

Community Safety Scrutiny Committee

Agenda

Date: Thursday, 30th May, 2013
Time: 10.30 am
Venue: Committee Suite 1,2 & 3, Westfields, Middlewich Road,
Sandbach CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Whipping Declarations**

To provide an opportunity for Members to declare the existence of a party whip in relation to any item on the agenda.

For requests for further information

Contact: Katie Smith

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E-Mail: katie.smith@cheshireeast.gov.uk with any apologies

4. **Public Speaking/Open Session**

A total period of 15 minutes is allocated for members of the public to make a statement(s) on any matter that falls within the remit of the Committee.

Individual members of the public may speak for up to 5 minutes, but the Chairman will decide how the period of time allocated for public speaking will be apportioned, where there are a number of speakers.

Note: In order for officers to undertake any background research, it would be helpful if members of the public contacted the Scrutiny officer listed at the foot of the agenda, at least one working day before the meeting to provide brief details of the matter to be covered.

5. **Minutes of the Meeting held on 25 April 2013** (Pages 1 - 6)

To approve the minutes as a correct record

6. **CCTV Review - Update** (Pages 7 - 10)

To receive an update on the progress with the review of the Council's CCTV camera network

7. **Work Programme** (Pages 11 - 16)

To give consideration to the work programme

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Community Safety Scrutiny Committee**
held on Thursday, 25th April, 2013 at Committee Suite 1,2 & 3, Westfields,
Middlewich Road, Sandbach CW11 1HZ

PRESENT

Councillor H Murray (Chairman)

Councillors C Andrew, A Barratt, M Grant, G Merry and J Saunders

In attendance

Councillor L Gilbert

Officers

Inspector J Taylor – Cheshire Constabulary

R Edwardson – Senior Enforcement Officer

K Roberts – Consumer Protection and Investigations Manager

9 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M Parsons

10 DECLARATIONS OF INTEREST

There were no declarations of interest

11 DECLARATIONS OF PARTY WHIP

There were no declarations of a party whip

12 PUBLIC SPEAKING/OPEN SESSION

There were no members of the public wishing to speak

13 MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2013

RESOLVED

That the minutes of the meeting be approved as a correct record and signed by the Chairman

14 INTEGRATED OFFENDER MANAGEMENT

Consideration was given to a presentation by Inspector J Taylor on a strategic overview of Integrated Offender Management (Navigate) which involved:

- All partners tackling offenders together
- Delivering a local response to local problems
- Offenders facing their responsibility or facing the consequences
- Making better use of existing programmes and governance
- All offenders at high risk of causing serious harm and/or re-offending in scope.

The aim of Navigate was to identify and target prolific offenders to reduce reoffending which could be achieved by active management of statutory and non-statutory cases and individual sentence plans for each person. There could be up to 100 people on the scheme at any one time.

The reason for implementing Navigate was to break the cycle of repeat offending as 50% of all crime was committed by people who had been through the criminal justice process and 50% of all convicted offenders re-offended within 12 months of release.

The main reason for criminal activity related to substance misuse which resulted in a breakdown of lifestyle. Therefore if substance misuse was tackled, the associated antisocial behaviour would follow.

NACRO (National Association for the Care and Resettlement of Offenders) provided support staff to work alongside the team to carry out intensive support, such as drug testing, for offenders.

The Navigate programme worked by providing:

- An intensive package of support and monitoring
- A number of arranged appointments each week
- Drug testing
- 12 month registration period
- Management as a statutory or non statutory case
- A review each month at the JAG meeting
- A joined up approach with Probation/Drug Support/Housing/Police

It was acknowledged that accommodation provided stability for people, however it would not ordinarily be available for offenders as there was a shortage of single occupancy accommodation and the Registered Social Landlords may not be willing to accept offenders.

Under the Navigate scheme, people were managed in one of three ways; a traffic light system was used to distinguish the level of compliance and progress. Once an offender had reached red, all interaction from other agencies would stop, however there was success in 1/3rd of cases, either through a reduction in the levels of offending or the type of offending.

RESOLVED

That the Inspector be thanked for his presentation.

15 POLICE PARTNERSHIP UNIT

Inspector J Taylor reported on the structure of the Partnership Unit, which held a strategic role with a high level of expertise in the following areas:

- Football Management
- Crime Reduction
- Neighbourhood watch
- School Liaison
- Youth Offending
- Troubled Families
- Gypsy Traveller Liaison
- Co-located with the Cheshire East Partnership.

It was noted that the inspector was currently interviewing for a 2nd School Liaison Officer and that cyber crime was a priority for the Police and Crime Commissioner. Members agreed that this was an important issue, as children as young as three were affected. Parents also needed to play a role in protecting children and the possibility of schools providing training sessions for parents should be investigated.

It was noted that the Police and Crime Plan 2013-16 issued by the Police and Crime Commissioner, outlined that a Community Safety Fund and a Crime Prevention Fund had been established to help make Cheshire an even safer place to live. When questioned by the Committee, the Inspector confirmed that funding was available to him albeit from a separate funding stream, however the biggest resource related to staffing.

When asked if there was anything Cheshire East could do to help, the inspector highlighted that he had a positive relationship with the Council and that although it was disappointing that the funding for the Mediation position had been cut, the Safer Cheshire East Partnership had worked to fill the gap.

RESOLVED

1. That the inspector be thanked for his presentation.
2. That the possibility of providing training sessions for parents on cyber crime be investigated.

16 **RESPONSE TO THE DISCOVERY OF EQUINE DNA IN THE FOOD CHAIN**

The Committee received a progress report on the actions undertaken by Cheshire East Councils Consumer Protection and Investigations (Trading Standards) Service in response to the nationwide discovery of equine DNA in the food chain.

The Chairman commenced the debate by highlighting that the Committee were aware that this was a food fraud issue and not a public safety issue, however it needed assurance that lessons had been learnt and measures had been taken to stop mislabelling happening again in the future.

The Consumer Protection and Investigations Manager reported that comprehensive inspections were undertaken as a matter of urgency and a number of formal food samples were procured for testing by the public analyst.

With regard to paragraph 10.10 of the report, it was reported that a Cornish pasty containing less than 1% pork was due to cross contamination and not mislabelling.

In total, 16 comprehensive food business inspections had been undertaken and 10 formal food samples analysed. All samples were found to be negative for the presence of equine DNA. The response to this issue had been risk based and intelligence led, involving collaborative working with partners where appropriate.

Generally, ad hoc testing would also be intelligence led as random testing across all premises would be too expensive. However, now that the detection of food fraud had become a high priority, further resources may become available. There was currently a Regulatory Service Food Law Enforcement Plan being drafted, which may need to be amended to reflect any changes in national enforcement priorities.

The Consumer Protection and Investigations Manager reported that the current budget for food sampling was £6,000 which could be topped up from other budgets if required. A proportion of costs incurred to date from this issue would be recovered from the Food Standards Agency.

The Committee then went on to discuss the wider role of the team which included door step crime and e crime, which again was mostly intelligence led. The Chairman highlighted that cyber crime was one of the Police and Crime Commissioners top priorities.

The Senior Enforcement Officer highlighted that many of the traditional Trading Standards offences were now committed in the online environment or are facilitated by digital equipment. As such, the Cybercrime work the Service was engaged in related to the investigation of such offences and in particular, securing such digital evidence and reproducing it to the satisfaction of the Courts. The Officer added that, as regards the general threat of Cybercrime to East Cheshire stakeholders, this was an area in which he believed the Council as a whole could explore working with the Police and other Partners to provide relevant advice and education.

The Chairman highlighted that the Committee wanted to support the section, particularly as e crime may require a higher profile and questioned whether there were adequate resources in place. The Consumer Protection and Investigations Manager reported that the service was part of the Crime Prevention Panel and were investigating the possibility of establishing a forensic e crime service in house. This service could also be used to tackle other types of fraud, such as benefit fraud. Funding had been secured, however the logistics were still to be finalised. It was agreed that the Committee would receive an update report on 20 June 2013.

With regard to door step crime it was reported that the service could not dictate how people run their business but could offer advice on how to deal with cold callers. Campaigns such as the Knock Knock scheme were rolled out to schools which worked well, the aim of which was to advise, educate and empower.

RESOLVED

1. To note the contents of the report and the work of the Consumer Protection and Investigations (Trading Standards) Service in responding to this issue and supporting the wider Food Standards Agency (FSA) investigation.
2. That a report be brought to the Committee on 20 June 2013 on the progress of the in house forensic service, Regulatory Service Food Law Enforcement Plan and budget.

17 WORK PROGRAMME

Consideration was given to the work programme.

RESOLVED

1. That the work programme be noted.
2. That a report be brought back to Committee on 20 June 2013 on the progress of the in house forensic service, Regulatory Service Food Law Enforcement Plan and budget.

The meeting commenced at 10.30 am and concluded at 12.30 pm

Councillor H Murray (Chairman)

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CESHIRE EAST COUNCIL

REPORT TO: Community Safety Scrutiny Committee

Date of Meeting:	30 th May 2013
Report of:	Head of Community Services
Subject/Title:	CCTV Review - update
Portfolio Holder:	Cllr Les Gilbert – Portfolio Holder for Communities and Regulatory Services

1.0 Report Summary

- 1.1 This report seeks to brief Members on progress with the review of the Council's CCTV Camera network.

2.0 Recommendation

- 2.1 Members are asked to comment on the report.

3.0 Reasons for Recommendation

- 3.1 To inform Scrutiny Members of the review of the Council's CCTV service, undertaken in partnership and as part of our duty under Section 17 of the Crime & Disorder Act 1998.

4.0 Wards Affected

- 4.1 All Wards

5.0 Local Ward Members

- 5.1 All Ward Members

6.0 Policy Implications including - Climate Change - Health

- 6.1 Feeling safe and being safe in our homes, town centres and communities are important factors affecting peoples' general health and wellbeing. The purpose of CCTV is to prevent and detect crime & disorder and as such plays a key role in tackling issues such as alcohol-related violence and anti-social behaviour.

7.0 Financial Implications

- 7.1 None outside existing budgetary provision for 2013/2014

8.0 Legal implications (authorised by the Borough Solicitor)

8.1 None subject to the views of Scrutiny Members

9.0 Risk Management

9.1 Key risks for the CCTV service relate to compliance with the legislative framework of Data Protection and Human Rights which could impact on the Council's reputation and the success of prosecutions in Court. In addition, the Home Office have recently consulted on a new National Code of Practice for CCTV under the Protection of Freedoms Act 2012 and the Council will need to comply with this guidance once published.

10.0 Background

10.1 The purpose of the CCTV Service as set out in the Council's Code of Practice is ***'the prevention and detection of crime and disorder'***. CEBC operates 256 CCTV cameras across the Borough, the vast majority of which were installed by the former district Councils. The CCTV service plays an important part in reducing anti-social behaviour and crime and disorder in 14 town and village centres and is a vital evidential tool for the Police in detecting offences and ensuring successful prosecutions. CCTV is generally welcomed as a reassuring presence for keeping the public safe although it can be considered intrusive especially if it is perceived to be used irresponsibly or could be seen to interfere with the public's right to privacy.

10.2 The Council has provided £50,000 per annum capital funding over three years to undertake an intelligence-led review of the existing camera network. This investment is aimed at achieving a more effective network which is relevant to the needs of our centres and our customers and we are working with the local Councils, the Police Data Analyst and neighbourhood policing teams to do this.

10.3 In 2012 the Council opened the new single CCTV Control Room in Macclesfield. This project brought together the three separate legacy authority facilities, transferred the highway Urban Traffic Control cameras and introduced improved digital recording. The Control Room now operates 24/7/365 and has also taken on the Council's Out-Of-Hours Emergency Telephone saving £75,000 p.a. from the previous arrangements.

10.4 The total cost of CCTV in 2013/14 is budgeted to be £462,000.

10.5 As part of the budget setting process for 2013/14, a saving of £250,000 was agreed. A significant part of this reduction has already been achieved through a combination of a full staffing rota review, the rationalisation of the camera network and a reduction in data transmission costs. Further cost savings are expected in year from the recent 'Public Sector Network' procurement process.

- 10.6 In February 2013 the Council wrote to all Town & Parish Councils who currently benefit from the CCTV service seeking their involvement in a camera-based review of the network. In addition, we are seeking a mandate from Town & Parish Councils, through a future financial contribution from 2014, to continue to actively monitor the cameras in their area on a 24/7/365 basis.
- 10.7 Since that time a number of meetings have been held with local Councils to discuss their requirements and get their support and local knowledge in reviewing the existing network. The work involves the detailed mapping of up-to-date crime data against the existing camera coverage to justify the existence and use of each camera. This is a significant exercise but we plan to complete this by September 2013 across the Borough such that any network changes can be delivered before the end of this financial year.
- 10.8 The latest Home Office guidance introduces a philosophy of '*surveillance by consent*' and amongst other issues requires Local Authorities and the Police to:
- Show cameras are in place for a **specified purpose** in pursuit of a **legitimate aim** and necessary to meet an **identified pressing need**
 - Take into account the **effect on individuals and their privacy** with regular reviews to ensure its **use remains justified**
 - Restrict access to retained images and information – only allowing disclosure for **law enforcement purposes**
 - Show that the cameras support **public safety and law enforcement** with the aim of processing images of **evidential value**
- 10.9 Cheshire East Council's CCTV Service is already largely compliant with this latest guidance as our Code of Practice and Operational Protocols with the Police clearly set out the purpose of the system (see 10.1 above) and conform to the requirements of existing complementary legislation such as the Data Protection Act 1998, the Human Rights Act 1998 and the Regulation of Investigatory Powers Act 2000.
- 10.10 In early May 2013, the Council was inspected by the Office of the Surveillance Commissioner (OSC). His final report is still awaited but from early feedback during the inspection we are confident our existing Code and Protocols are fit for purpose. The current review of the network will help satisfy the additional requirements of the Protection of Freedoms Act 2012 by showing cameras are **needed** in the agreed locations, that their use remains **justified** and that surveillance is **appropriate and proportionate**. Crucially, in working alongside local councils during the review, we will introduce the philosophy of surveillance by consent.

10.11 At the meeting on 14th February 2013, Scrutiny Committee asked that the CCTV network be considered for use in dealing with parking offences and the issuing of Penalty Notices. There are a number of reasons the network is not currently used or planned to be used for this purpose as follows;

1. Civil Enforcement of Parking is not a criminal matter and does not fit within the scope of the agreed purpose of the scheme.
2. CCTV in other Local Authority areas is only used for moving traffic offences e.g. Bus Lane enforcement not on- and off- street parking matters. Penalty Notices cannot be issued through the post unless ANPR equipment is used.
3. Any camera equipment intended for use for civil enforcement purposes would need to be specifically approved by the Department for Transport to ensure evidential data is to the required standard for Traffic Penalty Tribunal hearings.
4. There are other more appropriate and less publicly intrusive ways of carrying out parking civil enforcement (patrolling of CEOs). CCTV can however be used to direct deployment to, for example, parking obstruction.
5. CEBC (and the former District Councils) has always sought to use CCTV responsibly and with integrity to protect public safety, managing the potential reputational issues associated with surveillance. The public should have confidence in our service and our primary use of CCTV to prevent and detect crime and disorder and we believe the recent OSC inspection will support this approach.
6. The new Home Office Code of Practice under the Protection of Freedoms Act 2012 will reinforce our existing policy position as we seek to establish 'surveillance by consent'.

10.12 CCTV can be a useful tool for tackling serious domestic and trade waste fly-tipping hotspots and the dumping of hazardous waste. These are criminal offences with the potential for significant fines and / or custodial sentences. The Council will use CCTV appropriately and proportionately to gather the necessary evidence of fly-tipping, taking full account of the impact on communities and their local environment and the costs to the taxpayer of site clearance and waste disposal.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

REPORT TO: COMMUNITY SAFETY SCRUTINY COMMITTEE

Date of Meeting:	30 May 2013
Report of:	Interim Borough Solicitor
Subject/Title:	Work Programme update

1.0 Report Summary

- 1.1 To review items in the 2012/2013 Work Programme listed in the schedule attached, together with any other items suggested by Committee Members.

2.0 Recommendations

That the 2012/2013 work programme be reviewed.

3.0 Reasons for Recommendations

- 3.1 It is good practice to agree and review the Work Programme to enable effective management of the Committee's business.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 Not known at this stage.

7.0 Financial Implications

- 7.1 Not known at this stage.

8.0 Legal Implications

- 8.1 None.

9.0 Risk Management

- 9.1 There are no identifiable risks.

10.0 Background and Options

- 10.1 The schedule attached has been updated to reflect the decisions taken by the Committee at its previous meeting.
- 10.2 Members are asked to review the schedule attached to this report, and if appropriate, add new items or delete items that no longer require any scrutiny activity. When selecting potential topics, Members should have regard to the Council's new three year plan and also to the general criteria listed below, which should be applied to all potential items when considering whether any Scrutiny activity is appropriate.

The following questions should be asked in respect of each potential work programme item:

- Does the issue fall within a corporate priority;
 - Is the issue of key interest to the public;
 - Does the matter relate to a poor or declining performing service for which there is no obvious explanation;
 - Is there a pattern of budgetary overspends;
 - Is it a matter raised by external audit management letters and or audit reports?
 - Is there a high level of dissatisfaction with the service;
- 10.3 If during the assessment process any of the following emerge, then the topic should be rejected:
- The topic is already being addressed elsewhere
 - The matter is subjudice
 - Scrutiny cannot add value or is unlikely to be able to conclude an investigation within the specified timescale

11 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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Designation: Scrutiny Officer
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Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Upcoming Meetings

Date 25/04/2013 Time 10.30am Venue Committee Suite, Westfields	Date 30/05/2013 Time 10.30am Venue Committee Suite, Westfields	Date 20/06/2013 Time 10.30am Venue Committee Suite, Westfields	Date 25/07/2013 Time 10.30am Venue Committee Suite, Westfields
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Item	Notes	Lead Officer/ Portfolio Holder	Action to be Taken	Key Dates/Deadlines
CCTV Review Update	Progress report. To include justification for not using the network to issue FPN. Scrutinise the outcomes of the review	P Hartwell L Gilbert	Scrutiny Committee	30 May 2013 TBA
Probation Service	To receive a presentation on the work of the Probation service (fact finding exercise)	Cllr L Gilbert S Link	Presentation at Scrutiny Committee	20 June 2013
Crime Prevention	What is Cheshire East doing with regard to crime Prevention. Future Plans/Budget	Cllr L Gilbert A Webb	Scrutiny Committee To outline the Local Authority's role as lead organisation for Crime	25 July 2013
Road Safety	What is the Fire Authority doing to improve Road Safety. Future plans/budget.	Fire Authority Cllr L Gilbert M Dowel	Scrutiny Committee To outline the Fire Authority's role as lead organisation for Road safety	25 July 2012

Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

Domestic Abuse and Vulnerable People	What is Cheshire East doing with regard to domestic abuse. Future Plans/Budget	Cllr L Gilbert J Gibson	Scrutiny Committee To outline the Adult Social Cares role as lead service for Domestic Abuse and Vulnerable People	19 September 2013
Road Safety Routes Review	To scrutinise the outcome of the Road Safety Routes Review once completed.	K Melling	Scrutiny Committee	21 November 2013
Anti Social Behaviour	What is Cheshire East doing to address anti social behaviour. Future plans/budget	Cllr L Gilbert L Woodrow-Hurst	Scrutiny Committee To outline the Local Authority's role as lead organisation for Anti Social behaviour	TBA
Flood Risk Management	The Flood & Water Management Act 2010 made amendment to the Local Government Act 2000, under Section 21F, requiring all Lead Local Flood Authorities to review and scrutinise the actions of Flood Risk Management Authorities that may affect the local authority's area. *	K Melling	Scrutiny Committee	TBA

Community Safety Scrutiny Committee Work Programme – Last Updated (5 April 2013)

*Under the Flood and Water Management Act 2010 and its associated Regulations; the European Union Flood Directive 2009 together with associated Regulations; Cheshire East Council is statutorily required as the lead local flood authority to meet certain requirements in relation to Flood and Water Management. Moreover, following the Pitt Review the Council is expected to meet certain expectations. Under the Regulations and the expectations of the Pitt Review it is intended that the Council's scrutiny procedure should review work by public sector bodies and essential service providers in order to manage flood risk. Also, that there should be an annual summary of actions taken locally to manage flood risk in order to meet the regulations and to implement the appropriate recommendations of the Pitt Review.

Items completed for Monitoring or update

Item	Date Completed	Status	Lead Officer	Possible Future Action

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