeing

No issues identified.

Rebecca Bowers, Health Improvement Team Leader – 10 January 2022