Supplementary Information

HAVANT BOROUGH COUNCIL SCRUTINY BOARD 29 March 2016

Dear Councillor

I am now able to enclose, for consideration at next 29 March 2016 meeting of the Scrutiny Board, the following supplementary information that was unavailable when the agenda was printed.

Agenda No Item

- 3 Review of Councillors Allowances (Pages 1 18)
- 4 Review of CCTV (Pages 19 34)



HAVANT BOROUGH COUNCIL

SCRUTINY BOARD

Meeting Date 22 March 2016

Review of Councillor Allowances

Report by the Governance and Logistics Scrutiny and Policy Development Panel

FOR RECOMMENDATION

Cabinet Lead: Councillor Wilson

1.0 Purpose of Report

1.1 The purpose of this report is to present a summary of the Governance and Logistics Scrutiny and Policy Development Panel's review of Councillor Allowances Scheme

2.0 Recommendations

- 2.1 The Scrutiny Board recommends to Council that the Councillors Allowances Scheme be amended as follows:
- 2.1.1 A modernisation allowance of £461 approved and subsumed into the basic allowance, making this allowance £5891;
- 2.1.2 A Special Responsibility Allowance for the Chairman of the Development Management Committee of £3577 be added;
- 2.1.3 References to rotating the Chairman of the Development Management Committee be deleted; and
- 2.1.4 The Allowance for the Scrutiny Leads be reduced to £2500.
- 2.2 The Scrutiny Board include in the Work Programme for 2016/17 a review of the Special Responsibility Allowance Scheme (including a 6 month monitoring exercise of the number of meetings attended by Chairman of Committees and Boards)

3.0 Summary

3.1 The Panel considers that the Scheme of Members Allowances should be amended as follows:

- A Modernisation Allowance of £461 be approved and subsumed into the basic allowance
- A Special Responsibility Allowance for the Chairman of the Development Management Committee of £3577 be added
- References to alternating the Chairman of the Development Management Committee being deleted
- The Allowance for the Scrutiny Leads be reduced to £2500
- 3.2 These changes represent a saving of £2343 from the previous scheme.

4.0 Introduction

- 4.1 In accordance with the Local Authorities (Members' Allowances) (England)
 Regulations 2003 the Council on 17 February 2016 received and considered a
 report and recommendations from the Independent Remuneration Panel on
 Councillors Allowances. The Panel had recommended a schedule of basic and
 special responsibility allowances for Councillors and the introduction of
 performance related arrangements for the basic allowance.
- 4.2 To address concerns the Council had about the viability of introducing performance related allowances for Councillors and, in particular, the difficulty of introducing an equitable mechanism for assessing performance in a political environment, the Leader of the Council submitted an alternative scheduled of allowances, that would offer a reduction in overall costs as compared with the current scheme, which was adopted by the Council.
- 4.3 The Council decided not to adopt the recommendations of the Independent Remuneration Panel but to agree to the alternatives recommended by the Leader of the Council.
- 4.4 Following this meeting concern was raised that, without consultation with the Scrutiny Board, the Council had agreed to a scheme of allowances that:
 - Resulted in a significant reduction in the allowances that could be claimed by a majority of members of the Council
 - Agreed to the removal of the special responsibility allowance for the Chairman of the Development Management Committee
 - Implied a change to the workings of the Development Management Committee
- 4.5 The Chairman of the Scrutiny Board requested this panel to review the schedule of allowances agreed by Council on 17 February 2016 with the aim of submitting its findings and recommendations to the meeting of the Council to be held on 13 April 2016.

5.0 Membership of the Panel

5.1 Councillors Wade (Scrutiny Lead), Branson (Scrutiny Board Chairman), Brown, Buckley, Cresswell, Hughes, Sceal, Shimbart, Keast and K Smith.

6.0 Panel's Brief

- 6.1 The Panel was asked to review the 2016/2020 Members' Allowances' Scheme with particular reference to:
 - The amount of Basic Allowance that should be payable to elected Members
 - ii the scope of other allowances and expenses
 - iii The scope and level of the Special Responsibility Allowance for the Chairman of the Development Management
 - iv the role of the Chairman of the Development Management Committee

7.0 Considerations

- 7.1 In arriving at their decisions, the Panel considered several factors:
 - There has been a Council pay freeze since 2007
 - The changes to the workload of the Development Management Committee
 - The advice of the Councillor Commission's that:

Remuneration should be an incentive for service as a councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so. Councillors should be compensated for their work and that compensation should have regard to the full range of commitments and complexity of their roles

8.0 Method of the Review

- 8.1 In arriving at its recommendations, the Panel specifically took into account the following range of evidence:
 - Any changes in roles and responsibilities of Members since the previous review
 - The views of Members, both written and oral
 - Advice from the former leader of the Council, Honorary Alderman Gillett
 - Scope and level of allowances payable in comparable authorities, namely other Hampshire district councils and all district councils that responded to the South East Employers Organisation 2015 and 2016 surveys of members' allowances
 - Other relevant supporting material such as the guidance from OPDM, the meetings schedule of the Council and its committees

9.0 Witnesses

- 9.1 Witnesses who gave evidence to the Panel were:
 - Honorary Alderman Gillett

10.0 The Historical Pattern

- 10.1 Since 1974 there has been change from a view that councillors should only be entitled to some expenses to an allowance system.
- 10.2 The 1986 Committee of Inquiry into the Conduct of Local Authority Business enunciated criteria for a system of remuneration, which is still relevant today:
 - the 'system should be simple to operate and understand, and not susceptible to faulty claims'. They felt that this argued against the attendance and financial loss allowances.
 - the 'system should not encourage the proliferation of meetings or councillors spending more time on council business than is necessary', arguing against the attendance allowance.
 - the level of remuneration should relate to 'the non-manual worker at the average male wage if he worked one day per week', a benchmark currently recommended by the Local Government Association and widely adopted as a result.
 - the 'system should recognise that some councillors have much greater calls on their time than others (depending on their responsibilities)'
 - allowances 'should be available as of right to all councillors meeting the statutory criteria for payments', i.e. local discretion should be limited; and
 - the 'levels of allowances should be regularly reviewed'.
- 10.3 The Government response to this change in attitude has been a series of legislation which has culminated in The Local Authorities [Members' Allowances] Regulations 2003 which require the Council to prepare a scheme for the payment of allowances to its members (a summary of the legislative changes are set out in Appendix A).

11 The Basic Allowance Rate

Background

11.1 Every councillor, irrespective of any particular office he or she may hold on the Council, is entitled to the same level of basic allowance. Basic allowance is intended to recognise the time commitment of all councillors, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.

Current situation

- 11.2 The basic rate for members has not changed since 2007.
- 11.3 The Panel benchmarked the current Basic Allowance against that paid in district councils in Hampshire and the South East. This was done to find out whether the Havant Borough Council Basic Allowance had fallen behind that paid in peer authorities in Hampshire.

Table 1: Basic Allowances Payable in Hampshire Councils

District Council	BA
Basingstoke & Deane	£6,736
East Hampshire	£4,500
Eastleigh	£6,178
Fareham	£6,674
Gosport	£5,862
Hart	£3,885
New Forest	£6,027
Rushmoor	£4,750
Test Valley	£6,452
Winchester	£5,580
Havant	£5,350
Mean (2014/15)	£5,636
Median (2014/15)	£5,862
SEE 2015/16 Survey (Mean)	£6,182

As Table 1 (above) shows, the Havant Borough Basic Allowance is lower than a majority of other district councils in Hampshire (2015/16) and the average for districts in the South East, which suggests that there is a case for the basic allowance to be increased.

11.4 Consequently, the Panel agrees to the Basic Allowance being increased to £5430 subject to the modernisation allowance detailed below being subsumed into this allowance.

12 Telephones/Information Technology Allowances.

- 12.1 The Members Allowances Scheme adopted by the Council on 17 February 2016 removed that Broadband and Telephone Allowances. The scheme indicates that the Broadband Allowance is incorporated within the Basic Allowance. However, the Basic Allowance has not been increased to reflect the loss of the broadband or telephone allowances
- 12.2 Prior to 17 February 2016, the allowances scheme provided for a Telecommunications and Information Grant of £371 per annum (£30.92 per month), additional to the Basic Allowance in recognition of the amount of money Members spend on telephone bills for council-related calls. The Council also made a monthly contribution (£7.50) to each Member for a broadband connection at their home to download Council papers, totalling £90 per annum. Prior to the introduction of the Hants Net IT system Councillors were also provided with laptops. Both the Telecommunications and Information Grant and Broadband Allowance were paid automatically unless a Member requests not to have it.

- 12.3 These allowances were not intended to reimburse the full cost of broadband and/or telephone costs, but to assist in meeting a substantial proportion of these costs and to ensure that Members were supported in keeping in touch with their constituents and the Council.
- 12.4 Government guidance states:

"It is important that some element of the work of members continues to be voluntary - that some hours are not remunerated. This must be balanced against the need to ensure that financial loss is not suffered by elected members, and further to ensure that, despite the input required, people are encouraged to come forward as elected members and that their service to the community is retained."

- 12.5 Telephone and broadband are essential tools for Councillors enabling them to support their constituents and to undertake other work on behalf of the Council. Technology is forever changing and the Five Councils' contract and Norse Joint Venture Scheme will require a modernisation of the Council's IT technology which will also have an impact upon Councillors.
- 12.6 The Panel therefore considers that an allowance of £461 should be created to partially cover the costs likely to be generated by changes to Information Technology. The Basic Allowance agreed by the Council on 17 February 2016 is not sufficient to cover the majority of the councillor incidental expenses and will not encourage members of the public to become councillors.

Benchmarking

12.7 Table 2 shows that this Council is the only district council in Hampshire that provides an allowance for telephone calls. However, in terms of an allowance for IT, a majority of the other District Councils in Hampshire either pay a higher allowance or in the case of Eastleigh provide equipment and internet connection.

Table 2: IT & Telephone Allowances Payable in Hampshire Councils

District Council	ВА	IT	Telephone
Basingstoke & Deane	£6,736	£0	£0
East Hampshire	£4,500	£200	£0
Eastleigh	£6,178	Computer and Internet Connection provided	£0
Fareham	£6,674	£0	£0
Gosport	£5,862	£25 per month max	£0
Hart	£3,885	£250	£0
New Forest	£6,027	£382 (included in basic Allowance)	£0
Rushmoor	£4,750	£385	£0
Test Valley	£6,452	Included as part of the basic allowance	£O
Winchester	£5,580	£0	£0
Havant	£5,350	£90	£371

Conclusion

12.8 The Panel considers that a Modernisation Allowance of £461 should be created to assist Councillors with the costs arising from the changes in technological changes in IT. This recommendation will enable a Councillor, who does not receive a Special Responsibility Allowance, to receive allowances up to £5891, which is between the average for other districts in Hampshire and the average for the other district councils in the South East.

Recommendation 1

The Councillor Allowances Scheme adopted by the Council on 17 February 2016 be amended as follows:

 A modernisation allowance of £461 approved and subsumed into the basic allowance, making the basic allowance £5891.

13 Special Responsibilities Allowances (SRAs)

13.1 Special Responsibility Allowances are paid where members of the Council have significant additional responsibilities, over and above the generally accepted duties of a councillor. Only one special responsibility allowance is payable to any individual councillor irrespective of the number of positions they may hold in the Council.

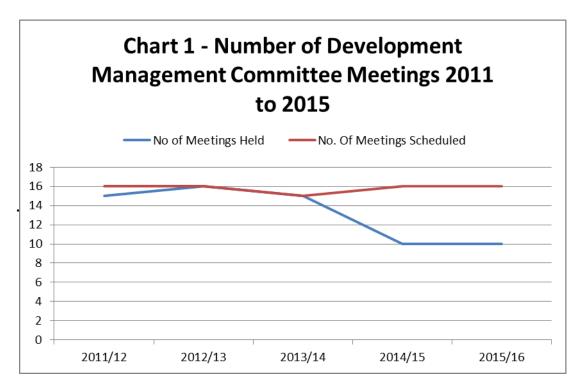
Chairman of the Development Management Committee (DMC)

- 13.2 The allowance scheme adopted by the Council on 17 February 2016 removes the allowance for the Chairman of the Development Management Committee and indicates that DMC Chairman will be appointed at each meeting from among the Committee membership on a rotating basis, to be nominated at the previous meeting.
- 13.3 The Panel considers that the Chair of the Development Management Committee is a high profile position in the Council. Planning in particular is an issue that attracts public attention and there is a need to have a single Chairman to keep abreast of current developments in planning law and regulations. The Development Management Committee is the first and in most cases sole point of reference for planning applications that are in any way contentious. As such, the Committee is scheduled to meet every four weeks, plus associated site visits. In particular, the Chairman attends briefings with Officers and the Cabinet Lead. Therefore, the Panel has serious concerns that the failure to appoint a single Chairman will lead to disruption and confusion to the proceedings of this Committee to the detriment of the Council. The SEE Survey of member Allowances 2015/16 shows that all other District Councils in the South East have a full time Chairman for their Planning Committees.
- 13.4 The Panel agrees to the deletion of the post of Vice Chairman of the Development Management Committee as this Committee has operated without a Vice Chairman since the end of July 2015 without any disruption to the proceedings of the Committee.

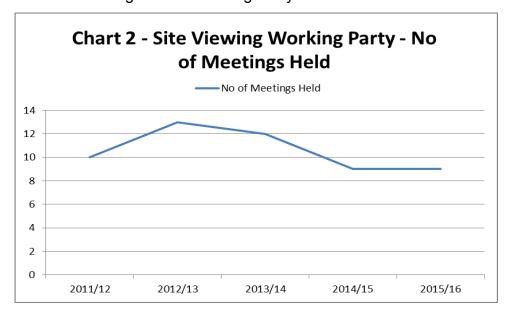
Recommendation 2

The Scheme of Councillors Allowances adopted by the Council on 17 February to delete all references to a rotating Chairman of the Development Management Committee.

- In view of the high profile of the Chairman of the Development Management Committee, the Panel consider that it the post should receive a Special Responsibility Allowance. In 2007, the SRA for the Chair of the Development Management Committee (DMC) was set at 30% of the Leader's SRA i.e. £5,920 and there have been no increases since that date. The SEE survey of allowances shows that in 2015/16 the average SRA for Chair of Planning in SE district councils is £5,318, while for the Hampshire district councils it is currently £5,400, with the median SRA being £5,160. The SRA for the Chair of the DMC is slightly higher than peers in comparable Hampshire district councils. However, it is noticeably above that paid to peers in comparable regional districts.
- 13.6 The Committee has seven members with standing deputies. The number of meetings has declined since the Council removed the right of third parties to ask for applications to be referred to the Committee and the powers delegated to officers were expanded in 2012 .These changes have resulted in a reduction in the number of Committee meetings* as shown in Chart 1.



- * The figures are based on the meetings held in each financial year. 2015/16: two further meetings are scheduled for this year.
- 13.7 The average length of meetings has reduced by 35% since 2011/12 from an average of 2 hours in 2011/12 to 1.3 hours in 2015/16.
- 13.8 The DMC is supported by the Site Viewing Working Party (SVWP). The role of the SVWP is to familiarise themselves with a site's characteristics before making a recommendation on a planning application or other matter scheduled to be considered at a future meeting of the DMC: the changes in the call in procedure and delegated powers have also resulted in a reduction of the number of meetings of this Working Party.



13.9 The Panel is of the view that although the post still satisfies the requirements for a Special Responsibility Allowance, the frequency and length of meetings no longer justifies the level of allowance set previously. Based on the number of Committees, Chairman Briefings and Site Viewing Working Party meetings the Chairman was expected to attended in 2015/16 the allowance per meeting was calculated as follows:

Scheduled Number of meetings	48
Allowance	£5920
Allowance per meeting	£124

A logarithmic trendline to forecast the number of meetings likely to be held in the next years predicts that the number of meetings over the next four years will be as follows:

Years	2016/17	2017/18	2018/19	2019/20
No. of Meetings	30	29	28	27

The average number of meetings over these four years is predicted to be 29 meetings a years. Therefore, it is considered that the Chairman's allowance should be £3577 (the previous allowance per meeting x the predicted average number of meetings per years for the next four years)

Recommendation 3

The Scheme of Councillors Allowances adopted by the Council on 17 February 2015 be amended as follows:

A Special Responsibility Allowance for the Chairman of the Development Management Committee of £3577 be added

13.10 Special Responsibility Allowances for Scrutiny Leads

- 13.11 The five Lead Members of the Scrutiny Panels each receive a SRA at the same level that was previously paid to the Vice Chairs of the Scrutiny Boards, which is £1,081. The SEE survey of allowances shows that in 2014/15 the average SRA for Vice Chairs of Scrutiny Boards in SE district councils was £4,156, while for the Hampshire district councils it is currently £704, with the median SRA being £737.
- 13.12. The Panel acknowledges that under the previous scheme the Scrutiny Leads may have be under remunerated in relation to their peers, particularly as the scrutiny reviews are now conducted by the Scrutiny Panels. The scheme approved by the Council on 17 February 2016 set an allowance of £3,157 to be financed from the savings made by the removal of the allowance for the Chairman of the Development Management Committee. The agreed level is significantly higher than the average for Hampshire and the South East. The Panel acknowledges that the work of a Scrutiny Lead is greater than the work of a Vice Chairman of a Scrutiny Board and this should be reflected in the

allowance given to this post. However, it is also felt that the duties and responsibilities of this post are lower than that of a Chairman of the Licensing Committee. The Panel agreed that the allowance of £2500 recommended by the Independent Remuneration Panel is more appropriate

Recommendation 4

The Scheme of Councillors Allowances adopted by the Council on 17 February 2015 be amended as follows:

A Special Responsibility Allowance for Scrutiny Leads be amended to read £2500

14.0 Overview of Special Responsibility Allowances

14.1 During the review, concerns were raised that the levels of responsibilities and allowances paid for some roles had changed since the levels of responsibilities were first agreed. The Panel considers that the number of meetings held should be monitored for the next six months and following this exercise, the Governance and Logistics Panel be requested to undertake a review with the aim of establishing a fresh approach to the way special responsibility allowances are calculated.

Recommendation 5

The Scrutiny Board be recommended to include in the Work programme for 2016/17 a review of the Special Responsibility Allowance Scheme (including a 6 months monitoring exercise of the number of meetings attended by Chairman of Committees and Boards)

15.0 Implications

15.1 Resources:

Although the recommendations will reduce the savings set out in the report submitted to Council on 17 February, they still represent a saving of £2,343 from the 2012/16 scheme.

15.2 **Legal:**

The relevant regulations make it clear that before a Council makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel. This means that a Council can amend such a scheme as long as it has had regard to the IRP recommendations even if that the IRP report is relatively old.

15.3 **Strategy: (Priorities)**

The scheme of allowances supports the Council's strategic framework by ensuring payments to councillors are reflective of their roles and responsibilities. It will help to ensure allowances are set at a level that facilitates suitably able, qualified, and representative people standing as candidates for Council (and their retention and development once elected).

15.4 **Risks:** (Environmental, Health & Safety and Customer Access Impact Assessment)

N/A

15.5 **Communications:**

N/A

15.6 For the Community:

The scheme of remuneration should contribute to vigorous and healthy local democracy. If local democracy is to prosper people must have choice. Choice means having candidates for Council membership who have different backgrounds and life experiences. Remuneration of elected Members is one means to achieve that end.

15.7 The Integrated Impact Assessment (IIA) has been completed and concluded the following:

See 13.3 and 13.6

15.8 **Consultation** (to advise who has been consulted)

Hon. Alderman Gillett (former leader of the Council)

Appendices:

Appendix A – Legislative Background

Appendix B – Comparison with other District Councils in Hampshire

Background Papers:

Report of the Independent Remuneration Panel 2016
The Local Authorities (Members Allowances)(England) Regulations 2003
South East Employers' Members Allowances Surveys 2014/15 and 2015/16
Councillor Commission – Members Remuneration
OPDM Guidance – Part One: Members' Allowances

Agreed and signed off by:

Head of Legal Services: (date)

Head of Finance: (date)

Relevant Head of Service: (date)

(Cabinet Reports Only)Portfolio Holder (EHDC) Cabinet Lead (HBC) Please delete as

appropriate

Contact: Councillor Wade

Title: Scrutiny Lead for Governance and Logistics

Telephone: 07544 178860

E-Mail: peter.wade@havant.gov.uk



Legislative background

1974-1981

Under the Local Government Act 1972, Councillors were entitled to claim Attendance, Travelling and Subsistence Allowances when undertaking approved duties such as attendance at official meetings and acting as the representative of the City Council on a range of other bodies. Rates were set by central government.

1981-1991

Under the Local Government Planning and Land Act 1980, an additional allowance in the form of a Special Responsibility Allowance was introduced. This could be paid to Councillors who undertook additional roles such as Leader of the Council, Chairs of Committees or Leaders of Opposition Groups. Cost had to be contained within a ceiling set by central government.

1991-1995

Under the Local Government and Housing Act 1989, a further allowance in the form of a Basic Allowance was introduced. This had to be paid equally to all Councillors and was designed to reflect the standard role expected of all Councillors. Rates were set locally and had to be included within a ceiling for attendance, basic and special responsibility allowances set by central government.

1995-2001

Under the Local Authorities [Members' Allowances] Amendment Regulations 1995, the government gave Councils the discretion to determine or amend a Scheme for the payment of Members Allowances. In the words of the then Environment Minister the change was designed to encourage people with a wide range of backgrounds, experience and skills to serve as Councillors and to allow local authorities to give more adequate remuneration to those Councillors with special responsibilities.

2001-2003

Under the Local Government Act 2000, Councils were required to draw up proposals to adopt one or other of 3 possible models of governance. This Act also abolished attendance allowance.

The Local Authorities [Members Allowances] Amendment Regulations 2001 required Councils to establish and maintain an Independent Remuneration Panel to make recommendations on the level of basic and special responsibility allowances paid to Councillors under its chosen model of governance. The Council must have regard to the Panel recommendations

before making or amending its Allowances Scheme . These Regulations also gave Councils the power to pay Childcare and Dependant Carer Allowances.

2003 -14

The Local Authorities [Members' Allowances] Regulations 2003 came into force on 1 May 2003. They required Councils to make a New Allowances Scheme on or prior to 31 December 2003.

The Regulations extended the scope of an Allowances Scheme that can be determined locally. In addition to Basic, Special Responsibility and Childcare/Dependent Carers Allowances, a Council can now:-

- Decide the basis on which Councillors can opt to join the Local Government Pension Scheme.
- Pay a Co-optee Allowance to Co-opted Members [in place of entitlement to claim Financial Loss Allowance].
- Determine arrangements for the payment of travelling and subsistence allowances or expenses.
- Set up a process for withdrawal of allowances if a Councillor is wholly or partially suspended.
- Establish the basis for any backdating and review of indicators used to calculate annual adjustments of allowance rates.

The Council must still have regard to the recommendations of an Independent Remuneration Panel before it can set up or amend its Members Allowances Scheme. The Council can choose to accept the recommendations in whole, in part or not at all. On pensions the Council cannot go beyond the recommendations made by the Panel. 2014 –

LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 These regulations remove access to the LGPS from 1 April 2014 for councillors and elected mayors in England and for the Mayor of London and members of the London Assembly, with the following exceptions:

councillors, elected mayors, the Mayor of London and members of the London Assembly who were members of the LGPS on 31 March 2014 will retain access to the LGPS up to the end of their current term of office only (or to age 75 if earlier).

The changes do not affect councillors in Wales and they retain ongoing access to membership of the LGPS1.

Council Name	Population	Basic Allowance for 2014/15	Total No of Councillors	Planning Committee Chair	Deputy Chair of Scrutiny Board
Basingstoke & Dean Borough Council	172,000	6,736	60	5,615	562
East Hampshire District Council	117,000	4,500	44	4,150	692
Eastleigh	124,000	6,178	44	LAC Chair – 3,264	653
Fareham Borough Council	113,613	6,674	31	10,012	834.3
Gosport Borough Council	84,287	5,862	34	4,362	0
Hart District Council	90,000	3,885	33	3,128	781
Havant Borough Council	120,700	5,350	38	5,920	0
New Forest District Council	177,791	6,027	60	5,330	0
Rushmoor Borough Council	96,800	4,750	39	5,160	0
Test Valley Borough Council	114,171	6,452	48	4,851	1291
Winchester City Council	120,000	5,580	57	7,605	0

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HAVANT BOROUGH COUNCIL

Scrutiny Board

Tuesday, 29 March 2016

Review of Close Circuit Television (CCTV)

Report by the CCTV Scrutiny Board

FOR RECOMMENDATION

Cabinet Lead: Tony Briggs

1.0 Purpose of Report

1.1 The purpose of this report is to present a summary of the CCTV Panel's review of the Council's CCTV system.

2.0 Recommendations

- (a) The Cabinet be advised that Scrutiny Board reluctantly, after much consideration, accepts that the current CCTV system no longer fulfils a majority of the original objectives, that some existing CCTV cameras may not meet the Surveillance Commissioner's 2013 code of practice and does not represent value for money for the residents of Havant Borough Council and should be discontinued..
- (b) Cabinet be recommended:
 - (i) To request the officers to investigate the feasibility of the Meridian Centre taking control of the Council's CCTV cameras currently attached to the outside of the Meridian Centre
 - (ii) To seek to ensure that the CCTV system's cameras at the bus station be incorporated into the bus station's CCTV system
 - (iii) To endorse a campaign to encourage business/shops to provide better coverage of their premises
 - (iv) To endorse a communication campaign to raise awareness of how safe it is to live in the Borough
 - (v) That in case crime and anti social behaviour in the town centres increases to a reasonable point in the future then alternative modern digital solutions be investigated forthwith
- (c) Council be recommended to

- (i) agree that in the future should a Office of Police and Crime Commissioner/Hampshire Constabulary generated requirement for a modern, digital, fully integrated, centrally monitored CCTV system seek financial support, Havant Borough Council would actively consider providing a financial contribution commensurate with other authorites
- (ii) agree that developers and their architects be encouraged to provide for the security needs of future occupiers when designing a new building or altering a current building in Town Centres.
- (d) The Scrutiny Board be recommended to review the situation in June 2017

3.0 Dissenting Recommendation

Recommendation

3.1 The Cabinet be recommended to agree to:

- 3.1.1 the current system being continued until:
 - (a) alternative options can be explored with the incoming Police and Crime Commissioner and Chief Constable.
 - (b) traders associations are given time to consider whether they wish to fund provision for their areas and implement their plans.
 - (c) a Hampshire-wide provision of CCTV is implemented.
 - (d) new technology allows the cost of CCTV provision to be considerably reduced.
- 3.1.2 A further review should be conducted in 18 months time to allow a decision to continue prior to setting the 2018/19 budget, by which time the above options should have been exhausted.

Supporting Statement

- 3.2 CCTV is valued by the public, local businesses and the Police particularly in our town Centres.
- 3.3. The Panel has reviewed the impact of the Borough's CCTV provision, and believes it provides important community safety functions that cannot easily be met through other initiatives. As outlined in the 2013 survey, over 82% of residents feel happy to have CCTV, over 65% feel safer as a result of CCTV provision and 69% believe it should continue to be funded by the Council.
- 3.4 The first objective of the Council's CCTV system is to deter crime and antisocial behaviour. Whilst it is difficult to directly connect statistics relating to crime with the CCTV system, it is the case that crime has fallen in our town centres that are covered by CCTV.

- 3.5 The CCTV system is regularly used by the Police. It is considered important to helping with the detection and protection against crime and particularly with the deployment of resources. The Panel observed the police making effective use of the CCTV to make decisions about the deployment of officers to events. Therefore, the current CCTV system remains fit for this purpose
- 3.6 Whilst the police are unwilling to fund CCTV provision, there may be changes of approach with the upcoming election for Police and Crime Commissioner, and the appointment of a new Chief Constable. It would therefore be prudent to wait until these appointees are in place and are able to consider the possibility of police funding. It is also possible that a Hampshire-wide system may be created (possibly monitored at Netley or Winchester) with the inherent cost savings possible through such an initiative. It would therefore be appropriate to continue local CCTV provision until these options have been exhausted.
- 3.7 Thriving town centres are vital to the future of the Borough, and evidence from businesses demonstrates the importance they give to prevention of crime and disorder. Businesses currently contribute £32.7M in business rates with the Council retaining £3.3M. In order to build the night-time economy, CCTV has an important role to play in maintaining a safe environment for patrons. Maintaining effective CCTV provision would demonstrate the Council's support for business and growing the economy of our town centres.
- 3.8 Some town centres are supported by effective traders associations, which have the ability to bring together businesses with an interest in a thriving town centre economy. These associations could decide to provide an alternative to Council CCTV system. As there is no traders association for Havant town centre, it is not possible for an alternative funding provision from traders to be put in place at this time
- 3.9 The Panel has also identified that some cameras outside of town centres do not comply with current regulations and will need to be decommissioned. This may result in some minor savings.

4.0 Summary

- 4.1 The Panel's deliberations have been hindered by time constraints which have not enabled the Panel to properly investigate the legal and financial aspects for alternative solutions to the current system before the existing operational contract notice period and funding for the entire system expires.
- 4.2 The Panel acknowledge that CCTV is valued by the public, local business and the Police. The Police (whom are the primary customers of the CCTV output) in particular use CCTV to obtain situational awareness of an incident enabling the efficient deployment of resources and to gather evidence.
- 4.3 However, CCTV can also be considered as invading a person's privacy, as it is capable of putting them under surveillance and recording their movements as they go about their day-to-day activities.

- 4.4 In the light of evidence and advice given to the Panel, a majority of the Panel accepted that the current system no longer fulfils a majority of the original objectives and does not represent value for money because:
 - (1) the equipment is out of date;
 - (2) a majority of the cameras are in the wrong locations and have a limited vision; and
 - (3) Considered expensive when compared with other modern technologically advanced solutions
- 4.5 The majority of the Panel is of the view that a long term solution would be the provision of a County Wide CCTV system monitored by the Police, which has the political and financial support of all districts in the County.
- 4.6 A majority of the Panel would have liked to retain the existing system until alternatives to the current system could be fully investigated. However, this investigation would involve addressing complex technical, operational, financial and political issues which could not be undertaken in the short time and especially within the time constraints imposed by the Cabinet on 3 February 2016.
- 4.7 The majority of the Panel therefore, reluctantly, acknowledges that the current system is unfit for purpose, does not represent value for money and should be discontinued.
- 4.8 However, in the long term, the Panel also considers that the Council should commit itself to a County wide CCTV system to be monitored by the Police and financially supported by all districts in the County.

5.0 Introduction

- 5.1 The Five Councils Procurement Scrutiny Panel on 20 January 2016 was given an opportunity to consider and comment upon the draft Revenue Budget for 2016/17. The Deputy Leader, Cabinet Lead for Marketing and Development, Chief Financial Officer, the Service Manager (Finance) and the Principal Accountant answered members' questions.
- The key consideration of the Panel related to the retention of the CCTV system. The Panel was advised that in addition to the reasons given by the Cabinet for the removal of the system at the last meeting of the Scrutiny Board (Minute 45/1/2016), the Cabinet did not support the retention of the system because: The evidence submitted was not sufficient to justify claims that CCTV was or was not effective in preventing criminal activity;
 - The angle of vision of the cameras was very limited
 - A majority of cameras were located in areas which were no longer considered trouble spots.
- 5.3 The Panel questioned the robustness of the case for the removal of the CCTV system. The majority of the Panel considered that alternative ways of

maintaining a CCTV system at a lower cost had not been properly explored e.g. replacing a live monitoring service with a remote monitoring system or the use of a mobile remote CCTV system.

5.4 In response to these concerns the Cabinet invited Scrutiny to consider the alternative options available, for both the provision and funding, and report back to Cabinet on 1 April 2016

6.0 Membership of the Panel

- 6.1 Councillors Branson (Scrutiny Board Chairman), Cousins, Hughes, Keast, Mackey, Lenaghan, Pike, Ponsonby, Shimbart, K Smith and Wade.
- 6.2 Cabinet Lead: Councillor Briggs

7.0 Panel's Brief

7.1 On 3 February 2016, the Cabinet resolved that:

"on the basis that the current contract for CCTV shall not expire until 1 June 2016, Cabinet invites Scrutiny to consider the alternative options available, for both the provision and funding, and report back to Cabinet on 1 April 2016":

8.0 Scope of the Review

- 8.1 It was decided to undertake the review in two phases:
 - Phase 1 to ascertain whether the current system was fit for purpose and value for money; and
 - Phase 2 If Phase 1 demonstrated that the current system was not worthy of retention, to investigate alternatives to the system

9.0 Method of the Review

- 9.1 The principle methods used to undertake the review were:
 - Interviews with Council Officers, a representative of a business association, Chief Inspector Holdaway, and a Representative of the management Company of the Meridian
 - Request for comments for local Business/Trader Associations
 - Requests for Information from Councils who have discontinued their CCTV System
 - A visit to the control centre
 - Searches on the Internet of CCTV systems provided by other councils
 - Advice from the Information Commissioner Office
 - A survey undertaken by Big Brother Watch

10.0 Restraints

10.1 The work of the Panel has been hampered by the following constraints:

Legal

- 10.2 The contract came into effect from the 1st June 2012, for a year, with the option to extend for a further 3 years to the 1st June 2016. There is no provision for the contract to be extended beyond that date.
- 10.3 Notice has also been given to BT that the Council does not want to continue with the Redcare service for the cables connecting the CCTV System.

Financial

- 10.4 The Budget 2016/17 does not include provision for CCTV or the funding of alternative systems.
- 10.5 The Council is expected to have an underspend £1,188m (including CIL money) in this financial year, which will be transferred into the Council's Reserves. The Chief Financial Officer had strongly advised the Scrutiny Board on 26 January 2016 that reserves should not be used to fund running costs of the CCTV system.

Time

On 2 June 2015 the Scrutiny Board recommended the Cabinet to retainthe current CCTV system in the budget for 2016/17. The Cabinet deferred consideration of the system until the budget process commenced for 2016/17. The Scrutiny Board was not formally notified of the Cabinet's decision to remove the CCTV system from the budget until a day before the Board was due to meet to discuss the budget for 2016/17. Although the Cabinet agreed to the Panel investigatingt alternatives to the system, it imposed an unrealistic time limit to properly consider alternatives and identify ways this could be funded.

Havant Town Centre

10.7 Unfortunately the businesses in Havant Town Centre are not represented by a Business or Traders Association. It was therefore not possible to ascertain the view of businesses in this centre within the timescale of the review.

11.0 Witnesses

- 11.1 Witnesses who gave evidence to the Panel were:
 - Mr Payne, Leigh Park Traders
 - Mr Daniels, BTWShiels
 - Chief Inspector Holdaway
 - Tim Pointer, Neighbourhoods Development Team Leader
- 11.2 Mr Babb of Emsworth Business Association submitted written comments.

12.0 The Current System

12.1 The system comprises 46 active cameras, mainly town centre and transport hubs, covering in the main shops and licensed premises.

- 12.2 The CCTV control room staff of four provides 6188 hours of live monitoring per year on a 7 day per week 18 hours per day rota.
- 12.3 There is a direct radio link to Hampshire Police control room and three local Shop Watch schemes.
- 12.4 The current cost to Havant Borough of public space CCTV provision is £154,096.

	£
Staffing - Legion	78,500
Maintenance - Chroma	11,600
BT Redcare	52,496
Rent	3,500
Electricity	3,000
Other	5,000
Total	154,096

Note – "other" includes parts not covered by maintenance contract, sundry items, air conditioning etc.

12.5 The Panel has been advised that the cameras and cables will be removed after the expiration of the Legion and Redcare contracts: the cameras may be sold to offset some of the decommissioning costs. The net costs of decommissioning of the system will be approximately £20,000.

13.0 Phase I – Is the Current CCTV System fit for Purpose and Value for Money

- 13.1 The Panel initially directed its attention to whether the current system is fit for purpose by considering whether the current system met the following objectives set by the Council when it introduced the system in 1999:
 - To tackle crime and anti-social behaviour
 - To increase public reassurance by reducing the fear of crime
 - To support the emergency planning process
 - To inform the emergency services response to major incidents
 - To assist in the security and management of the Council's assets
- 13.2 The Panel also considered whether the current camera locations compliant with the Surveillance Commissioner's 2013 code of practice.

Does the System Tackle Crime and Anti-Social Behaviour?

13.3 The existing system is only having a limited impact on crime and ASB as evidenced by the reduction of arrests attributed to the system. Although the Police advised that the loss of the CCTV system will have an impact on the Police, there is no data linking arrests with CCTV usage. The Panel was advised by Chief Inspector Holdaway that a change in policy has resulted in a reduction in the number of arrests.- the police now summons to court for such

- offence as shoplifting when appropriate He therefore suggested that offences leading to an arrest were not a good performance indicator to use for the effectiveness of CCTV.
- 13.4 The Police advised that HBC's system was one of a number of CCTV footage sources used by the Police: CCTV footage from shop systems was also used. The Police also used body worn cameras.
- 13.5 The Police and Leigh Park Traders gave evidence that the current cameras were no longer in the right positions to be of use and the fields of vision were inadequate. There are also an insufficient number of cameras and fields of vision to enable the system to be used to track and apprehend persons suspected of having committed a crime.
- 13.6 The Leigh Traders relied upon their own CCTV systems and local Shopwatch: suspicious behaviour was mainly reported direct to the Police. Havant's Shop watch system was less developed than Leigh Park's scheme with only three business taking part in the scheme: unlike Leigh Park, Havant Town Centre did not have a Business or Traders Association. The Meridian Centre is well covered by its own CCTV system which is not linked to the police and covers only its own property.

Does the System Increase Public Reassurance by Reducing Fear of Crime?

- 13.7 The public generally like CCTV and feel safer because of it. A survey conducted in 2013, and evidence from the Police, the Meridian Centre property Management Company, the Emsworth Business Association and ward councillors indicated that there was clear support for the continuance of the CCTV system.
- 13.8 However, although the Leigh Traders Association acknowledged that the public considered that CCTV was a deterrent, it felt that the current system was unfit for purpose and was of little benefit to traders.

Does the System Aid the Emergency Services?

13.9 The location of the cameras has proved to be of little value to the emergency planning process or indeed to major incidents as the CCTV control room is potentially placed in the area of greatest threat and would therefore be evacuated if the Town Centre was at risk.

Since the introduction of the CCTV system, advances in mobile telecommunications systems allow the location of an individual calling the emergency services to be automatically displayed in Police Operations Centres. The Next Generation of 999 systems (NG999) is seeking to enable individuals to transmit live imagery direct to the operations centre from their handsets.

Does the System Assist in the Security and Management of the Council's Assets?

- 13.10 The main Council asset covered by the system is the Bus Station which could be provided with its own recording system.
- 13.11 Since the last control room upgrade technology has advanced and therefore the system is already dated. The actual cameras are dated and out of warranty, they are no longer supported by the manufacturer. The Panel was advised that current CCTV system used by some traders in Leigh Park were more effective and up to date than the Council's cameras.
- 13.12 The control room and cameras were upgraded in 2009/10 to enable digital recording. The cameras are of a type that is no longer supported by the manufacturer and therefore have a limited life. The control room and recording equipment is in relatively good condition but there is a growing need for maintenance of the air conditioning and display screens.

Are the current camera locations compliant with the Surveillance Commissioner's 2013 code of practice?

13.13 The code was developed to explain the legal requirements operators of surveillance cameras were required to meet under the Protection of Freedoms Act.

"Using surveillance systems can be privacy intrusive. They are capable of placing large numbers of law- abiding people under surveillance and recording their movements as they go about their day to day activities. You should therefore carefully consider whether or not to use a surveillance system. The fact that it is possible, affordable or has public support should not be the justification for processing personal data......"

- 13.14 There is a requirement to undertake regular assessments of every single camera to ensure that they are a necessary and proportionate response to the problem that they had been placed to tackle. An evaluation and privacy impact assessment are therefore required for each existing camera.
- 13.15 An initial assessment of the usage/demand placed of the existing cameras has indicated that with the exception of the camera system in Havant Town Centre there is very little demand and therefore potentially justification for their continued usage.
- 13.16 The Panel noted two occasions where incidents of violence were alleged to have taken place in the proximity of council owned CCTV systems. On analysis, the position of the cameras (height, angle, distance from scene) resulted in the capture of inconclusive imagery that was unable to support the subsequent investigations. On the other hand, those who visited the control room were given very good examples of how cameras can assist the police in establishing the need to deploy officers to a site; Car number plate recognition was also demonstrably good.

Conclusion

13.17 The Current system is not fit for purpose for the following reasons

- With the exception of providing public reassurance and reducing the fear of crime the CCTV system no longer fulfils the Councils stated objectives.
- The system is already dated and likely to need remedial work to maintain in the future.
- With the possible exception of the cameras in the town centres there is a concern that very few of the remaining cameras would potentially meet the "necessary and proportionate" test as set by the Surveillance Commissioner's Code of Practice and therefore their continued usage may not be justified.

14.0 Does the current surveillance system represent value for money?

- 14.1 Havant Borough Council is the sole provider of funds to the CCTV system yet it has been established that Hampshire Police are the main beneficiaries of the service. The Panel has been advised that attempts to raise funding for the CCTV system have unsuccessfully been sought from the Police and local business. In the case of the Police, Chief Inspector Holdaway confirmed previous advice, that if the Police funded HBC's CCTV system it would be obliged to fund all the CCTV provided by the Council across the County, which the force could not afford.
- 14.2 The available data would indicate that there has been a sizeable reduction in arrests and incidents captured by the system.
- 14.3 The existing system relies on cameras at fixed locations established over ten years ago as being the most appropriate to address surveillance objectives. They do not afford any coverage outside of the immediate arc of vision and many are still located in areas where crime has dropped considerably and cannot be relocated to other areas where anti-social behaviour incidents have increased.

Conclusion

- 14.4 It is clear that the Police value the CCTV system as an effective resource as it enables them to scan an area before deploying officers to respond to issues especially in town centres.
- 14.5 However, the Council does not benefit substantially from the existing CCTV system. The system is also very limited in its scope as it is in fixed locations and therefore unable to respond to matters arising in other parts of the borough. It is questionable therefore as to whether the system therefore presents Havant Borough Council value for money.

15.0 Experience of Council's Who Have Discontinued CCTV

15.1 The Big Brother Watch Report 2016 indicated that that the following Councils had ceased funding their CCTV systems:

- Ceredigion
- South Bucks
- Forest of Dean
- Craven
- Copeland
- Eden
- Tandridge
- Suffolk Coastal
- Rushcliffe
- 15.2 These Councils were requested to indicate whether there had been an effect on crime figures and whether the public have noticed the difference. To date the Councils have replied as follows:

South Bucks District Council

- 15.3 In April 2014 South Bucks District Council decided to switch off the CCTV cameras in their district. A decision was made to keep the cameras in situ as it would have cost more money to have removed the cameras and poles and there was always the possibility of them being switched on again in the future.
- With regards to crime figures, there has been no notable increase in crime (although the cameras were installed primarily in town/ village centres where we tend to not see burglary dwelling offences and have very little violent crime linked to night-time economy).
- 15.5 Residents' Responses A few residents who have complained that the loss of the CCTV cameras has denied them access to footage from the cameras on road traffic incidents. In all these cases the cameras, even if switched on would not have captured the incidents as they were pointing the opposite way.

Cumbria Council

- 15.6 The districts in Cumbria indicated they would no longer fund CCTV, so the Police and Crime commissioner stepped in with some funding to upgrade the system. It is now monitored from a central hub at Police headquarters.
- 15.7 Three other Councils, not mentioned in the report have discontinued CCTV:

Weymouth and Portland District Council

15.8 The Cabinet had reached the point where closure of their CCTV system was necessary to make service review savings. The Office of the Dorset Police and Crime Commissioner is leading a review and has proposed a pan Dorset CCTV system at a centralised location to incorporate a number of smaller systems this would result in considerable savings for the Council. The OPCC has also identified substantial capital funds to enable this proposal.

Lancaster City Council

15.9 Lancaster City Council (January 2016) the Councils budget proposals on the 19th January 2016 recommended that the Council no longer funds the public CCTV system from April 2017.

Carmarthenshire Council:

15.10 The Council requested Police & Crime Commissioner to utilise Police funding to maintain the CCTV service. He declined to do so the Council agreed to cease funding of live monitoring of CCTV (February 2015).

16.0 Phase 2 - Alternatives to the Current CCTV System

- 16.1 The following options had been investigated by the Panel/Officers:
 - (1) the viability of entering into a joint CCTV system with Gosport and Fareham Councils. However, the costs of £50,000 to £70,000 could not be justified;
 - (2) using mobile cameras. A camera had been purchased. However, the costs of installing the cameras could not be justified and there were doubts whether their use would pass the privacy impact assessments;
 - (3) Redeployable wireless CCTV

WCCCTV, who are a leading supplier of wireless CCTV, have advised that they provide a 4G system whereby cameras can be left recording and then subsequently viewed if an incident is reported within the cameras scope.

They are predominantly used in conjunction with a staffed CCTV control room but could be deployed separately.

The cost per camera over a three year period would be in the region of £10K but this would be dependent upon the actual wifi usage.

The most common usage of their cameras is to deploy to a particular area and monitor activity such a fly tipping.

(4) CCTV Van

The Safer Havant Partnership had funded a mobile CCTV van that was capable of deployment to crime and anti social behaviour hotspots. The Panel could consider the costs and benefits of providing re-deployable surveillance equipment to the Police to enable them to combat crime and anti social behaviour. The Panel was advised by the Police that mobile vans had limited uses and were resource intensive.

An AS newly equipped CCTV van with tower would be in the region of £100K.

(5) ARC

Two ARC providers of remote monitoring have been asked if they provide a public space CCTV delivery service. However there are concerns that this would represent monitoring from a control room and raises employment and TUPE issues.

"Secure it" who deliver such a service in Birmingham have advised that. they can potentially utilise current or install new Cameras and then transmit the product to a Central hub which can in turn transmit images to a Police control room. The cost in Birmingham comes in at Circa £7,000 - £8,000 per camera per year once the initial capital payments have been made.

(6) Encourage Shop Owners/Businesses to provide CCTV Coverage Of their Premises

If business/shops provided better coverage of their premises, this would make the shops/business more secure and at the came time enable the police to more effectively apprehend suspects across shopping centres/areas.

Mr Daniels of BTWShiels indicated that the centre might be prepared to take control of the cameras on the outside of the Meridian Centre.

The Panel noted that in the case of Hayling Island, community associations/halls had provided their own CCTV systems.

(7) Direct control of the CCTV Cameras by the Police Control Room

Chief Inspector Holdaway indicated that the Police were willing to investigate the possibility of controlling the existing cameras from the Police Control Room

(8) Purchase Mobile Cameras for Use by the Police

To Improve the Public's level of confidence in relation to crime and anti Social behaviour.

- (9) Consider a communication campaign to raise awareness of how safe it is to live in Havant.
- (10) Encourage Shop Owners/Businesses to provide CCTV Coverage Of their Premises

If business/shops provided better coverage of their premises, this would make the shops/business more secure and at the came time enable the police to more effectively apprehend suspects across shopping centres/areas

(11 To Improve the Public's level of confidence in relation to crime and anti Social behaviour

Consider a communication campaign to raise awareness of how safe it is to live in Havant. Inform the public that while a small number of council-owned CCTV cameras were being switched off, there has been a significant increase in privately owned mobile video devices, including; private/business CCTV systems, vehicles having 'dashboard' cameras, all Hampshire Police Officers are equipped with 'body worn video' cameras and the majority of the general public have video recording capability integrated into their mobile phones, all of which would assist the Police in gathering evidence.

17.0 Implications

- 17.1 **Resources:** There is no budgetary provision in the 2016/17 for CCTV. Continuing to provide a non-statutory service such as CCTV in future years must be viewed in the light of the wider budget position. The Council is working towards filling a £1.4m budget gap over the next 3 years and projects underway will not fill the whole budget gap. The new Government's plans for further austerity could increase the size of the gap through cuts in funding, additional responsibilities or potentially increased demand for statutory services following proposed legislation such as welfare reform and Right to Buy. Because the Council is required to set a balanced budget approving the continuation of CCTV at this time will limit the Council's options for meeting its strategic aims of continuing to provide key frontline services and not increase Council Tax.
- 17.2 **Legal:** In developing recommendations for CCTV, regard has been given to ensuring that these measures comply with all relevant legislation. The contract with Legion came into effect from the 1st June 2012, for a year, with the option to extend for a further 3 years to the 1st June 2016. There is no provision for the contract to be extended beyond that date.
- 17.3 **Strategy:** The employment of CCTV within the Borough directly impacts the perception of safety of Havant. This has an additional effect of our mission as a council, making Havant increasingly prosperous and putting customers at the centre of what Havant does.
- 17.4 **Risks:** the lack of CCTV within the Borough could contribute to levels of crime, both petty and serious.
- 17.5 **Communications:** Hampshire Constabulary have been contacted regarding the use of CCTV within the Borough.
- 17.6 **For the Community:** The active use of CCTV benefits community safety.

17.7 Consultation

Discussions regarding CCTV have been undertaken with Havant Borough Council officers and leading councillors.

Appendices:

None

Background Papers:

Big Brother Watch Report – February 2016

Report by the Environment and Neighbourhood Quality Panel on a Review of CCTV (June 2015)

Details on the performance of the CCTV system and locations cameras (December 2015)

Responses to questions raised by the Panel relating to the location, operation and effectiveness of the current CCTV system

Costings of the current CCTV system

Contact: Councillor Branson

Title: Chairman of the Scrutiny Board

Telephone:

E-Mail: Jackie.branson@havant.gov.uk

