



City of Westminster

Cabinet Member Report

Decision Maker: Cabinet Member for Communities,
Children and Public Protection

Date: 07 March 2024

Classification: General Release

Title: Westminster CCTV Service

Wards Affected: All

Policy Context: Fairer Communities

Key Decision: Yes

Decision is likely to result in significant expenditure and also impact on communities living or working in two or more wards.

Financial Summary: The overall revenue costs for the introduction of the CCTV is approximately £0.6m per annum, funded from reserves, for 2024/25 and built into base budgets from 2025/26, subject to budget approval at Full Council.

The overall capital cost is estimated at £0.5m and can be met from existing provision from within the capital programme

Report of: Frances Martin, Executive Director of Environment, Climate and Public Protection

1. Executive Summary

- 1.1. This report presents proposals and seeks approval to develop and implement a new CCTV service to assist the Council with tackling anti-social behaviour, noise and fly-tipping.

2. Recommendations

- 2.1. That the Cabinet Member for Communities, Children and Public Protection:
 - 2.1.1. Approves revenue expenditure of £0.6m per annum for a period of five years for the implementation and operation of the service, subject to Budget approval at Full Council.
 - 2.1.2. Approves the delegation of authority to develop and implement this service and associated policies and procedures, to the Executive Director of Environment, Climate and Public Protection in consultation with the Cabinet Member for Communities, Children and Public Protection.

3. Reasons for Decision

- 3.1. The introduction of a CCTV service, focused on anti-social behaviour, noise and fly-tipping hotspots, which is monitored in real-time will be a powerful tool, which can be used in conjunction with a range of other interventions, to enable the Council to quickly identify and respond to ASB problems that are having a negative impact on our residential communities.
- 3.2. The estimated cost to implement the CCTV service is £0.6m per annum, with an initial capital cost of approximately £0.5m.
- 3.3. The Cabinet Member for Communities, Children and Public Protection is recommended to approve the proposals outlined in this report and the revenue expenditure necessary to implement the works, subject to budget approval at Full Council on 06 March 2024.

4. Background, including Policy Context

- 4.1. In 2017, the Council disbanded its existing analogue public space CCTV system, handing control of this to the Metropolitan Police Service (MPS). At that time, there were approximately 122 public space CCTV cameras across the City. However, construction developments, public realm works, the age of the assets and other factors had resulted in a large number of these cameras needing repair, replacement or upgrade. The system was handed over with £1.5m of capital funding in order to repair and upgrade the cameras. This was used over a period of years to upgrade 64 of the permanent cameras. In addition to the above, the CCTV network operated by the MPS includes a small number (not more than 15 at any one time) of re-deployable nomad cameras that are used for specific area based taskings aligned to the MPS's priorities. These cameras have a live feed and monitoring capability at police stations.

- 4.2. The CCTV assets now retained by the Council are limited to facilities management, housing and highways, along with two pilot programmes being undertaken by Public Protection & Licensing. One of these pilot programmes is a trial of cameras at three locations to provide artificial intelligence led evidence gathering around waste and fly tipping concerns, the other is a trial of the use of acoustic cameras to tackle specific noise-related anti-social behaviour, primarily to enforce the Public Space Protection Order relating to nuisance vehicles.
- 4.3. There are also a range of CCTV systems which are maintained by third parties that cover areas of Westminster. Transport for London operate surveillance cameras in and around London Underground stations; across London's road and tunnels network for monitoring road traffic and for traffic enforcement and for the enforcement of Road User Charging Schemes. Very many businesses will operate CCTV systems internally or covering the immediate perimeter of their premises.
- 4.4. With the exception of the two small pilot programmes, none of the above are CCTV systems focused on tackling anti-social behaviour; excessive noise; fly tipping and waste management that impact on residential or community spaces.
- 4.5. In Summer 2023, a security consultant was commissioned to produce a report to assist with the development of a solution to respond to issues including: anti-social behaviour; excessive noise; fly tipping and waste management with a focus on at-risk residential and community spaces. This report included consideration of how existing CCTV infrastructure, or any newly recommended solutions could assist the Council in its work to tackle the above.
- 4.6. Anti-social behaviour (ASB), the illegal dumping of waste and the management and control of excessive noise pollution are important problems for the Council to tackle. The security consultant detailed how CCTV can be used as one of the methods to:
 - measure the number, type, place of incidents
 - act as a deterrent and assist as a tool towards incidents
 - assist with the identification of perpetrators
 - capture evidence for conviction
- 4.7. CCTV is just one tool, but becomes more powerful when used in conjunction with a range of other interventions, and as part of a wider problem solving approach. In Westminster, this problem solving approach is driven on a ward by ward basis by Neighbourhood Co-ordinators, through local partnerships including the local policing teams, housing providers, the Council's newly formed Neighbourhood Teams and other local stakeholders.
- 4.8. Findings from the latest Safer Westminster Partnership Strategic Assessment outline the extent to which anti-social behaviour (ASB) impacts on Westminster's communities. While the definition of ASB is broad and there are a variety of mechanisms in use to report and record it, there is strong evidence that it is widespread and affects many residents who witness or experience it.

The government's Anti-social Behaviour Action Plan recognises that whilst ASB is often described as being a 'low-level crime', the evidence shows ASB can result in a range of negative emotional, behavioural, social, health and financial impacts.

- 4.9. Estimates from the Crime Survey of England and Wales (CSEW) year ending June 2023 showed 34% of people had experienced or witnessed some type of ASB. Over the past year there were 13,705 incidents of ASB recorded by the police in Westminster, an average of 42 incidents per day. Westminster continues to have the highest volumes of ASB recorded across the MPS, accounting for 5.9% of all calls.
- 4.10. From the data, it is clear repeat victimisation and repeat offending is a key driver to ASB incidents and processes need to be in place to quickly identify and respond to it, to minimise the impact on our residents' lives.
- 4.11. The security consultant report identified that digital technology can allow for the procurement and deployment of re-deployable cameras across the City, in an agile and timely way. This allows for the effective targeted use of CCTV, as part of a rapidly responsive deployable network, to respond to ASB, noise or fly-tipping hotspots that are impacting residential communities across the City.
- 4.12. Clear criteria and processes for deployment and redeployment will be developed, as part of the implementation of the service so that the cameras are used effectively. These will include consideration of whether the problem activity relates to a Council priority; whether CCTV will assist with measuring the number, type, place of incidents; assist with the identification of perpetrators or capture evidence for conviction. Any deployment will be part of a wider problem solving approach or range of other interventions. This approach will be refined based on key performance indicators and experience of what works.
- 4.13. Whilst stand-alone CCTV networks have value in terms of retrospective review and retention of evidence, there is value in real time accessibility and monitoring of CCTV networks. Having reviewed the costs and options available for the delivery of monitoring services, it is considered that the most appropriate course of action would be to enter into a shared service agreement for monitoring with a partner local authority who already have the skills and infrastructure to adopt any future Westminster City cameras. As a result of that approach, given partner capacity and minimum service requirements, officers have explored the opportunities to provide monitoring services for the deployment of 100 cameras.
- 4.14. Taking a single and co-ordinated view of CCTV across the Council would improve the opportunities to drive consistency, integration, and value for money. The Director of Public Protection & Licensing has been given this responsibility, to work with other directors to drive a co-ordinated approach to future CCTV use, deployment and procurement.
- 4.15. The Council would benefit from securing ongoing technical advice to co-ordinate how the Council manages and deploys CCTV. The employment of one FTE officer, to co-ordinate the development and delivery of this service, and the co-ordination of existing council CCTV assets would be of benefit to all

services and could act as a point of reference across the Council. They would work alongside the existing Data Protection Officer (and SRO for CCTV).

5. Financial Implications

- 5.1. The overall revenue costs for the introduction of a service of 100 redeployable cameras is approximately £0.6m per annum. This includes monitoring arrangements as well as one FTE officer who will co-ordinate the development and delivery of this service, and the co-ordination of existing council CCTV assets. Subject to budget approval at Full Council, the revenue budget for 2024/25 will be funded from reserves and built into base budgets from 2025/26. It is likely that this cost will be incurred in full from April 2024.
- 5.2. The overall capital cost is estimated at £0.5m and can be met from existing provision from within the capital programme.

6. Legal and Governance Implications

- 6.1. Section 17 of the Crime and Disorder Act 1988 places a duty on the Council to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment, the misuse of drugs, alcohol and other substances, together with re-offending and serious violence in its area).
- 6.2. Any proposals to use CCTV to tackle anti-social behaviour, fly-tipping and noise reduction could be deemed as directed surveillance. The Regulation of Investigative Powers Act 2000 (RIPA 2000) sets out the law governing the use of covert surveillance techniques by public authorities, including local authorities. It requires that, when public authorities use covert techniques to obtain private information about someone, they do it in a way that is justified, necessary, proportionate, and compatible with the legislative framework on human rights.
- 6.3. The Human Rights Act 1998 and the European Convention of Human Rights mean that all applications to use covert surveillance must satisfy statutory grounds (i.e., surveillance must be for the purpose of the detection or prevention of crime) and legal thresholds (is the surveillance necessary, proportionate, justified, has the Council considered collateral intrusion).
- 6.4. Local authorities can generally only authorise use of directed surveillance under RIPA 2000 to prevent or detect criminal offences that are either punishable by a term of at least 6 months' imprisonment or the surveillance is related to the underage sale of alcohol, tobacco or nicotine inhaling products. This is known as the serious crime threshold. Examples of cases where the offence being investigated attracts a maximum custodial sentence of six months or more could include more serious criminal damage, dangerous waste dumping and serious fraud. However, officers investigating a crime that does not meet the serious crime threshold, can undertake surveillance under section 60 of RIPA 2000 if it has had a detrimental effect on residents and businesses.

6.5. The Council is also required to have regard to the provisions of the Home Office Codes of Practice 2018 and 2022 relating to surveillance.

6.5.1. Considerations should also be given to the potential impact that deploying CCTV will/could have on the rights of individuals as enshrined in the UK GDPR and Data Protection Act 2018.

6.5.2. Any proposals need to include a Data Protection Impact Assessment [DPIA], as the deployment of CCTV in public spaces is specifically mentioned by the ICO as high risk to the rights and freedoms of individuals. This DPIA needs to be updated and maintained to reflect any changes in the deployment and use of CCTV.

6.5.3. A Code of Practice for the deployment and use of CCTV needs to be followed – to ensure operations are standardised and documented for evidentiary purposes.

6.5.4. In addition, the following are required:

- All necessary Information Sharing Arrangements will need to be agreed and ratified
- Data protection training is required for any staff operating CCTV cameras and linked to guidance materials
- Protocols for disclosing images to authorised third parties need to be made
- Data Retention and Destruction Policies need to be agreed

1.1. An initial Data Protection Impact Assessment has been undertaken which is being reviewed and scored, following which further actions will be identified and for consideration during implementation. This DPIA will be continually reviewed and revised as the processes and protocols for the CCTV service develop, and will be finalised and approved prior to the service going live.

1.2. The Cabinet Member Terms of Reference delegate the powers of this decision to the Cabinet Member. In accordance with Paragraph 33.12 of the Council's Access to Information Procedure, this proposed key decision was entered in the Forward Plan on 18 January 2024 and the necessary 28 clear days' notice has been given. A period of five clear days - the call-in period – must elapse before the decision is enacted. If the decision is called-in during this period, it cannot be enacted until the call-in has been considered and resolved.

2. Climate Impact

2.1. The Council declared a climate emergency in 2019 and developed a [Climate Emergency Action Plan](#).

2.2. An assessment of the climate impact of this decision has been undertaken in conjunction with the Climate Emergency team. Overall the climate impact of the decision is not considerable. There is embedded carbon in the cameras and other equipment that will be purchased. In addition there will be the ongoing energy consumption of operating that equipment. The cameras will be initially

deployed and can then be redeployed through the use of a vehicle, which will create emissions within the City.

- 2.3. Consideration of the climate impact will be made throughout the procurement process, including requesting that any contractor can record the fuel usage from vehicles used in order to understand the emissions caused. The vehicle emissions and the life-span of the equipment will be in part determined by the number of times cameras are relocated. Consideration will also be given to these factors, alongside any camera's effectiveness, in developing the policy and processes around their use and redeployment.

3. Equalities Implications

- 3.1. An Equalities Impact Assessment has been undertaken and consideration has been given to the impact or potential impact of the decision on groups in our community who share protected characteristics.
- 3.2. As a public realm CCTV system, the benefits of the reduction in ASB, noise and fly-tipping will be enjoyed by all users of that public realm, including residents, businesses, workers and visitors. The service will be focused on those problems that are particularly impacting on Westminster's residential communities. As such, it can be assumed that the benefits will be shared across groups with protected characteristics in line with the proportion of those groups who are utilising the public realm and also who are living in Westminster.
- 3.3. There is limited evidence from elsewhere that communities living in poverty or in low incomes may be disproportionately negatively impacted by ASB. However, as the above shows, ASB impacts on all of Westminster's communities, As such, it is noted that there may be a disproportionate benefit to those on low incomes or living in poverty. However, this is unquantifiable and not considered significant.

4. Consultation

- 4.1. The City Survey asked 2,412 residents to what extent certain ASB issues were a problem in Westminster. This showed concerns regarding ASB across all wards in the borough, with drugs the highest issue of concern for 38% of residents, followed by begging, people being drunk or rowdy and violence among children and young people. It also showed disparities in the levels of types of ASB across wards, demonstrating the need for local problem solving approaches tailored to the needs and challenges of different local communities.
- 4.2. The Security Consultant engaged directly with some key stakeholders in the West End, including the Metropolitan Police Service. The ambitions of a number of stakeholders remains for a more integrated public space offer (specifically within the West End), however given the complexity of the landscape and the regulatory constraints means this will require much more consideration.
- 4.3. The framework for deployment and prioritisation of the CCTV service will be developed with wider stakeholder and elected member engagement and subject to scrutiny.

- 4.4. Considerations in relation to the use of CCTV to tackle ASB, noise and fly-tipping were reviewed by the Climate Action, Environment and Highways Policy and Scrutiny Committee on 16 January 2024. The committee provided a number of recommendations in terms of the types of issues, such as drug-dealing, crimes against the person and graffiti, that the service should seek to assist the council and partners to address. Furthermore, that there should be a mechanism whereby residents can feed in suggests or requests as to the locations of cameras. These will be considered in the development of the service.

APPROVED BY

Name and Title	Date sent	Date approved
Councillor Aicha Less, Cabinet Member for Communities, Children and Public Protection	27/02/2024	28/02/2024
Frances Martin, Executive Director for Environment, Climate & Public Protection	23/02/2024	27/02/2024
Christopher Dawson, Finance	20/02/2024	23/02/2024
Michael Carson, Legal	20/02/2024	22/02/2024
Maria Burton, Governance	20/02/2024	20/02/2024

For completion by the **Cabinet Member for Communities, Children and Public Protection**

Declaration of Interest

I have no interest to declare in respect of this report

Signed: _____ Date: 07 March 2024
NAME: **Cllr Aicha Less**

State nature of interest if any:

(N.B: If you have an interest, you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled **Westminster CCTV Service** and reject any alternative options which are referred to but not recommended.

Signed: _____
Cabinet Member for Communities, Children and Public Protection

Date: 07 March 2024

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Monitoring Officer and Section 151 Officer (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.