



**Notice of meeting of
Community Safety Overview & Scrutiny Committee**

To: Councillors Fraser (Chair), Gillies (Vice-Chair), Orrell,
Waudby, Vassie, King and B Watson

Date: Tuesday, 21 September 2010

Time: 5.00 pm

Venue: The Guildhall, York

AGENDA

1. Declarations of Interest

At this point Members are asked to declare any personal or prejudicial interests they may have in the business on the agenda.

2. Minutes (Pages 3 - 6)

To approve and sign the minutes of the meeting of the committee held on 29 June 2010.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the committee's remit can do so. The deadline for registering is **Monday 20 September 2010 at 5.00 pm.**

4. 2010/11 Quarter 1 Performance Report (Pages 7 - 18)

This report presents an overview of performance at Quarter 1 2010/11 for Environmental Services, Regulatory Services and Community Safety managed within the Communities and Neighbourhoods Directorate.

5. Safer York Partnership Performance (Pages 19 - 34) Report

This report, from the Safer York Partnership, presents information on performance on the Community Safety Plan.

6. Update Report on Closed Circuit Television (Pages 35 - 90) (CCTV)

Following a request made by this committee in January 2010, this report presents an Executive report on the CCTV system operating in the city. Based on the information provided, Members are asked to consider whether they wish to carry out a scrutiny review of CCTV in York.

7. Capable Guardian Scheme and the Area Based Working Pilot (Pages 91 - 104) Based Working Pilot

This report explains the relationship between the Capable Guardian Scheme and the Area Based Working Pilot.

8. Scrutiny Topic Assessment - Review of (Pages 105 - 114) CYC Taxi Licensing Policy

This report presents information on a proposed scrutiny review of the council's current Taxi Licensing Policy, and asks Members to decide whether or not to proceed with the review.

9. Workplan (Pages 115 - 116)

Members are asked to consider the committee's workplan.

10. Urgent Business

Any other business which the Chair considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Jayne Carr

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting Jayne Carr, Democracy Officer

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

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Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

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City of York Council

Committee Minutes

MEETING	COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE
DATE	29 JUNE 2010
PRESENT	COUNCILLORS FRASER (CHAIR), GILLIES (VICE-CHAIR), ORRELL, WAUDBY, KING AND CRISP (SUBSTITUTE FOR COUNCILLOR B WATSON)
APOLOGIES	COUNCILLORS VASSIE AND B WATSON

1. **DECLARATIONS OF INTEREST**

Members were asked to declare any personal or prejudicial interests they may have in the business on the agenda. Councillor Crisp declared a personal interest in agenda item 4 – “2009/10 Year End Monitoring Report – Finance and Performance” as a resident of an apartment and a representative on the management board.

2. **MINUTES**

RESOLVED: That the minutes of the last meeting of the Committee held on 10 May 2010 be confirmed and signed by the Chair as a correct record.

3. **PUBLIC PARTICIPATION**

There were no registrations to speak under the Council’s Public Participation Scheme.

4. **2009/10 YEAR END MONITORING REPORT - FINANCE AND PERFORMANCE**

Members received a report that presented two sets of data:

- The 2009/10 financial outturn for revenue expenditure for the Neighbourhood Services Directorate.
- Performance outturn against the directorate plan priorities and key performance indicators.

It was noted that Table 2 – progress on delivering Corporate Strategy Actions (page 14 final row) should be amended to read “Go live date in late September 2010”.

Officers gave details of the key issues and significant variances, as outlined in the report.

Members noted that total carry forward requests of £100k had been identified in respect of ward committees. The key reason for the underspend had been that a number of schemes had been identified but had not been completed due to staffing difficulties or because of the need to undertake technical evaluation work and to gain necessary consents. The team was now fully staffed.

Clarification was sought regarding the recycling arrangements that were in place in respect of flats and communal properties. Officers explained that the council worked hard to engage with the management agencies for these properties in order to put suitable arrangements in place.

RESOLVED: That the performance update be noted.

REASON: In accordance with budgetary and performance monitoring procedures.

5. SAFER YORK PARTNERSHIP BOARD PERFORMANCE REPORT

Members received a report from the Safer Partnership Board that detailed performance on the Community Safety Plan. Officers went through the key issues.

Members noted that the changes in the way in which Hate Crimes were now recorded had impacted on the statistics. Work was taking place with communities to gain their confidence in reporting such incidents.

RESOLVED: That the report be noted.

REASON: To ensure that the committee was informed of performance in implementing the Community Safety Plan.

6. SAFER NEIGHBOURHOOD TEAMS PRIORITIES AND PUBLIC ATTITUDE SURVEY RESULTS

Members received a report that provided information on the priorities set for North Yorkshire Police's (NYPs) Safer Neighbourhood Teams in York for the year 2009-10, and those rolled over or newly set for the first quartile of 2010-11. It also presented data gathered via NYPs Public Attitude Survey between October 2009 to March 2010.

Discussion took place as to ways in which the Police were tackling anti-social behaviour. Officers explained that this usually involved long term problem solving and close partnership working. Details were given of the development of additional capable guardian schemes in wards with high crime rates.

It was noted that a report was to be considered by the Executive on 20 July 2010 regarding an Area Working Pilot proposal. This six-month pilot would introduce enhanced neighbourhood management support

arrangements designed to develop wider partnership working and more integrated service delivery.

- RESOLVED: (i) That the Safer Neighbourhood Teams' priorities for the city be noted.
- (ii) That the Public Attitude Survey results be noted.
- (iii) That a report on the Capable Guardian Pilot and an overview of other initiatives, including information on the Area Based Working Pilot, be presented at the next meeting.

REASON: To fulfil the requirements of the Police and Justice Act 2006 in regard to scrutinising crime and disorder issues.

7. NORTH YORKSHIRE POLICE FORCE POLICING PLEDGE - PERFORMANCE MONITORING REPORT

Members received a report that provided information on North Yorkshire Police Force Policing Pledge performance for the Force as a whole, and specifically for the City of York.

The Committee noted that the Home Secretary had recently made a speech that referred to proposed changes in respect of Policing Pledges. The initial indication from the Police Authority was that, at least in the short-term, they may continue with some of the pledges as they were seen as important to the community.

RESOLVED: That the information in the report be noted.

REASON: To fulfil the requirements of the Police and Justice Act 2006 in regard to scrutinising crime and disorder issues.

8. PRESENTATION FROM NORTH YORKSHIRE POLICE

Superintendent Winward from North Yorkshire Police gave a presentation to the Committee. A copy of the presentation is attached to the agenda reports.

Discussion took place regarding the strategies that were in place to tackle cycle theft in the city.

9. DRAFT FINAL REPORT FOR GRITTING POLICY REVIEW

Members considered the draft final report on the CYC Winter Gritting Policy.

Concerns were expressed that the draft report did not make sufficient reference to the policy on the gritting of footpaths, although this issue had been discussed at the previous meeting.

Members also suggested that the strategies in place to raise awareness of the council's winter maintenance policy could be extended to include information being placed in "Your City" and "Your Ward".

- RESOLVED: (i) That an additional paragraph be included in the report in respect of the gritting of footpaths.
- (ii) That the proposed wording of the additional paragraph be circulated to members of the committee via email for approval.
- (iii) That the draft recommendations arising from the review, as detailed in paragraph 49 of the report, be approved.
- (iv) That an additional recommendation relating to providing advice to residents wanting to clear snow and ice from footpaths near their property be included.
- (v) That, subject to the addition of the recommendations suggested above, the draft final report be signed off.

REASON: To conclude the review in line with scrutiny procedures and protocols.

10. WORKPLAN

Consideration was given to the committee's workplan.

RESOLVED: That the work plan be updated to include a report to the committee on the Capable Guardian Pilot and an overview of other initiatives, including information on the Area Based Working Pilot (minute 6 refers).

REASON: To progress the work of the committee.

Councillor Fraser, Chair
[The meeting started at 5.00 pm and finished at 7.35 pm].



Community Safety Overview and Scrutiny Committee

21 September 2010

2010/11 Quarter 1 Performance Report

Summary

- 1 This report presents an overview of performance at Q1 2010/11 for Environmental Services, Regulatory Services and Community Safety managed within the Communities and Neighbourhoods Directorate.

Background

- 2 It is a requirement within the council's constitution to report to the relevant scrutiny panel every quarter.

Finance overview

- 3 The approved 2010/11 budget for this portfolio is £29.6m and the first review indicates a forecast overspend of £284k. The main areas causing this overspend are a projected shortfall in income from Commercial Waste activities and an overspend on staffing within parking services.
- 4 Work is being carried out to address the income shortfalls with alternative options that would reduce the position being assessed. The directorate will also address its current overspend position via vacancy management measures along with a continued freeze on non essential spend in order to outturn within budget by the end of the financial year.

Performance overview

- 5 Of 11 Corporate Strategy actions, 10 are on target at the end of Quarter 1.
- 6 Of 5 relevant LAA indicators 4 appear likely to hit target, with 1 unlikely to hit target (NPI17: Perception to Anti-social behaviour).
- 7 81% of the relevant actions and measures in the 2010/11 directorate plan are on target to be delivered / targets met.
- 8 63% of the National PIs that are measurable at this point are on target, while 42% are improving on last year, and 32% are stable.

Corporate Strategy

- 9 The table below provides more detail about progress to end of quarter 1 on our corporate strategy actions.

Table: Progress on delivering Corporate Strategy Actions.

Priority vision	CYC commitments	Improvement by 2012	2009/10 actions / milestones	Progress	Comment
Safer City: We want York to be a safer city with low crime rates and high opinions of the city's safety record.	We will reduce the number of burglary and thefts within the city, using all available funds, such as target hardening.	Reduce serious acquisitive crimes by at least 18%	Respond to 100% of resident requests to have Cold Calling Control Zones	On target	We have had 41 requests for CCCZs in the financial year to end July. Of these 13 have been granted, and 7 refused, and 6 are waiting to be launched. The other 15 requests are currently in the assessment process. To the end of March 2010 117 zones were in place. An evaluation last year suggested that 66% of residents in the zones felt less concerned about doorstep crime, and just 2% felt more concerned. 82% felt that they could deal with cold callers, and 8% did not feel able to. The evaluation also provided a range of comments which we have sought to take on board.
	We will reduce the number of first time entrants into the criminal justice system and tackle public perception of anti-social behaviour	Reduce public concern about anti-social behaviour	Maintain 4 "capable guardian" schemes in wards with high crime rates throughout 2010-11 and then ensure that the schemes are taken on and run by the community in those wards. These schemes aim to intervene at an early stage to prevent youth crime	On target	The Capable Guardian scheme is about working in partnership to address ASB by identifying and working with partners to act as the 'eyes and ears' within the community. Most of this work is already happening, however the sharing of information to address and report ASB is not coordinated. Capable Guardian aims to improve the level of coordination and thus build safer and stronger communities. All 4 schemes set up in 2009/10 (Clifton, Guildhall, Heworth, Hull Road wards) are now being developed and finalised. The model of operation and the key priorities proposed to be addressed will be according to the characteristics of the anti-social behaviour within each ward. All meetings will be an agenda item within the multi-agency ward team meetings - the intention is that Capable Guardian will over time be embedded within existing structures. The Capable Guardian work has been led by an officer on a temporary contract until the end of March 2011, for whom further work will be to (1) embed capable guardian approach into the area working pilot, (2) assist in implementation of the city-wide Anti-social behaviour strategy 2011-14, (3) ensure key work with partners on safe city priorities are progressed through the organisational review.

			Continue a targeted under age sales testing programme throughout 2010-11 to target the sale of alcohol, tobacco, fireworks, knives and spray paints	On target	No testing has been carried out in first quarter. A programme will be undertaken during summer holidays and in run up to Christmas
	We will reduce alcohol related crime in York	Limit hospital admissions caused by alcohol related illnesses to 1,675 per 100,000 population (LAA)	Individual targeted campaigns will be run where intelligence leads us to believe that these will be effective.	On target	Operation STYLE is a partnership led operation aimed at reducing accidents and disorder due to alcohol and drug use in the city centre. It runs on weekend evenings over the summer. The aim is to ensure that there is a multi-agency presence at key locations in the city on weekend evenings to provide advice about the dangers of drugs and alcohol, to warn about drink driving, to reduce the general level of threat within the area, and to provide reassurance to residents. Operation SPOKE is an initiative developed by Safer York Partnership, North Yorkshire Police and Cycling City York aimed at preventing cycle theft in York. The aim is to retain the benefits of cycle tagging at a reduced cost. Residents can have their bikes marked with a permanent UV pen. Details are input onto a simple database - which shows ownership and details of the bike but also details of where the bike is usually used. This will provide much better information to understand bike theft in the city. The operation started in January 2010 - with the aim of tagging 6000 bikes in a year. Up to end June 2010, 4100 bikes have been tagged.
Sustainable City: We aim to be clean and green, reducing our impact on the environment while maintaining York's special qualities and enabling the city	We will reduce the environmental impacts of council activities by making it as easy as possible for residents to recycle, investing in new ways to avoid landfill and through the Carbon	* Recycle, reuse or compost 50% of household waste. * Reduced CO2 emissions in the LA area per head by at least 0.8 tonnes (12% reduction) (LAA). * Reduce council's energy consumption in	Implement a wider rollout of kerbside recycling to 98% of properties by March 2011.	On target	On track to expand full recycling and fortnightly residual waste collection to an additional 16,600 properties by December 2010. The roll out has been slightly delayed but following a decision at Executive on 20th July the project is back on schedule.
			Use route optimisation software to make bin rounds and other vehicle routes more efficient	On target	Started but slightly delayed due to some issues with the rollout of recycling. In August phased testing will be carried out across Refuse and Recycling.

and its communities to grow and thrive	Management Programme (CMP)	offices by 5% each year. * Save approximately an additional 1680 tonnes of carbon through the installation of 7 projects funded through Salix finance (approx. 740 t), and 940 tonnes through additional CMP Strategic Implementation Plan identified projects	Raise recycling participation to 70% of York households through communications and investment in new recycling kit.	On target	Work done to improve communication methods, impact not yet measured. Currently deciding on the best way to measure. Options include using street by street canvas/surveys. Will not want to go back to getting the crews to measure as this method would not provide sufficiently accurate data
			Roll out improved kerbside recycling containers to approximately 60,000 households by March 2011.	On target	First stage of delivery will be completed by end July, properties that are using the new containers are working well. Recommence deliveries in September. Unprecedented amount of feedback received relating to the new scheme, the majority of which has been positive or neutral with only a small percentage of negative comments
			Continue to modernise our street lighting with the aim of reducing energy consumption by 25% over 5 years.	On target	Cllr Reid agreed a detailed programme of light replacement at EMDS meeting on 22nd June 2010. The 2009/10 programme achieved a 2.5% reduction in energy use (£22k) and a reduced Co2 emissions by 126 tonnes. The 2010/11 programme should realise another 7.5% reduction in energy usage (£71k) and reduce Co2 emissions by 336 tonnes. Further reductions in the next years are likely to need more radical approaches
	We will improve the quality of the local environment and the condition of York's streets and public spaces	Reduce by 40% the level of service requests reported about litter in the street	Develop a joint city centre management and enforcement team by December 2010.	Not on target	Attempts made to engage with City Centre team as part of the Waste and Cleansing elements of the NS More for York project. No progress made.
			Implement a vehicle tracking system for the mechanical sweeper fleet by March 2011 to provide improved information to improve street cleanliness	On target	Agreement with Trade Unions in place to start to use data from the vehicle tracking devices in the sweeper fleet. We have started to gather data

Local Area Agreement

- 10 Five LAA indicators are led by the service area. Four are likely to hit target, and one to miss target.

Table: Progress on LAA Indicator	Improving?	On Target?
<p>NPI 4: Community Engagement: Percentage of people who feel they can influence decisions in their locality.</p> <p>This is a Place Survey measure. In 2008/09 the result was 31.7%, which is a top quartile outturn and 7th highest for unitary councils. Talkabout 33 asked an identical question – 36% of respondents agreed. Care should be taken in comparing Talkabout and Place Survey results. However the 2009/10 figure is similar to the unweighted Place Survey result in 2008/9, so we are treating this as stable. On basis of ongoing work to engage with young people, tenants and to develop neighbourhood planning arrangements – we are treating this as on target.</p>	Stable	Yes
<p>NPI 191: Waste Management: Kilograms of residual (i.e. landfilled) household waste collected, per household.</p> <p>During 2009/10 614kg of residual waste was collected per household. The forecast for 2010/11 based on Q1 data is for this to drop to 611kg (which is the LAA target).</p>	Yes	Yes
<p>NPI 16: Community Safety - Serious Acquisitive Crime.</p> <p>The first three months of 2010/11 have seen a 6% rise in acquisitive crime compared with 2009/10. However 2009/10 was an exceptional year where York had 42% fewer such crimes compared with the previous year. Therefore we are still well ahead of the LAA target.</p>	No (ST) Yes (LT)	Yes
<p>NPI 17: Community Safety: Concern with Anti-Social Behaviour.</p> <p>This is a measure of the proportion of Survey respondents who have significant level of concern about a range of seven types of anti-social behaviour. The 2008/09 outturn figure was 11.3%, top quartile, and third among all Unitary Authorities. Talkabout 33 asked the same questions to allow us to track this figure in 2009/10, and 14% of the panel's respondents were concerned. While care needs to be taken to compare results of two different surveys, this is not improving and not on target.</p>	Stable	No
<p>NPI 30: Community Safety: Reoffending of prolific and priority offenders (PPOs).</p> <p>This is a Probation Service indicator. The latest available data is for the first 9 months of 2009/10. This forecasts a reduction of 55% offending from the 2009/10 cohort of PPOs (28 offences against a target rate of 50 offences at the 9 month point – against 85 offences last year among this group of offenders). This exceeds the target 21% reduction.</p>	Yes	Yes

National Performance Indicators

- 11 The table below shows an overview of progress against the relevant NPIs. .
- 63% of the NPIs that had a target set are forecast to hit that target.
 - 42% of the indicators are improving, where we can measure improvement.

Table: National Performance Indicators

<i>Overall</i>	Total reported	On target?	Improving?	Declining?	Stable
NS NPI set	19 of 34 (56%)	12 of 19 (63%)	8 of 19 (42%)	5 of 19 (26%)	6 of 19 (32%)

Off target	Declining
NPI17: Perception of ASB NPI20: Assault with injury crime rate NPI29: Gun crime rate NPI35: Prevent strategy level NPI192: % household waste reused, recycled or composted NPI193: % of municipal waste landfilled NPI196: Fly-tipping	NPI16: Acquisitive crime rate NPI20: Assault with injury crime rate NPI28: Knife crime rate NPI29: Gun crime rate NPI196: Fly-tipping
Not measured, data not available	
NPI13: Civic participation (Place) NPI15: Overall/general satisfaction with local area (Place) NPI18: Adult re-offending rates for those under probation supervision NPI21: Successfully dealing with crime and ASB (Place) NPI26: Specialist support to victims of serious sexual offence (not yet live PI) NPI27: Understand crime and ASB (Place) NPI32: Repeat incidents of domestic violence NPI41: Perceptions of drunk or rowdy behaviour as a problem (Place).	NPI42: Perceptions of drugs or drug dealing as a problem. NPI138: Satisfaction of over 65s with home and neighbourhood (Place). NPI143: Probation – offenders in settled accommodation. NPI144: Probation – offenders in employment. NPI168: Principle roads where maintenance should be considered. NPI169: Non-principle roads where maintenance should be considered. NPI182: Business satisfaction with Regulatory Services.

Directorate Plan

- 12 The CAN 2010/11 Directorate Plan sets out 110 actions and measures under the corporate strategy themes. Of these 29 relate to environmental services, regulatory services and community safety. As at end Quarter 1, the services are on target to deliver 81% of the programme to target. The table below provides an overall assessment.

Table: Overall Assessment of 2010/11 CAN Directorate Plan (elements relevant to the Committee)

This table summarises performance against the relevant actions and measures set out in the Directorate plan, provides an overall assessment of progress.

Objective	Traffic Light Actions	Traffic Light Measures	Overall rating ¹	Overall Assessment
Sustainable City	6 green	3 green 1 red	90% (9/10)	While improving, only one of the waste NPIs are on target.
Safer City	6 green	3 green 1 amber 1 red	86% (9.5/11)	ASB perception measure (NPI17- LAA) at red.
Inclusive City	1 green	1 green	100% (2/2)	
City of Culture				
Healthy City				
Learning City				
Thriving City	1 red		0% (0/1)	City centre enforcement action at red.
Effective Organisation	3 green	2 red	60% (3/5)	More for York savings target forecasting to be missed. Overall CAN overspend forecast at Q1.
Overall Service Priorities	16 green 1 red	7 green 1 amber 4 red	23 green 1 amber 5 red	81% (23.5/29)

¹ On basis of simple calculation – 1 mark for green, 0.5 mark for amber, totalled, and then divided by the total number of actions/measures.

Directorate Plan: Inclusive City

- 13 The key outcome measure under this heading is the LAA measure NPI 4 – reported above. The other relevant action is that agreement has been given for a local working pilot exercise to run in the west of York starting in September.

Directorate Plan: Thriving City

- 14 Corporate strategy included an action to develop closer working between Environmental Services teams and the City Centre team within City Strategy. This was not on target at end quarter 1 and will require further discussion at Director level to agree an approach before the work can be taken forward.

Directorate Plan: Safer City

- 15 There are seven recorded crime indicators in this category. The figures below have been provided by Safer York Partnership. They set out performance against target. A separate report on the agenda provides much more detailed about crime trends in York.

Table : Recorded crime figures

	2008/09 outturn	2009/10 crimes	2010/11 target	2010/11 crimes (forecast based on Q1 data)	On / off target
NPI 15: Serious violent crime	151	123	136	116	On
NPI 16: Serious acquisitive crime (LAA measure)	3459	1998	3696	2168	On
NPI 20: Assault with less serious injury crime	1239	1140	956	1232	Off
NPI 28: Knife crime	60	40	62	52	On
NPI 29: Gun crime	5	13	2	16	Off
NPI34: Domestic Violence – Murder	0	0	0	0	On
Overall Recorded Crime	9906	7547	10354	8084	On

Directorate Plan: Sustainable City: Local Environmental Quality

- 16 Two service plan areas address local cleanliness: Neighbourhood Pride Service, and Street Environment and Enforcement Service. The main outcome measures for both services are the NPI195a-d measures – which are measured by a survey of local cleanliness undertaken 3 times per year.
- 17 The first of this year's three NPI195a-d local cleanliness surveys was undertaken in June. The survey results were very positive across all four elements. Table 6

sets out the results. The figures represent the proportion of survey sites where we found unacceptable levels of litter, detritus, graffiti and fly-posting.

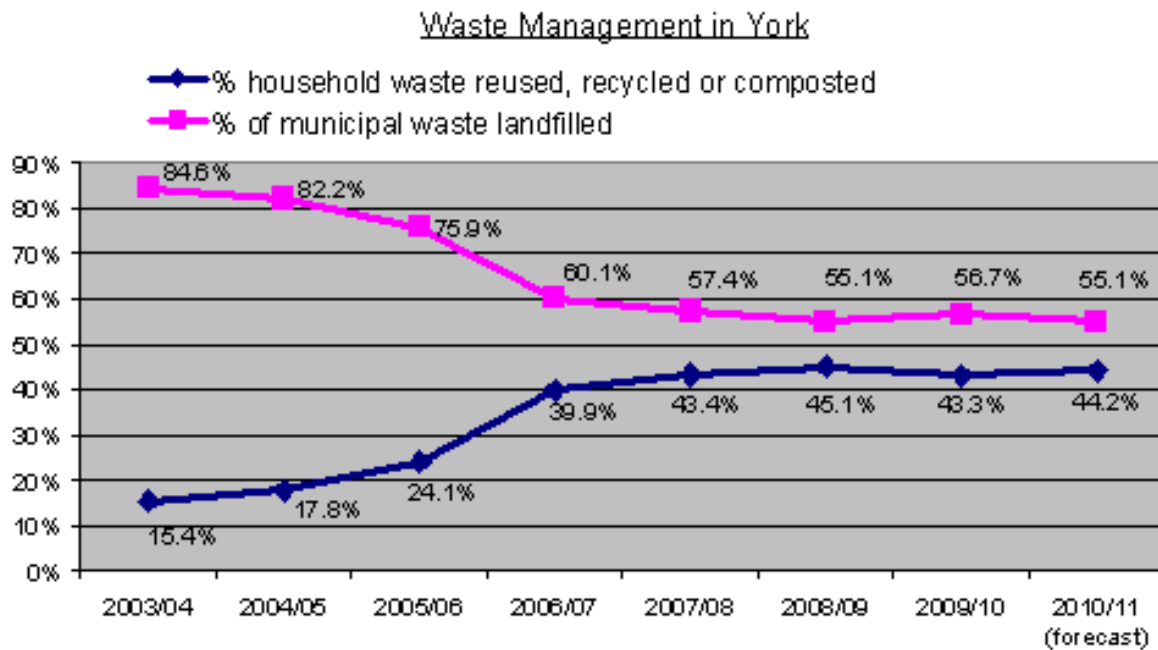
Table : NPI195 results

	Litter NPI195a	Detritus NPI195b	Graffiti NPI195c	Fly-posting NPI195d
2007/8 result	7.6%	8.9%	2.3%	0.3%
2008/9 result	8.9%	11.0%	4.7%	1.1%
2009/10 result	4.4%	7.5%	2.1%	0.2%
2010/11 result from 1 st survey	3.3%	7.7%	0.2%	0%
2010/11 target	6%	8%	4%	1%

- 18 The first quarter of 2010/11 has seen a 20% rise in fly-tipping incidents (NPI196), while enforcement activity has also increased during the period. We are doing more work to understand why the level of fly-tipping increased during this quarter.
- 19 These services are heavily involved in the More for York programme. We are about to start to test improved systems through the York Contact Centre, and to test the implementation of mobile devices. These developments are intended to speed up our response to customers who report problems in the street, and will make it easier for officers to report and deal with problems as they move about the city. The introduction of a work scheduling computer system visible to the Contact Centre will improve the efficiency and quality of our response to customers.

Directorate Plan: Sustainable City: Waste Management

- 20 NPI 191-193. Waste collection and management (NPI 191 is LAA indicator). Although current forecasts based on Q1 indicate that recycling and landfill levels are starting to improve, this year's targets of 48% for recycling and 52% for landfill are unlikely to be achieved. The amount of waste collected per household continues to reduce for the 4th consecutive year and will achieve the very challenging 2010-11 LAA target of 611kg, set 3 years ago (see graphs below).
- 21 Extensive work on improving recycling will continue throughout this year, including:
- expanding full recycling and fortnightly residual waste collection to an additional 16,600 properties by December 2010.
 - providing improved kerbside recycling containers to approximately 60,000 households. The first stage of delivery was completed by end July, and deliveries will start again in September.



- 22 While the recycling rates have stalled, customer satisfaction with the service has risen. Talkabout 33 updated a number of satisfaction measures relating to waste services. The result in October 2009 for refuse collection is the same as that recorded in the July 2005 survey – ie the last before the alternate collection system was implemented – with 86% of respondents satisfied with domestic waste collection.

Directorate Plan: Effective Organisation

- 23 The More for York service development programme in environmental services is continuing as a key priority. The service is about to implement a range of improved systems that should improve the customer experience of interacting with environmental services through the Contact Centre, at the same time as improving the efficiency of our response. Further reviews are ongoing in licensing and parking services.

Consultation

- 24 The report is an information report for Members and therefore no consultation has been undertaken regarding its contents.

Options

- 25 The report is primarily an information report for Members and therefore no options are provided to Members.

Corporate Priorities

- 26 The Inclusive City, Safer City and Sustainable City themes from the corporate strategy are relevant to the scrutiny committee.

Implications

Financial

- 27 *The report provides details of the portfolio revenue forecasts*

Human Resources

- 28 There are no significant human resources implications within the report

Equalities

29 There are no significant equalities implications within the report.

Legal

30 There are no significant legal implications within the report

Crime and Disorder

31 There are no significant crime and disorder implications within the report

Information Technology

32 There are no significant IT implications within the report.

Property

33 There are no significant Property implications within the report.

Risk Management

34 The report is primarily a look back at finance and service performance and therefore there are no significant risks in the content of the report.

Recommendations

35 That the Scrutiny Committee note the financial and performance position of the portfolio.

Reason – In accordance with budgetary and performance monitoring procedures.

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Report Approved Date

Specialist Implications Officers

Financial: None, **Human Resources:** None, **Equalities:** None
Legal: None, **Crime and Disorder:** None, **Information Technology:** None
Property: None, **Risk Management:** None
Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

Communities and Neighbourhood Directorate Plan 2010/11

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Safer York Overview and Scrutiny / Partnership Board Report
August 2010

PERFORMANCE REPORT ON COMMUNITY SAFETY PLAN

1. Introduction and Overview

1.1 Data and/or update information on progress is not held by the Safer York Partnership support team for all of the indicators contained within the plan and Local Area Agreement. Therefore this report does contain gaps where information is missing. Work is currently being completed to change the format of this report.

1.2 There is no data new data for around half of the indicators. There has also been no surveys completed recently (Talk-about / Place). It is likely that the Place survey will not take place in the future.

1.3 In terms of the overall measure of Crime Groups on IQUANTA, York is currently 12th in its family of most similar CSP's. This is the same position in family as the start of the previous quarter.

1.4 Violent crimes are still predicted to come in over target for strategy end, but York is in 4th position within its family grouping (Assault with Injury)

1.5 The lowest performing area on Iquanta (15th) is Cycle Theft. This is stopping York improving on its overall crime family position.

1.6 There have been significant rises in cycle theft in the last two months. This means that it is predicted we will have 41% more crimes in 2010/11 than in 2009/10 equating to around 450 crimes.

1.7 Although figures for Overall crime in the last four months are under target, it is predicted that there will be around 500 more crimes in 2010/11 than in 2009/10

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
Overall BCS Crimes	824.6	607	704	710
(Iquanta Position out of 15)		12	11	12

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Overall BCS Crimes	824.6	650		
(Iquanta Position out of 15)		12		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline/ Target	11931	11876	10861	10354	9896
Out-turn		10010	9906	7547	8013 (Est)

2. Safer Neighbourhoods

2.1 The only crime indicator for this section is Criminal Damage and this continues to be under target. The most recent comparison data indicates that York is no longer worst performing in its group. It is estimated that York will have slightly lower levels of criminal damage in 2010/11 than in 2009/10.

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
Criminal Damage (excl 59)	284.3	236	226	244
(Iquanta Position out of 15)		14	11	12

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Criminal Damage (excl 59)	284.3	175		
(Iquanta Position out of 15)		12		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	4189	3985	3781	3592	3412
Out-turn		3697	3630	2777	2643 (Est)

2.2 The most recent estimate of NI35 is Level 2. At present a target level has not been set for 2010/11. Work under the Prevent agenda is reported as a separate item.

NI 35

Indicator	Type	2008/09	2009/10	2010/11
NI 35 Building Resilience to Violent Extremism	Target	Level 2	Level 3	Not Set
	Out-turn	Level 2	Level 2	

2.3 There is no new data available for NI17 perception of anti-social behaviour.

NI 17

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI 17 Perceptions of Anti-social Behaviour	Target	14%	Not Set	13%	11%	9.4%
	Out-turn		13%	11.3%	14%	

2.4 There is no new data available for NI41 perceptions of drunk or rowdy behaviour

NI41

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI 41 Perceptions of drunk or rowdy behaviour as a problem	Target	No Data	No Data	Not Set	Not Set	16.1%
	Out-turn			18.4% (Place)	22% (TA)	

2.5 There is no new data available for NI42 perceptions of drug dealing as a problem

NI42

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI 42 Perceptions of drugs or drug dealing as a problem	Target	Not Set	Not Set	Not Set	Not Set	14.9%
	Out-turn	25% (TA)	24% (TA)	17.3% (Place)	19% (TA)	

2.6 There is no new available data for these perception indicators. These indicators take in to account how services understand and successfully deal with local problems.

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI 21 % of residents who agree that police and other local services are successfully dealing with ASB and crime in their local area	Target	No Data	No Data	Not Set	Not Set	31.9%
	Out-turn			29.2%	----	

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI 27 Understanding of local concerns about anti-social behaviour and crime by the local council and police	Target	Not Set	Not Set	Not Set	Not Set	9.40%
	Out-turn	14%	13%	11.3%	----	

2.7 There is no new available data for the Talk-about indicator about speeding or young people hanging about. The last survey showed that resident's perception of teenagers hanging around in the streets had decreased.

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
Talkabout: Residents who think speeding is a problem in their local area	Out-turn	62%	62%	57%	68%	
	Improving ?		Stable	Yes	No	

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
Talkabout: Residents who think teenagers hanging around in the streets is a problem in their area	Out-turn	54%	58%	50%	43%	
	Improving ?		No	Yes	Yes	

2.8 Information for NI39 Alcohol Related Harm Admissions has been taken from the Local Alcohol Profiles for England website. Although no narrative can be given around this indicator, the latest data continues to suggest that this indicator is on track to meet the targets in the LAA. This indicator has come in under target for the last seven quarters. Quarter 4 information for 2009/10 has still not been made publically available.

NI 39

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
NI39 Alcohol Related Harm Admissions	Target	1270.1	?	1544	1620	1675
	Out-turn		1196.59	1403.53	1413.33 (EST)	

2009/10

Indicator	Type	Q1	Q2	Q3	Q4	2009/10
NI39 Alcohol Related Harm Admissions	Target	405	405	405	405	1620
	Out-turn	360	364	336		

2.9 The latest road safety information is below. Work continues through the Road Safety Task Group. The estimated figure for 2010 is based upon the first six months of the year.

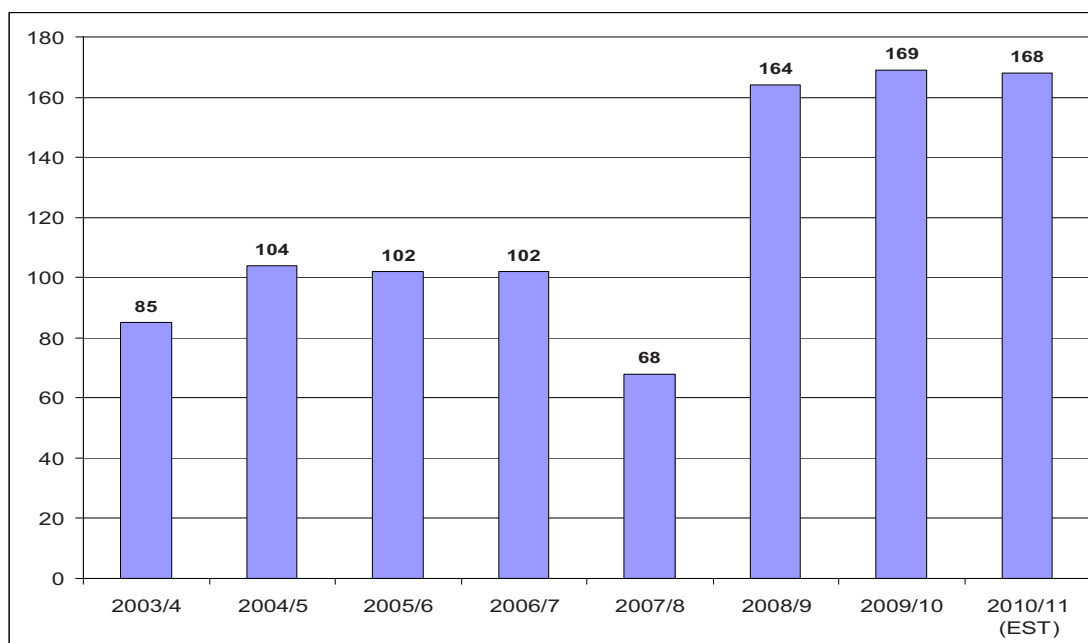
NI 47 - YORK

Indicator	Type	2007	2008	2009	2010
NI 47 People killed or seriously injured in road traffic accidents	Target	118	95	87	81
	Out-turn	93	95	59	50 (EST)

2.10 The Safer York Partnership website has undergone further improvement to allow the public to comment on all projects and strategies. These comments are filtered automatically to various support team and partners for immediate feedback.

2.11 The Community Watch website has been integrated in to the main Safer York website.

2.12 Hate crime only increased by 3% when comparing 2009/10 to 2008/09, and based on latest available data is predicted to be static when comparing 2010/11 to 2009/10.



2.13 The changes in Hate Crimes between 2007/08 and 2008/09 were due to changes in recording standards / classifications which were brought in April 2008.

2.14 There are no significant patterns of hate crime with levels of hate crime matching the overall population figures within wards. The breakdowns for the types of hate crime for their main groupings are as follows:

- 84% Racially motivated
- 7 % Homophobic
- 3% Religiously motivated
- 1% Transphobic
- 5 % Disability Motivated

3. Drugs & Alcohol

3.1 Operation Altn8 has run for the previous two years. It has been decided to re-badge this project as Operation Style (Safer Time in York Let's Enjoy). Operation STYLE was launched on Friday 4th June 2010 and is a partnership-led operation aimed at reducing disorder and traffic collisions that occur due to alcohol and drugs. On the opening evening, police officers and volunteers gave out water, snap-maps of York, and on 27 occasions, orders to leave the City Centre under Section 27 of the Violent Crime Reduction Act 2009.

3.2 The Night-safe Task group continues to be effective in co-ordinating multi-agency projects. It is currently completing a review and upgrade of the Cumulative Impact Zone (CIZ) in order to stabilise the levels of city centre violent crime. Information available on the CIZ suggests that violent crime fell by 25% between 2008/09 and 2009/10. This is compared to violent crime falling by 8% city-wide.

3.3 There is no new data for NI38 Drug Related Offending. The latest data, up to Q3 09/10, suggest that York is on track to meet this indicator.

2009/10

Indicator	Type	Q1	Q2	Q3	Q4	2009/10 (Est)
NI 38 Drug Related (Class A) Offending Rate	Cohort Size	40	40	40	40	37
	Predicted Offences	37.8	32.2	28.9	Not Available	98.9
	Actual Offences	16	28	36	Not Available	80
	Ratio Target	1.05	1.05	1.05	1.05	1.05
	Ratio Out-turn	0.42	0.87	1.25		0.81

3.4 At present there is still no information on the national hub regarding National Indicator 40, Drugs users in effective treatment. Enquiries have been made with the DAT to see if this indicator can be provided locally but due to data methodology, with information being matched across a number of partners, this cannot be done.

4. Volume Crime (including Burglary, Vehicle Crime and Cycle Theft)

4.1 NI 16 Serious Acquisitive Crime has continued to show dramatic reductions. Last year there were 1500 fewer crimes than the year before. The first two months of this year have been under target, although the May figure is higher than expected. Significant improvement has been seen in the Iquanta family with York now placed at 8th in its most similar family group compared to 12th at this stage last year.

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
NI16 Serious Acquisitive Crime	293	159	217	166
(Iquanta Position out of 15)		3	6	8

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
NI16 Serious Acquisitive Crime	293	167		
(Iquanta Position out of 15)		8		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	4311	4101	3891	3696	3512
Out-turn		3330	3459	1998	2127 (Est)

4.2 Vehicle Crime across all three indicator parts has continued to be low. There is predicted to be a slight rise this year, but this is offset by the significant reductions at the end of 2009/10

Theft from a Vehicle

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
Theft from a Vehicle	160.4	64	112	73
(Iquanta Position out of 15)		4	4	8

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Theft from a Vehicle	160.4	72		
(Iquanta Position out of 15)		9		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	2363	2248	2133	2026	1925
Out-turn		1680	1749	905	963 (Est)

Theft of a Vehicle

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
Theft of a Vehicle	44.8	33	24	25
(Iquanta Position out of 15)		9	10	10

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Theft of a Vehicle	44.8	22		
(Iquanta Position out of 15)		9		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	660	628	596	566	538
Out-turn		492	437	263	312 (Est)

Vehicle Interference

		Quarter 1 - 2010 / 11		
Indicator	Monthly Target by 2010/11	Apr	May	Jun
Vehicle Interference	36.9	10	13	10
(Iquanta Position out of 15)		7	15	15

		Quarter 2 - 2010 / 11		
Indicator	Monthly Target by 2010/11	Jul	Aug	Sep
Vehicle Interference	36.9	7		
(Iquanta Position out of 15)		14		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	492	479	467	455	443
Out-turn		303	180	111	120 (Est)

4.3 Theft from a vehicle was 55% below its target in 2009/10 and is estimated to finish 50% below in 2010/11. Theft of a vehicle was 53% below its target in 2009/10 and is estimated to finish 42% below in 2010/11. Vehicle interference was 76% below its target in 2009/10, and is estimated to finish 73% below in 2010/11.

4.4 Domestic Burglary reduced by 37% when comparing 2009/10 to 2008/09. Based on the first four months of the year it is predicted to 1% higher than last year.

Domestic Burglary

		Quarter 1 - 2010 / 11		
Indicator	Monthly Target by 2010/11	Apr	May	Jun
Domestic Burglary (inc Attempts)	73.3	53	74	50
(Iquanta Position out of 15)		2	5	7

		Quarter 2 - 2010 / 11		
Indicator	Monthly Target by 2010/11	Jul	Aug	Sep
Domestic Burglary (inc Attempts)	73.3	63		
(Iquanta Position out of 15)		9		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	1081	1029	976	927	880
Out-turn		989	1126	713	720 (Est)

4.5 The Burglary Task Group has re-visited its action plans, as large schemes such as alley-gating and burglary packs have been completed, and prioritised actions such as promoting "sheducation", targeting of car boot sales and second-hand dealers and promoting of neighbourhood watch schemes in target areas. There is no new perception data from the Talk-about on concern about leaving your home empty.

4.6 Theft or unauthorised taking of a cycle has seen large increases in the last three months, and is predicted to 41% higher than last year which equates to around 450 more crimes.

		Quarter 1 - 2010 / 11		
Indicator	Monthly Target by 2010/11	Apr	May	Jun
Theft of Pedal Cycle	96	80	125	160
(Iquanta Position out of 15)		15	15	15

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Theft of Pedal Cycle	96	161		
(Quanta Position out of 15)		15		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	1414	1345	1276	1212	1152
Out-turn		1198	1014	1120	1578 (Est)

4.7 York has historically had a large number of cycle thefts largely because of the high number of cycles and cycle users. The vast majority of cycles are being stolen from Guildhall Ward (City Centre).

4.8 A large number of cycles are being stolen from the Micklegate, Hull Road and Huntington Wards. York University and York College have been targeted over last three months.

4.9 Bikes are being stolen from the City Centre cycle racks, most are going from Kings Square / St Andrewgate; Museum Gardens' Parliament Street; Wellington Road/Tanners Moat; and St Helens Square respectively.

4.10 In 2009-10, there were very few arrests or detections of pedal cycle thieves. In addition, there were very few bikes recorded as recovered. Of the cycle theft crimes, there have been several detected cycle-theft crimes at York Hospital, York College, Olympian Court and York University – with Guildhall having the most detected out of all the wards

4.11 92% of the detected York cycle thieves live within York, with only a known few travelling from outside York. 23% of the detected cycle thieves also live within 500m of the location they stole the bike from. 99% of detected cycle thieves are male, and 75% are under 25 years old.

4.12 The most common specific item stolen in non-dwelling burglaries (such as shed or garage) are bikes, and in June and July 2010 around a third of all non-dwelling burglaries involved bikes being stolen

4.13 Recent actions decided upon at the last Cycle Theft Task Group (in July) decided with other schemes to deter cycle thieves by producing stickers for Operation Spoke-marked bikes and for new signs on city centre cycle racks advertising 'police tracker bikes' are in operation.

4.14 Rat Trap or Tracker Bikes will also be deployed more regularly, particularly as a number will be bought for North Yorkshire Police use on the York University Campus York University will also be improved against cycle theft by upgrading a number of cycle racks, deploying cycle strips and by producing comprehensive packages for new students.

4.15 The Safer York Partnership and North Yorkshire Police are working with CYC Trading Standards are targeting prolific thieves who sell on the stolen bikes by cracking down on prolific bike sellers particularly on eBay and Gum-Tree. Bike sellers who sell more than 12 items are now required to register with CYC Trading Standards who are also now supplied with details of all recently stolen bikes.

4.16 Since Operation Spoke (a scheme to UV mark bikes in York to deter and catch cycle thieves, and then help return bikes to their rightful owner) began mid

January 2010, there have been 4,841 bikes registered (by 6th August) on the online database. In the short-time Operation Spoke has been in use, the database has already been used to return a number of stolen and missing bikes and arrest any offenders on them.

4.17 Information on the re-offending rate of young offenders is available up to the end of Q3 2009/10. This indicator is predicted to be on track and under target. Notes from the children and families performance report suggest that:

“Other similar indicators (e.g. LPSA2) show reductions in seriousness and frequency of re-offending by the 35-40% of the cohort that is dealt with by the YOT. York is historically very high compared with statistical family and region. The 2009/1010 cohort has a higher risk profile. Evidence from other systems is that re-offending by the few most prolific ('DYO's') has halved recently in York. York is making better progress now than similar areas.”

NI 19 - YORK

Indicator	Type	2007/08	2008/09	2009/10	2010/11
NI 19 Rate of Proven re-offending by young Offenders aged 10 to 17	Target		1.82	1.74	1.66
	Out-turn	1.91 (2005)	1.62	1.17	

4.18 The first time entrants to the Youth Justice System indicator, has been provided in a more concise form after previous board discussions. Notes from the children and families performance report suggest that:

“Historical 06/07 data is unreliable due to longstanding under-reporting by police. 08/09 figures suggest the rate of FTEs had decreased rapidly but then leveled out. 09/10 Q1 figures showed an initial very sharp upturn in numbers given Reprimands by Police but settled back down to target trajectory. Data quality problems with new police system persist. New police system of Youth Restorative Disposals had clear initial impact but needs re-launch; Capable Guardian scheme yet to make impact. York is now making better progress than similar areas.”

NI 111 - YORK

Indicator	Type	2007/08	2008/09	2009/10	2010/11
NI 111 First time entrants to the Youth justice System aged 10 to 17	Target		2185	2040	1900
	Out-turn	2350	1810	1559	

NI 111 - YORK - 2010/11 Quarters

Indicator	Type	Q1	Q2 +	Q3 +	Q4 +
NI 111 First time entrants to the Youth justice System aged 10 to 17	Target	900	1300	1600	1900
	Out-turn	220			

4.19 It was also suggested that NI43 is included here. Notes from the Children and families performance report suggest that:

“York has low levels of serious youth crime and the YOT has the confidence of the magistrates on community sentences e.g. Intensive Supervision & Surveillance.

Very small numbers mean percentages can fluctuate significantly. Long-term, York is at national average rate but sharp reduction in custody numbers recently (almost halved)."

NI 43

Indicator	Type	2007/08	2008/09	2009/10	2010/11
NI 43 Young people within the Youth Justice System receiving a conviction in court who are sentenced to custody	Target	3.6%	5%	5%	4%
	Out-turn		4.9%	2.60%	2.1% (EST)

4.20 There is no new NI30 PPO data. The re-offending rate of PPOs continues to be on track in York. This indicator has been under target for the last seven quarters. Integrated Offender Management (IOM) is now up and running and is being embedded within general working practices.

2009/10

Indicator	Type	Q1	Q2	Q3	Q4	2009/10 (Est)
NI 30 Re-offending Rate of Prolific and Priority Offenders	Baseline Offences	21.25	21.25	21.25	21.25	85
	Target	17	17	16	17	67
	Out-turn	12	7	9	Not Available	38
	% Reduction Target	21%	21%	21%	21%	21%
	% Reduction Out-turn	44%	67%	58%		55%

4.21 Other elements of serious acquisitive crime, such as robbery continue to have low levels in York. Both aggravated vehicle taking and aggravated burglary are slightly above target.

Robbery of Business Property

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	24	22	21	20
Out-turn			45	15	18 (Est)

Robbery of Personal Property

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	159	151	143	136	130
Out-turn		137	73	74	96 (Est)

Aggravated Burglary in a Dwelling

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	10	9	9	8
Out-turn			5	10	3 (Est)

Aggravated Vehicle Taking

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	14	13	12	11
Out-turn			24	18	15 (Est)

4.22 There is no new data available for NI18 Adult Re-offending The latest data (December 2009) shows York was only 2% above the predicted/target rate and this York's best performance in over a year.

Indicator	Type	Sep-08	Dec-08	Mar-09	Jun-09	Sep-09	Dec-09
NI 18 Adult Reoffending Rate	Predicted	11.87%	12.01%	12.23%	12.34%	12.56%	12.66%
	Actual	13.02%	14.16%	14.25%	14.42%	14.38%	12.92%
	Difference	9.62%	17.90%	16.47%	16.88%	14.52%	2.03%

5. Violent Crime

5.1 Work is continuing through the Domestic Abuse Steering Group and the York and North Yorkshire Joint co-coordinating group.

5.2 NI 32 – Repeat Incidents of a MARAC, is the main performance indicator for domestic violence. This indicator measures the percentage of repeat MARACs compared to initial MARACs. Although this has been above target for 2008/09, 2009/10 and potentially this financial year, comparative information suggests York is performing well. This was a new indicator in 2007/08 and there were issues over the target setting and methodology.

Indicator	Type	2007/08	2008/09	2009/10	2010/11
NI 32 Repeat Incidents of Domestic Violence Cases reviewed as a MARAC	Target	8.33%	7%	6%	5%
	Out-turn	8.33%	10.84%	17.58%	13.33% Est
	National Average	21% to 30%	21% to 30%	21% to 30%	21% to 30%

5.3 The latest independent evaluation of this process by CAADA was positive, as it stated:

"Your repeats at MARAC are significantly low, this is unusual as the longest running MARACs typically have a repeat rate over 30% and the national average is 21.5%."

5.4 In 2009/10 there were 2197 incidents of domestic violence in York, and this is compared to 2025 incidents in 2008/09 – this shows a general increase of 8% between the two financial years. When each domestic violence incident is considered by its level, York had 13% more level 1's, 13% fewer level 2's, and 8% more level 3's in 2009/10 than in 2008/09. No data is available for 2010/11.

5.5 There were 757 incidents of Repeat Domestic Violence in 2009/10 compared to 696 incidents in 2008/09. This shows an 8% increase in York between the two years.

5.6 Information regarding NI34 - Murders connected to Domestic Violence shows York is predicted to have none in 2010/11

Indicator	Type	2008/09	2009/10	2010/11
NI 34 Domestic Violence Murder	Target	0	0	0
	Out-turn	0	0	0 (EST)

5.7 NI20 Assault with injury is still a cause for concern. There have been small rises in these crimes in the last couple of months, and levels at this stage are predicted to be 9% higher than last year. York is placed 4th in its most similar families, suggesting we are performing comparatively well. Much of the work to tackle violent crime is driven through the Night-safe Task group and has been reported in the Drugs and Alcohol section previously.

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
NI20 Assault with Injury	76.8	103	93	112
(Iquanta Position out of 15)		4	1	1

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
NI20 Assault with Injury	76.8	106		
(Iquanta Position out of 15)		4		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	1024	990	956	922
Out-turn			1239	1140	1242 (Est)

5.8 The base-line for NI15 has been changed from 07/08 to 08/09 due to issues of data recording. Last year, most police forces in England and Wales were asked to reclassify their violent crimes due to inconsistencies and intricacies of violent crime recording. It was felt therefore that the baseline year 07/08 was not a true reflection of the levels of serious violent crime. Of the crimes recorded as Serious Violent Crime there seems to be no identifiable pattern and very few repeat incidents of crimes.

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
NI15 Serious Violent Crime	11.3	11		
(Iquanta Position out of 15)		12		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	N/a	151	144	136
Out-turn				123	120 (Est)

5.9 Gun Crime and Knife crime offences continue to have very small numbers. Analysis has been completed on Gun Crime as it has seen a rise last year and if due to come in above target this year. This analysis shows that the majority of incidents are of an anti-social behaviour nature involving BB or pellet guns in cases of criminal damage

Knife Crime

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	67	64	62	60
Out-turn			60	40	45 (Est)

Gun Crime

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	2	2	2	2
Out-turn			5	13	12 (Est)

5.10 There is no new Talk-About perception data on residents going about alone.

Indicator	Type	2006/07	2007/08	2008/09	2009/10	2010/11
Talkabout: Residents concerned about going out alone in York	Out-turn	27%	27%	25%	24%	
	Improving ?		Stable	Yes	Yes	

6 Business Crime

6.1 Although Business Crime does not feature within the performance management framework aligned to the Community Safety Plan, it remains a priority for the Guildhall Safer Neighbourhood Team (SNT) and for the Partnership. Addressing local priorities remains a priority for the SNTs under the policing pledge but also close collaborative working between the business community and SYP. Demonstrating initiatives to tackle all aspects of crime and disorder play a big part in increasing public confidence.

6.2 Safer York Partnership has established a Business Crime group which is working with the business community, Community Watch and RACY to develop initiatives to target business crime.

6.3 Targets have been set for crime categories in Business crime. These are not part of LAA framework and have been created by the Business Crime group to monitor progress in line with other Safer York Partnership delivery groups.

6.4 The latest business crime figures are below (Robbery of a Business Property is covered in the Serious Acquisitive Crime Section). There is no comparison information on Iquanta at present for Theft by an Employee, Burglary of a Business Premise or Making off Without Payment.

Shoplifting

Indicator	Monthly Target by 2010/11	Quarter 1 - 2010 / 11		
		Apr	May	Jun
Shoplifting	130	159	137	130
(Iquanta Position out of 15)		15	15	15

Indicator	Monthly Target by 2010/11	Quarter 2 - 2010 / 11		
		Jul	Aug	Sep
Shoplifting	130	142		
(Iquanta Position out of 15)		15		

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	1645	1617	1590	1563
Out-turn			1745	1573	1704 (Est)

Burglary of Business Premises

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	466	458	450	443
Out-turn			N/a	342	453 (Est)

Making Off Without Payment

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	98	96	94	93
Out-turn			N/a	101	114 (Est)

Fraud

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	261	256	252	248
Out-turn			N/a	311	300 (Est)

Theft by an Employee

Type	2006/07	2007/08	2008/09	2009/10	2010/11
Baseline / Target	N/a	42	41	41	40
Out-turn			43	33	30 (Est)

Report Written by:

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10th June 2010

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Community Safety Overview & Scrutiny Committee 21 September 2010

Report of the Head of Civic, Democratic & Legal Services

Information Report on CCTV in York

Summary

1. Following a request made by this Committee in January 2010, this report presents an Executive report on the Closed Circuit Television (CCTV) system operating in the City, which outlines protocols and opportunities for expanding the system. Based on the information provided, Members are asked to consider whether they wish to carry out a scrutiny review of CCTV in York.

Background

2. In January 2010, this Committee received a report on a number of suggested scrutiny topics, one of which was 'the Effectiveness of CCTV in relation to the costs involved'. Suggestions for what a review of this topic could cover, were:
 - i. the history of CCTV in York
 - ii. the management and funding arrangements for York's CCTV Service e.g. running/staffing costs, do Partners and/or external organisations contribute to the running costs etc
 - iii. present coverage in regard to area covered, staffing hours, number of cameras / operators etc
 - iv. staff training
 - v. the public's view on whether CCTV
 - reduces crime and anti-social behaviour
 - reduces their fear of crime and makes them feel safer
 - is an invasion of their privacy
 - vi. the retail sector's view on CCTV i.e. is its presence of value to them
 - vii. How effective has it been in York e.g.:
 - how many convictions have been achieved as a result of CCTV evidence
 - Can its effect as a deterrent be quantified
3. Members received information on the use of CCTV in York, provided by the Safer York Partnership, and were informed that a detailed officer report was scheduled to be presented to the Executive in July 2010. At that time, the Committee deferred their decision on whether to proceed with a review of CCTV in York, requesting that following its presentation to the Executive, the officer report be brought to a meeting of this Committee – see copy at Annex 1.

4. More recently, the Deputy Chief Executive of the North Yorkshire Police Authority has been tasked by the York and North Yorkshire Safer Communities Forum to bring together a 'Task & Finish Group' to look at CCTV and assess its effectiveness etc. In particular it was suggested that the group might look at:
 - Taking advantage of new technologies and networks
 - Agreed evaluation methods and results
 - Learning from other areas and national guidelines
 - Approaches to needs assessment
 - Opportunities to do things better, cheaper, more effectively & efficiently.
 - Opportunities of joint working.
5. In support of their review, prior to the last meeting of the York and North Yorkshire Safer Communities Forum, each of the councils in the region (including York) supplied basic information on their local CCTV provision, including costs, monitoring arrangements, camera numbers etc. Whilst representatives asked that the detailed information remained confidential, the cost 'to the public purse' is in the order of £1.5m per year.
6. The main issues that came out of that meeting were:
 - Costs appeared to vary greatly (in terms of cost per camera)
 - The numbers of cameras in districts was not generally relative to the population or its size.
 - No evaluation work in terms of effectiveness or value for money has been carried out. There was generally little appetite for 'doing things differently' as long as things were working satisfactorily.
 - North Yorkshire Network¹ (NYNET) provided opportunities for working together or sharing monitoring facilities. There was potentially funding threats in some councils
 - Funding was an issue in terms of contributions from partners.
 - There was potential value in reviewing the location of cameras to ensure that they were still relevant
 - There was general agreement that there would be value in a Geographical Information System² (GIS) plotting the 'line in sight' and location of all camera so that they could be overlaid with crime and other local data.
 - There was no consistency in terms of monitoring, funding, provision, ownership, camera quality etc
 - This was very much seen a local council issue and not something that needed a more holistic approach.
7. As a result, the Task & Finish Group have agreed to take forward two areas of work:
 - i) To agree and populate a standard template for the collation of data about the usage of the CCTV systems and to discuss with analysts/partners what more information could/should be collected to show value for money/need.

¹ A North Yorkshire County Council promoted broadband service

² A computer database capable of storing / showing data by geographical location

- ii) GIS map CCTV cameras and their line of sight (to be taken forward late summer)
8. It is apparent that the CCTV landscape across York and North Yorkshire is complex both in terms of the actual facilities locally provided and ownership/management. It involves many interests and is subject to many influences and pressures, not least of which are budget/funding pressures.
 9. It is not clear how this can now be taken forward, but the Deputy Chief Executive of the North Yorkshire Police Authority has been asked to report back to the York and North Yorkshire Safer Communities Forum on the 30 September 2010. One option being considered, is to bring in specialist consultants to work with partners across the County & York to put forward options. This will of course need the cooperation of individual councils (many of whom have independently expressed an interest in looking at their CCTV provision), and it will need funding.

Consultation

10. CCTV operational staff have been consulted in regard to the development of the Code of Practice detailed in the attached report.
11. In regard to a scrutiny review of York's CCTV provision, the Head of Network Management has provided the following feedback on carrying out a scrutiny review at this time:

'It is considered that a scrutiny review of the effectiveness of CCTV in York is not appropriate at this time. In addition to the attached Executive Report which we believe provides much of the information pertinent to a scrutiny review, there is also the proposal being developed by the North Yorkshire Police Authority to undertake a review of the costs and effectiveness of CCTV provision across the North Yorkshire police force area. The NYPA are in the process of agreeing terms of reference for this and establishing a Task & Finish Group to carry out the review. It is considered that this presents an extremely valuable opportunity to benchmark York's CCTV system against those of neighbouring authorities and therefore our recommendation would be that any review of CCTV by the Community Safety Overview and Scrutiny Committee be deferred until this wider review is completed and can be presented.'

Options

12. Having considered the information in the Executive report attached, this committee may choose to:
 - i. Proceed with a scrutiny review of 'the Effectiveness of CCTV in relation to the costs involved' as originally considered
 - ii. Request additional information in support of a possible scrutiny review and defer the decision on whether to proceed with a review until such time as the relevant information has been provided
 - iii. Decide a review of CCTV in York is not required

Analysis

13. A full analysis of the provision of CCTV in York is provided in the attached Executive Report.

Corporate Strategy

14. The provision of CCTV supports the council's corporate strategy in a number of ways – see paragraph 41 of the attached report.

Implications

15. The implications to the Council associated with the provision of CCTV in York are detailed in Annex 1, paragraphs 42-49.

Risk Management

16. There would be significant risks associated with the failure to adopt a formal funding arrangement for new cameras across the city, as detailed in paragraph 51 of the attached report.

Recommendations

17. Members are recommended:
- i. to note the information within this report and its annexes
 - ii. not to proceed with a scrutiny review of 'the Effectiveness of CCTV in York' at this time.
 - iii. Request an update report on the outcome of the review by the North Yorkshire Police Authority once that review has been completed

Reason: In order to progress the work of this Committee inline with scrutiny procedures and protocols

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Final Report Approved **Date** 26 August 2010

Wards Affected:

All

Background Papers: N/A

Annexes

- Annex 1 – Update Report on CCTV in York
Annex 1A – CYC Code of Practice for the Operation of CCTV



Executive

20 July 2010

Report of the Director, City Strategy

Operation of the City of York CCTV System

Summary

1. This report describes the Closed Circuit Television (CCTV) system operating in the City, and outlines protocols and opportunities for expanding the system.
2. As well as providing a description of the current system, this report seeks approval to formalise the funding arrangements for new camera installations and adopt as Council "CCTV Code of Practice" the draft revised Code of Practice for System Operation. A copy of this draft code of practice is attached as appendix A to this report.
3. The need to adopt the revised Code of Practice (CoP) arises from advances in the technology the system uses that mean operating procedures have changed. Revision of the CoP to reflect these changes and remain relevant are therefore required.
4. Formalising funding arrangements for third party camera provision is required to limit growing budgetary pressures on the system and ensure the system continues to be operable within its current level of funding. Adopting this as policy will ensure the existing budget for operation is not overstretched by new additions to the system whilst at the same time giving clarity to those wishing to pursue new cameras as to the budgetary commitment that will be required of them.

Background

Description of the current System

5. This section of the report presents a description of the size, scope and operation of the CCTV system, and identifies some areas of expansion and alteration that are likely to happen in the medium term.

Current CCTV System

6. The City Council is currently operating a CCTV System of over 70 cameras throughout the City. Installation of the system commenced 15 years ago utilising traditional fibre-optic analogue technology and comprises the following elements;

- 69 analogue video cameras, the majority with pan-tilt-zoom (PTZ) heads and fibre-optic connections;
 - 3 digital video cameras (2 with PTZ heads) and wireless connectivity;
 - A central communications and switching matrix at St Leonard's Place;
 - Digital Video Recording system at St Leonard's Place;
 - A control room at Fulford Rd Police Station (staffed 24 hours per day)
7. Additionally, trials are now underway to test the suitability of digital 'Internet Protocol' cameras that use commercial wireless communications services such as 3G. This offer an alternative to traditional fibre optics or short-range 'wi-fi' wireless communications for remote locations where fibre or wi-fi installation costs would be prohibitive. Currently four cameras, from two different suppliers have been installed and are being evaluated. An additional benefit of this 3G based technology is it's portability; moving such cameras is relatively straightforward allowing them to be re-deployed quickly as and when required. Whilst this technology is unlikely in the foreseeable future to match the quality of fibre optic systems, it does offer real advantages in terms of cost and ease of deployment. It is anticipated that rather than being an alternative to the fibre-optic system for live city centre monitoring, where its lower quality would be a disadvantage it will allow us to provide CCTV of acceptable quality in areas and for purposes where fibre optic would be prohibitively expensive. This will enhance the ability of the system to respond to requests from third parties where a need for CCTV has been established but for whom funding the cost of a full fibre optic camera would not be feasible.

Operation of CCTV System

8. The system is monitored from Fulford Road Police Station in a control room that is operated and staffed by City Council personnel but who work in close co-operation with North Yorkshire Police colleagues. The control room is equipped with three control keyboards capable of controlling the cameras and 21 display screens. A further control keyboard is available within the Police Station for use during emergencies and major incidents, and further two keyboards and display screens are located at St Leonard's Place and used mainly for traffic monitoring. The CYC control room staff are all trained and certified to current SIA (Security Industry Authority) standards; this is a legal requirement for staff engaged in monitoring CCTV covering areas of public realm. They are also all Criminal Record Bureau (CRB) and enhanced security cleared to allow them to work in the Police Station and have access to the police radio system. The above requirements have a significant effect on staffing the control room and the additional limitations and costs of meeting them impacts greatly on the process of appointing and retaining operators. The operators are on the Network Management team establishment; they do however undertake the full range of monitoring tasks and work closely with the police in providing CCTV support for crime and disorder activities. At present, the control room is staffed by two operators during the both the day and night time (seven days a week). The operators have access to the police radio system and City centre 'Shopwatch' and 'Pubwatch' anti-shoplifting and pub security radio systems. Access to these

various radio systems allows them to monitor and react to police activity and assist with operational matters

9. At the heart of the CCTV system is the communications and switching equipment located at St Leonard's Place. This equipment collects the images from the cameras and distributes it to the users and recording facilities and allows the users to operate the pan, tilt and zoom controls of each camera. At the core of this control equipment is a Matrix – basically a large video switch that allows signals from any camera to be sent to any control keyboard or display screen. The central in-station at St Leonard's Place also includes the Digital Video Recording system. This uses an array of hard-disk recorders to store a rolling 31 days of footage for each of the cameras on the system the DVR also includes terminals that allow operators to review footage and burn recordings to DVD or CD-Rom.
10. In operational terms the cameras generally fall into one of three operational areas; those which are primarily used for monitoring the City Centre, those which are primarily used for monitoring traffic conditions and those which are used to monitor the operation of car parks.
11. Although each of the cameras was originally installed to meet a particular operational area, they are now normally considered to be a single system, albeit one where the operational priorities differ depending on the time of day and particular camera locations. The three original operating areas of the system are now expanding with the provision of cameras at non-City centre locations (including the deployment of wireless cameras), paid for from other funding sources. This has added the task of monitoring social disorder at non-City centre sites to roles of the system.
12. The operation of the system lies with City Strategy's Highway Network Management Team, reflecting the fact that two of the three main operational purposes of the system (highway network monitoring and car park security) are Network Management functions. Additionally, Network Management's Systems Team possesses the necessary technical expertise to manage the maintenance and expansion of the system.
13. The staffing levels of the CCTV control room are determined by the ability of individual operators to watch and respond to numerous cameras. As well as undertaking particular duties at certain times of the day, the operators are responsible for monitoring the full bank of 21 monitors, and expected to react to events they see. The addition of more cameras to the system, and the need for more monitors to view them on will start to overload the abilities of the Operators and require additional staffing resource. Also, as each of the separate uses of the system increases, it will become sensible to allocate operators by function. This could mean dedicated operators specialising in Traffic monitoring, crime and disorder or car park security. In either case there will be a need for additional funding to be found to increase the staffing resource available, and this will need to come from the body promoting the various areas of expansion.

14. In operational terms, the uses that the CCTV system is put to divide up by time as much as camera location – It is expected that operators will devote their energies to traffic network monitoring during the peak traffic periods, City centre and car park crime and security during the day, and disorder issues (particularly around the bars and pubs) during the evening and night.

New Headquarters

15. As part of the plans to relocate City of York Council services in the City centre to a new headquarters building, the CCTV control room will be moved from its current location at the Fulford Road Police Station to a new, purpose built accommodation within the new building. This offers the opportunity both to undertake a 'technology refresh' and replace current life expired system components with new, and to ensure we provide the type of accommodation for the control room that will allow the growth of the system as outlined above.
16. Network Management are currently working with the new headquarters project team to ensure our requirements for the control room, and the technology systems we need to house in the new building are met. It is planned that as well as moving to a more flexible 'video wall' layout for the monitoring of the cameras, the opportunity will be taken to provide more operator stations and possible demarcation of duties as outlined in section 11. Additionally, it is also proposed to provide a dedicated suite for the review of recorded footage and a separate monitoring room specifically for traffic monitoring and control.

Managed Service

17. In January 2010, the Council commenced a Managed Service Agreement (MSA) covering all aspects of communications between Council sites and the wider world with a solutions provider named Pinacl Systems. As part of this arrangement Pinacl are responsible for the delivery of all communications to the authority and staged improvements to the various communications systems in use. This includes the provision of a network of private fibre optic around the City that will carry Council communications and allow the many rental agreements in place with providers such as BT to be terminated. To take advantage of this move to private fibre, a project will be commenced during summer 2010 to trial the migration of CCTV. This is not a trivial task, as the current analogue fibre system we use although expensive, offers extremely high levels of operability and reliability.
18. Assuming the trial is successful, the migration of the CCTV camera network to the private fibre will commence in 2011. As well as offering a significant reduction in operational costs this development should offer increased flexibility in terms of camera location. Although it will not alter the underlying principal of promoters paying for the full costs of cameras they wish to install, it should significantly reduce to costs involved.

The CCTV Code of Practice for Systems Operation and Code of Practice for the Production of Footage

19. Public Space Surveillance Systems owned and operated by public bodies are subject to a wide range of legislation governing their use. To ensure the council does not breach any of the legal requirements placed upon it, it is necessary for a structure to be laid down detailing how the system is to be used. This takes the form of a Code of Practice (CoP) which whilst not legally binding, represents an important tool in demonstrating that the system is being operated in a professional, responsible and controlled manner.
20. Since the City of York Council first installed its CCTV system, it has always been covered by a relevant CoP and from time to time it becomes necessary to update this CoP for reasons such as changes in legislation or updates to practice and technology.
21. This report presents an update to the current Code of Practice which is necessary to maintain its relevance to the current system, (see Appendix A). The changes primarily relate to technological updates which have been integrated to the system, namely the movement to a purely digital recording system and removal of analogue recording components. Other changes throughout the document are minor and relate to re-wordings to clarify certain paragraphs, as well as a new structure and additional guidance relating to third party footage requests.
22. The main changes to the Code of Practice relate to:
 - *Technological updates* - Within the last 2-3 years, improvements in technology have seen the obsolete analogue recording components within the system replaced with modern digital devices. This change in technology requires an update to the operational practices involved with using this technology.
 - *New section on policy for the release of footage to third parties* - This section provides a quick reference for third parties to ascertain whether they will be able to request recorded material from the system. It does not represent a change in policy, but is a mechanism to more easily facilitate requests.
 - *New Structure* - The document has been re-ordered to create a more logical and easy to understand format. For example, all relevant legislation relating to The System has been brought together in one section to provide a single reference point for queries relating to laws and legislation.

Managing operation and expansion of the CCTV System

23. There are serious issues around the funding of the systems operation and expansion. Due to the systems success in dealing with crime and disorder, and acting as a tool for managing the City's transport network, there is constant

pressure to expand the system, particularly through the provision of additional cameras. Whilst in principal there is no problem with this, and indeed the system has been designed to be capable of growth, there are issues around staffing levels and on-going revenue commitment that need to be addressed.

24. In general, the Network Management team does not have access to a capital budget for the expansion of the system it does however, have strong aspirations for the expansion of the system in terms of highway and traffic monitoring. These aspirations are generally met by ensuring the provision of CCTV is included in all major highway schemes as appropriate. By these means Network Management is promoting the steady expansion of the system to cover the main radial routes into the City. Recently this has been successfully achieved on Fulford Road, where cameras have been provided as part of the on-going improvement scheme, and is planned for the A59 and B1363 corridors as part of the proposed Access York works. It is proposed that this expansion of the system through opportunities presented by larger highway schemes be formalised as policy.
25. Where new cameras are required for non highway related purposes, it falls onto the party promoting their provision to provide funding for purchase and installation. This approach is well understood, and over the years has been used widely to procure new cameras, mainly for crime and disorder purposes (and funded by Safer York Partnership), or highway monitoring purposes, funded by the budgets of specific highway schemes.
26. The issue that is less well understood by parties promoting the expansion of CCTV coverage is the need to provide on-going revenue support for each camera that is installed. Fixed line, fibre optic cameras require between £2000 and £5000 per annum to cover costs associated with communications line rental, maintenance and their recording by the DVR, and it is not possible for the Network Management Team to allocate on-going resources for this. For this reason, it is now the case that new cameras must be fully funded, both in terms of capital for their provision and revenue for their yearly operation. In cases where on going funding is not provided cameras may be disconnected from the system and removed. Parties promoting the provision of cameras, and funding their ongoing operation may also consider their removal or relocation; were, for instance, a camera is located for crime reduction purposes it may become apparent that the need for the camera has diminished, or is greater elsewhere then the promoting party may request removal or relocation. Network Management will assist with such requests, subject to all associated costs being met by the promoting party. Generalised costs for the provision and operation of a new camera are shown below.
27. Additionally, there are issues around the staffing of the control room that will be exacerbated by the continued expansion of the system. Even assuming sufficient monitors could be provided, there is a limit to number of cameras that a single operator can, or should be expected to, monitor simultaneously. Although the current arrangement of operating with two staff present during the day, and one during the night is sufficient for current camera numbers, a point will be reached in the future when it is not (as outlined in section 11 above).

Unless a solution for the expansion of staffing is planned out in the near future, this issue will become a limiting factor on the expansion of the system.

Technical Authority

28. Cameras may be provided for a number of purposes, and funded by various promoting parties but the Network Management team will in all cases remain the system's Technical Authority. This means that where new cameras are requested, it will be the responsibility of Network Management to specify the equipment to be used and arrange its procurement and ongoing maintenance. Also, although it is the responsibility of promoting parties to prioritise their CCTV requirements and satisfy themselves that the locations they propose met their aims and offer value for money, the final decision on the exact location of equipment will remain with Network Management. This is to ensure that locations that are compatible with CCTV operation are chosen and equipment operates to the best of its ability. It is also to ensure that the overall system develops in a coordinated and logical way.
29. Network Management, as Technical Authority is also responsible for the operation of the system and coordination of staff resources. Although best efforts are made to ensure cameras are successful in achieving the purpose they were installed for, the system will always be viewed as a single entity and the right is reserved to use any camera for any legitimate purpose as required by operational demands.

Consultation

30. A process of ongoing discussion has been held with the CCTV operational staff regarding the development of the Code of Practice, such that the Code for which approval is sought fully reflects their input and operational expertise.
31. The proposed funding and technical arrangements for the development of the system have been developed through experience gained to date by working with third parties to provide cameras, and are based on the ongoing discussions and negotiations with such parties and in effect, regularise the informal procedures already in place.

Options

32. This report deals with two issues, namely the formalisation of funding arrangements for expansion of the CCTV system (and the establishment of a Technical Authority) and the adoption of the draft Code of Practice. For each of these issues a single option is presented.
33. In the case of the funding arrangements this is because the recommendation seeks to formalise the approach to new camera provision and operation that has been operating informally for some time, and is considered to be operating successfully. In the case of the Code of Practice this is because the new code of practice for which approval is sought closely follows current national practice

Analysis

34. This report outlines the current situation with the City of York CCTV system and sets out the costs and issues associated with expanding it. The need to consider expansion is growing, as pressure to provide CCTV both solely for CYC needs and in partnership with North Yorkshire Police, across wide areas of the City increases.
35. The operation of the system is governed by a Code of Practice (see appendix 1A), which has recently been rewritten to reflect changes in the legislative framework in which the CCTV system is operated, and technology used by the system. The attached document should be formally adopted as the Council's CCTV Code of Practice.
36. The system as it exists at present is funded from CYC Network Management budgets, although future expansion will be subject to the requirements outlined above. There is a significant shortfall in this budget in terms of covering fibre optic line rentals. Until the costs savings of the move to private fibre as part of the MAS are realised, additional revenue funding will be required.
37. This report should form the basis of any planning being undertaken for the development of the system. Where new cameras are being considered, the funding model outlined herein should form the basis of any budgetary planning.
38. As a general principle, coverage of the highway network for traffic monitoring purposes will be expanded. This will be achieved by the inclusion of funding for CCTV provision (as appropriate), in all major highway improvement schemes.
39. The need to ensure costs of additional cameras are fully funded (in capital and revenue terms) by their promoters should be adopted as policy. Also, the fact that no additional funding to operate new cameras exists within Network Management budgets, and that support for unfunded cameras may be ceased must be considered by those promoting new camera provision.
40. The Network Management team are the Technical Authority for the system and retain ultimate control of the types of equipment proposed, the location of cameras and the management of equipment and staff resources. It is however, for the individual promoting parties to prioritise their CCTV requirements.

Corporate Strategy

41. The York CCTV system plays a central role in managing traffic on the city's road network and assisting in realising secure and safe communities and addressing crime and antisocial behaviour. The recommendations presented in this report will allow the system to continue to expand in a way that meets the aspirations of its users and the wider community and ensure that its future operation is properly governed and regulated.

- **Thriving City** – The presence of CCTV ensures that public realm within the City remains safe and inviting for residents, business and visitors. It also greatly assists the police in dealing with crime and securing convictions. In this way the CCTV system has a central role to play in helping the City to continue to thrive and the outcomes sought by this report will ensure it is capable of continuing to do so, both by appropriate and sustainable expansion of the system and ongoing properly managed and controlled operation.
- **Sustainable City** – One of the primary roles of the CCTV system is to allow the Network Management Team to monitor conditions on the City's transport network and quickly react to events. This allows incidents to be dealt with efficiently and ensures the network works as reliably and predictably as possible. This in turn both reduces the negative effects of congestion and pollution and increases the degree to which public transport is able to operated as an effective alternative to private car use. The recommendations presented in this report will secure the continued contribution of the CCTV system to achieving a sustainable transport system.
- **Safer City** – As outlined above, the CCTV system is a essential tool available to the police, Safer York Partnership and other promoting parties to tackle crime, disorder and antisocial behaviour. Our ability to collect and store footage of events in a manner that ensures they are admissible as evidence has assisted in numerous convictions. The adoption of the current draft Code of Practice will ensure this continues and is able to react to new practices and technology. Secondly, our ability to offer the opportunity of a range of very high quality, managed CCTV solutions to communities can play an important role in dealing with localised issues. The adoption of a formal framework that allows organisations who work with communities to fully understand the issues surrounding CCTV provision, and gives them certainty of budgetary implications is viewed as being central to ensuring this can continue to be offered in the future in a way that is financially and operationally sustainable.
- **Inclusive City** – The ongoing properly managed, sustainable operation and expansion of the CCTV system ensures that the role it plays in dealing with crime and antisocial behaviour will continue. In securing this, we will also secure the benefits it offers in ensuring the City's highways and public spaces remain safe and inviting for all members of society.
- **Healthy City** – As above, CCTV has a role to play in ensuring all members of society are able to feel safe and secure when out in public places. This has a benefit in helping give people the confidence to walk and cycle around the City and reduce the sense of vulnerability that may people perceive. Setting protocols to ensure the system can be expanded into new areas, where such barriers still exist will increase the contribution it is able to make to this priority.

Implications

42. **Financial** – Ongoing pressure on the current CCTV budget has led to the proposal to formalize the process for third parties who want to promote CCTV installations. This will involve all such proposals needing to be brought forward with a capital and revenue budget identified. This is to ensure the system can grow to meet needs whilst protect the existing CCTV budget from incurring additional expenditure.
43. **Human Resources (HR)** – The existing CCTV operating staff will be required to adhere to the draft Code of Practice, if adopted. No other HR impacts
44. **Equalities** – None anticipated.
45. **Legal** - There are 3 main areas of legislation pertinent to the operation of a PSS (Public Space Surveillance) system by a public body. These are;
- *The Human Rights Act 1998* which states that a Local Authority has a duty to use its CCTV system proportionately, legally and in an accountable and necessary manner. Failure to abide by the Human Rights Act may result in unlawful operation of the system.
 - *Data Protection Act 1998*, which relates to the way personal information collected about individuals is collected, stored and released. As The System is capable of, and deliberately attempts to, collect personal information this act is of specific importance. Failure to abide by the Data Protection Act could present a legal liability to the Council.
 - *Freedom of Information Act 2000*; because of exemptions to this act relating to commercially and personally sensitive data the Freedom of Information Act only occasionally has relevance to CCTV operation. Nevertheless, there are some instances in which an Fol request becomes pertinent.
- The CCTV System Code of Practice whose adoption as policy is proposed by this report deals with our obligations under the above acts and is the mechanism by which compliance with them will be assured. It should also be noted that the system is currently operating in a legal manner with respect to these issues, as outlined in the current Code of Practice. The updated Code of Practice presented by this report relates to changes necessary due to advances in technology, optimised working practices and updated working procedures more suited to fulfilling the stated legal obligations.
46. **Crime and Disorder** – As outlined above, the York CCTV system has a significant role to play in dealing with crime and disorder in the City. The adoption of a protocol for system expansion will give certainty to those proposing new CCTV installations and clarify the process for bringing such requests forward. Adopting the CCTV Code of Practice will ensure the system continues to develop and be operated in a manner that is compatible with the use of footage by the police in investigations and prosecutions.
47. **Information Technology (IT)** – None immediately, but work is ongoing with ITT to ensure that when the system migrates to the proposed new HQ building, any

synergies between corporate IT requirement and those of the CCTV system are realised.

48. **Property** - None anticipated.

49. **Other (Highways)** – The CCTV system is central to the effective management of the city’s transport network. It’s ongoing development and operation, in line with the recommendations of this report is essential to the Authority meeting it’s obligations under the Traffic Management Act and aspirations to operate the highway network efficiently and minimize congestion.

Risk Management

50. In compliance with the Council’s risk management strategy there are no risks associated with the recommendations in this report.

51. However, significant risks can be associated with the failure to adopt a formal funding arrangement for new cameras. The pressure from third parties to add cameras to the system is likely to increase going forward. Without a protocol for dealing with this that clearly states the capital and revenue funding such parties need to provide then the expectation that such new provisions could be funded from the CCTV budget would continue to prevail. This would inevitably lead to more pressure on the budget and would result in either a reduction in the level of service we are able to offer or the need to find additional revenue resource within City Strategy.

Recommendations

It is recommended that;

52. The draft Code of Practice for System Operation is adopted as the formal “City of York Council CCTV System Code of Practice” for those using the system and that agreement to abide by it be a prerequisite for all staff engaged in operation of the system.

Reason: To ensure the operation of the CCTV system continues to conform to national guidance, and is compatible with users requirements (such as the police, for evidence purposes)

53. The principles that promoting parties fund the installation and ongoing operation of cameras they promote as outlined herein be adopted as policy.

Reason: To ensure a clear protocol covering procedures for requesting and funding new camera installations is in place that can be easily understood by third parties requesting new cameras.

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	Report Approved		Date
Specialist Implications Officer(s)			
None			
Wards Affected:			All
For further information please contact the author of the report			

Code of Practice for the operation of Closed Circuit Television

City of York Council



In Partnership with
The Safer York Partnership
and
North Yorkshire Police

Certificate of Agreement

The content of this Code of Practice is hereby approved in respect of the City of York Closed Circuit Television System and, as far as is reasonably practicable, will be complied with by all who are involved in the management and operation of the System.

Signed for and on behalf of the City of York Council

Signature:

Name:

Position Held:

Dated:

Signed for and on behalf of North Yorkshire Police

Signature:

Name:

Position Held:

Dated:

Signed for and on behalf of the Safer York Partnership

Signature:

Name:

Position Held:

Dated:

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1.0 Introduction

- 1.0.1 A Closed Circuit Television (CCTV) system has been introduced to the City of York. This system comprises a number of cameras installed at strategic locations.
- 1.0.2 Some of the cameras have pan, tilt and zoom facilities; other are fixed cameras with no 'PTZ' functionality.
- 1.0.3 Some cameras were primarily installed for Traffic Network Management purposes, whereas others have the primary purpose of crime prevention and detection. Many cameras serve both purposes.
- 1.0.4 There are currently 2 control rooms used for the operation of the system, located separately. The 'Primary Control Room' is manned 24 hours a day and is the main site for live CCTV monitoring. The second site is the 'Traffic Control Room'. It has access to the same network of cameras, but is manned infrequently.
- 1.0.5 At the time of writing, there are plans to co-locate the two separate control rooms.
- 1.0.6 All images from the camera network are first brought back to the Traffic Control Room. Here, they are all recorded 24 hours a day on a digital recording system and forwarded to the viewing stations. There are viewing stations in the Traffic Control Room and the Primary Control Room. Only the Traffic Control Room has the ability to review and retrieve past footage recorded on the digital recording system.
- 1.0.7 There is a single viewing station in Silver Command, Fulford Road Police Station, which will have a single video feed displayed at any one time for Police operational purposes.
- 1.0.8 The owner of the system is the City of York Council.
- 1.0.9 For the purposes of the Data Protection Act, the 'data controller' is the City of York Council, whose representative is the Assistant Director (City Strategy, Development and Transport).
- 1.0.10 The 'system manager' is the City of York Council, whose representative is the Head of Network Management.
- 1.0.11 The City of York CCTV system (hereafter referred to as 'The System') has been notified to the Information Commissioner.
- 1.0.12 The purpose of this Code of Practice is to describe the means by which The System shall be utilised to obtain its stated objectives, whilst adhering to all relevant legislation pertinent to such systems.
- 1.0.13 Closely related to this Code of Practice is a document called the Procedural Manual. It contains detailed instructions for monitoring room operators in regards to their daily duties. It is not publicly available due to its sensitive nature. For example, it contains instructions on how to log in to the relevant operational systems.

2.0 **Key Personnel – Responsibilities and Contacts**

2.0.1 System Owner:

The City of York Council is the owner of the system.

The Assistant Director (City Strategy, Development and Transport) takes on duties related to being the system owner. His role includes a responsibility to:

Ensure the provision and maintenance of all equipment forming part of The System.

Maintain close liaison with the system manager.

Ensure the operation of the system is in accordance with this Code of Practice.

Bear the duties relating to holding the position of ‘Data Controller’ specified in the Data Protection Act 1998

Contact:

Assistant Director – Development and Transport
City Strategy
9 St Leonards Place
York
YO1 7ET

2.0.2 System Manager:

The Head of Network Management is the manager of the system. His role includes a responsibility to:

Ensure the operation of the system is in accordance with this Code of Practice.

Maintain close liaison with the owner and operators of the system.

Make the final call regarding decisions relating to the release of footage to third parties.

Contact:

Head of Network Management
City Strategy
9 St Leonards Place
York
YO1 7ET

The Head of Network Management also has delegated responsibilities relating the Traffic Management Act 2004, details of which are referred to in section 4.7.

The system manager is also the councils designated authorisation officer in relation to the RIP Act. see section 4.6.

2.0.3 Operational Manager:

The Divisional Head of Traffic is the Operational Manager of the system. His role includes a responsibility to:

Manage the day-to-day running of the monitoring rooms, including staffing issues

Maintain close liaison with staff employed in the monitoring rooms

Contact:

Divisional Head (Traffic)
City Strategy
9 St Leonards Place
York
YO1 7ET

3.0 **Purpose and Objectives of The System**

3.1 ***Purpose***

3.1.1 The purpose of The System, and the reasons for implementing The System are to achieve the objectives laid out below.

3.2 ***Objectives***

3.2.1 To aid in the expeditious movement of traffic, as per the Traffic Management Act 2004

3.2.2 To reduce the fear of crime

3.2.3 To deter crime

3.2.4 To detect crime and provide evidential material for court proceedings

3.2.5 To assist in the overall management of the City of York

3.2.6 To enhance community safety, assist in developing the economic well being of the area and encourage greater use of the city centre and car parks

3.2.7 To assist the Local Authority in its enforcement and regulatory duties

3.2.8 To assist in Traffic Management

3.2.9 To assist in supporting civil proceedings which will help detect crime.

4.0 **Privacy and Relevant Legislation**

4.1 ***Legality of The System***

4.1.1 Section 163 of the Criminal Justice and Public Order Act 1994 creates the power for local authorities to provide closed circuit television coverage of any land within their area for the purposes of crime prevention or victim welfare and it is also considered a necessary initiative by the police towards their duty under the Crime and Disorder Act 1998.

4.2 ***Data Protection Act 1998***

4.2.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

4.2.2 Concern over the use of public space CCTV systems has become a topic of much discussion in recent years. Concern typically centres on the two issues of personal privacy and how recorded images of oneself are to be utilised.

4.2.3 With the growing use of such systems, it was deemed that public confidence could only be maintained by tighter legislation covering their usage and deployment (House of Lords Select Committee on Science and Technology – 5th Report – Digital Images as Evidence)

4.2.4 This legislation took the form of the Data Protection Act 1998. This act is built upon the 1984 Act, broadening its definitions such that it can more effectively be applied to CCTV systems. It is this 1998 Act that provides much of the legal framework by which the City of York Council is obligated to operate The System.

4.2.5 All personal data obtained by The System, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system, those objectives having been specified in section 3.2. In processing personal data there will be total respect for everyone's right to respect for his or her private and family life and their home. The process by which this shall be achieved is specified in section 8.0.

4.2.6 The storage and security of the data will be strictly in accordance with the requirements of the Data Protection Act 1998 and additional locally agreed procedures. These processes are specified in section 8.0.

4.2.7 The operation of The System has been notified to the Office of the Information Commissioner in accordance with current Data Protection legislation.

4.2.8 All data will be processed in accordance with the principles of the Data Protection Act, 1998 which are summarised below:

- i) All personal data will be obtained and processed fairly and lawfully.
- ii) Personal data will be held only for the purposes specified.
- iii) Personal data will be used only for the purposes, and disclosed only to the people, shown within these codes of practice.
- iv) Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data are held.
- v) Steps will be taken to ensure that personal data are accurate and where necessary, kept up to date.
- vi) Personal data will be held for no longer than is necessary.
- vii) Individuals will be allowed access to information held about them and, where appropriate, permitted to correct or erase it.

4.3 ***Subject Access Request***

- 4.3.1 A guide relating to the Councils policy for producing footage captured by The System is located in the appendices. The guide should be your first reference when discovering whether you will be able to access data held on The System.
- 4.3.2 Note: Each and every application for release of footage will be assessed on its own merits and general ‘blanket exemptions’ will not be applied.
- 4.3.3 The Council’s policy for footage release takes into account one’s rights as laid out in the Data Protection Act 1998 (namely requests for information under Section 7, the Data Subject Access legislation) Laid out below is information regarding requests that fall into this category.
- 4.3.4 Any request from an individual for the disclosure of personal data which he / she believes is recorded by virtue of the system will be directed in the first instance to the system manager.
- 4.3.5 The principles of Sections 7 and 8, and 10 of the Data Protection Act 1998 (Rights of Data Subjects and Others) shall be followed in respect of every request.
- 4.3.6 Any person making a request must be able to satisfactorily prove their identity and provide sufficient information to enable the data to be located. The appropriate ‘Subject Access’ request form is in the appendices.
- 4.3.7 In considering a request made under the provisions of Section 7 of the Data Protection Act 1998, reference may also be made to Section 29 of the Act which includes, but is not limited to, the following statement:

Personal data processed for any of the following purposes -

- i) the prevention or detection of crime
- ii) the apprehension or prosecution of offenders

are exempt from the subject access provisions in any case ‘to the extent to which the application of those provisions to the data would be likely to prejudice any of the matters mentioned in this subsection’.

4.3.9 Further information on retrieving recorded material under this legislation is in section 11.4.

4.4 ***The Human Rights Act 1998***

4.4.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

4.4.2 The council recognises that public authorities and those organisations carrying out the functions of a public service nature are required to observe the obligations imposed by the Human Rights Act 1998, and consider that the use of CCTV in York is a necessary, proportionate and suitable tool to help reduce crime, reduce the fear of crime and improve public safety.

4.4.3 It is recognised that operation of the City of York CCTV System may be considered to infringe on the privacy of individuals. The partnership recognise that it is their responsibility to ensure that the system should always comply with all relevant legislation, to ensure its legality and legitimacy.

4.4.4 The system will only be used as a proportional response to identified problems and be used only in so far as it is necessary in a democratic society, in the interests of national security, public safety, the economic well being of the area (for example, aiding the expeditious movement of traffic), for the prevention and detection of crime or disorder, for the protection of health and morals or for the protection of the rights and freedoms of others.

4.4.5 The Code of Practice and observance of the operational procedures contained in the Procedure Manual shall ensure that evidence is secured, retained and made available as required to ensure there is absolute respect for everyone’s right to a free trial.

4.4.6 The City of York CCTV System shall be operated with respect for all individuals, recognising the right to be free from inhumane or degrading treatment and avoiding discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

4.5 ***Freedom of Information Act 2000***

4.5.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.

- 4.5.2 The Freedom of Information Act 2000 gives the public a general right of access to information held by local authorities to promote openness and accountability.
- 4.5.3 This act may be used to request specific information about the operation of The System.
- 4.5.4 Due to its sensitive nature, recorded material collected by The System is not available under this act, confidential information being an example of material exempt from the act. Individuals are advised to seek access via the Data Subject Access legislation in the Data Protection Act 1998 if they require access to recorded material.
- 4.6 ***Regulation of Investigatory Powers Act 2000***
- 4.6.1 The Act is freely available from The Office of Public Sector Information at www.opsi.gov.uk - It is too large to reproduce here in full but will be referred to throughout.
- 4.6.2 The Regulation of Investigatory Powers Act 2000 was introduced to regulate surveillance and similar activities carried out by public bodies.
- 4.6.3 The system manager, named in section 2.0, is the councils authorising officer in relation to the RIP Act.
- 4.6.4 The CCTV operators shall be trained to identify surveillance that requires RIP Act authorisation and know the process required to obtain this authorisation. Surveillance requiring such authorisation shall not be carried out without obtaining authorisation. Certain instances may necessitate retrospective authorisation.
- 4.6.5 The Act defines 2 types of covert surveillance relevant to the use of CCTV systems, 'intrusive' and 'directed' surveillance. The following paragraphs refer to The Acts definition of 'directed' and 'intrusive'.
- 4.6.6 Intrusive surveillance shall only be undertaken at the request of the police or similar body, and only then on receipt of RIP Act authorisation from a suitable officer, examples named in The Act.
- 4.6.7 Directed surveillance shall primarily be carried out at the request of the police or similar body, though the council retains it rights under The Act to authorise directed surveillance in certain necessary instances.
- 4.6.8 To maintain public confidence in The System, The council pledges not use directed surveillance for minor or petty offences and shall only resort to directed surveillance in significant cases where other solutions have been exhausted.
- 4.6.9 An example where directed surveillance shall not be employed would be in determining the school catchment area of residents for purposes of determining a school applicants validity.

4.6.10 An example where directed surveillance would be permitted would be to determine the identity of individuals engaged in repeated criminal damage to property with the aim of bringing about a prosecution.

4.7 ***Traffic Management Act 2004***

4.7.1 The City of York Council has a responsibility under the Traffic Management Act 2004 to 'secure the expeditious movement of traffic on the authority's road network'

4.7.2 Under this act, the Council must name a 'Traffic Manager' who holds accountability for undertaking said responsibilities. The Traffic Manager for the City of York is the Head of Network Management as shown in section 2.0. The Head of Network Management thus has a dual role as CCTV System Manager and Traffic Manager.

4.7.3 The council undertakes its duties as per TM Act 2004 via several means, an integral tool to these being the use of The System. As per section 3.2, purpose 3.2.1 of The System derives its necessity from this act.

4.7.4 No such operation of The System for Traffic Management duties will fall outside the rules applied to the operation of the system for other purposes.

4.7.5 As such, this Code of Practice; any guidance, rules or obligations; restraints or policies, shall be followed equally whether The System be used for Traffic Management duties, or for prevention/detection of crime and disorder. This includes, but is not limited to obligation under Freedom of Information and Data Protection Acts.

5.0 **Camera Installation and Coverage**

5.1 ***Installation***

- 5.1.1 The siting of new camera installations will be considered carefully, so as to comply with all relevant legislation, particularly the Data Protection Act 1998.
- 5.1.2 Consideration shall be given to the fact that a cameras location will be chosen such that it is capable of carrying out the purpose for which it was installed.
- 5.1.3 From time to time transportable or mobile cameras may be temporarily sited within the area. The use of such cameras, and the data produced by virtue of their use, will always accord with the objectives of the CCTV System and be governed by these Codes and Procedures.
- 5.1.4 None of the permanent cameras forming part of the System will be installed in a covert manner. Some cameras may be enclosed within ‘All weather domes’ for aesthetic or operational reasons but the presence of all cameras will be identified by appropriate signs.
- 5.1.5 All permanent camera locations will be advertised by the siting of appropriate signs, visible upon entering the area for which the camera covers.

5.2 ***Coverage***

- 5.2.1 Cameras should be sited such that they can only monitor areas that are intended to be covered.
- 5.2.2 In those instances where the previous proviso cannot be complied with, installation can still go ahead, but consideration must be given to the procedures involved with coverage of areas not intended to be viewed.
- 5.2.3 In those instances where it is not possible to restrict coverage of areas not intended to be viewed, the operators will comply with their training in regards to recognising the privacy implications of such spaces being monitored (First and Third Data Protection Principles)
- 5.2.4 There are instances where coverage of private property may be necessary. These instances are described and governed under the section covering the Regulation of Investigatory Powers Act 2000, section 4.6.

6.0 **Monitoring Rooms – Access, Security, Staffing and Facilities**

6.1 *Access*

- 6.1.1 Only authorised persons will be permitted access to the CCTV monitoring rooms.
- 6.1.2 Appendix C lists the persons with pre-approved authorisation for access to the monitoring rooms.
- 6.1.3 Authorisation for persons not on the pre-approval list will be at the System Managers discretion.
- 6.1.4 Public access will normally be prohibited.
- 6.1.5 All persons accessing the monitoring rooms will be required to fill in the access control log, part of which is a visitors declaration of confidentiality, located in Appendix D.

6.2 *Security*

- 6.2.1 A trained and authorised operator must be present at all times when the equipment is in use. If the monitoring facility is to be left unattended for any reason it will be secured. In the event of the monitoring room having to be evacuated for safety or security reasons, the provisions of the Procedural Manual will be complied with.
- 6.2.2 In the event that a Lay Visitor (section 9.1) or approved visitor (within the terms outlined in section 6.1.3) is present within the monitoring room, all cameras shall be operated only in wide angle and in such a manner that the identification of individuals or specific vehicles is not possible.
- 6.2.3 The monitoring rooms will at all times be secured by a locked door. This door is to remain closed and locked at all times other than for access of authorised personnel.
- 6.2.4 It is the responsibility of any authorised operator to ensure that the above access requirements are complied with at all times. Should any operator find that the monitoring room or its equipment has been left insecure the operator shall secure the equipment appropriately and an immediate report of the incident, quoting the time and date must be made to the system manager within 24hrs.

6.3 *Staffing*

- 6.3.1 The Operational Manager is responsible for managing the staffing of the monitoring rooms.
- 6.3.2 Equipment associated with The System will only be operated by authorised personnel who will have been properly trained in its use and all monitoring room procedures.
- 6.3.3 Operators will all be SIA trained and licensed.

6.3.4 Every person involved in the management and operation of the system will be personally issued with a copy of both the Code of Practice and the Procedural Manual, will be required to sign a confirmation that they fully understand the obligations adherence to these documents places upon them and that any breach will be considered as a disciplinary offence. They will be fully conversant with the contents of both documents, which may be updated from time to time, and which he / she will be expected to comply with as far as is reasonably practicable at all times.

6.3.5 All operators shall receive training relevant to their role in the requirements of the Human Rights Act 1998, Data Protection Act 1998, Regulation of Investigatory Powers Act 2000 and the Codes of Practice and Procedures. Further training will be provided as necessary.

6.4 *Discipline*

6.4.1 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with The System to which they refer, will be subject to the Employing Authority discipline code. Any breach of this Code of Practice or of any aspect of confidentiality will be dealt with in accordance with those discipline rules.

6.4.2 The system manager will accept primary responsibility for ensuring there is no breach of security and that the Code of Practice is complied with. The system manager will have day to day responsibility for the management of the monitoring room and for enforcing the discipline rules. Non-compliance with this Code of Practice by any person will be considered a severe breach of discipline and dealt with accordingly including, if appropriate, the instigation of criminal proceedings.

6.4.3 Every individual with any responsibility under the terms of this Code of Practice and who has any involvement with The System to which they refer, will be required to sign the operators declaration of confidentiality. This document is located in Appendix E

6.5 *Facilities*

6.5.1 A staffed monitoring room is located at Police Divisional Headquarters, Fulford Road, York (The Primary Control Room)

6.5.2 The Primary Control Room has no recording facilities housed in it. All footage viewed from the Primary Control Room is automatically recorded at the Secondary Control Room.

6.5.3 The Primary Control Room has access to the Police 'Airwave' Radio system.

6.5.4 The Secondary Control Room is located in the UTC room (Traffic Control Room) at the Council Headquarters. It has access to exactly the same network of cameras as the Primary Control Room. It is manned only during office hours.

6.5.5 The Secondary Control Room houses all recording facilities for both Primary and Secondary control rooms. It also houses the facilities necessary for viewing and managing the recorded material and appropriately processing requests for footage.

7.0 **System Operation Practice**

- 7.0.1 This section covers those non-sensitive general practices involved in the operation of the system, in either control room.
- 7.0.2 Participation in the system by any organisation, individual or authority assumes an agreement by all such participants to comply fully with this Code and to be accountable under the Code of Practice.

7.1 ***Operation Principles***

- 7.1.1 Any person operating the cameras will act with utmost probity at all times.
- 7.1.2 The system will be operated in accordance with the Data Protection Act at all times. Further detail can be found in section 4.2.
- 7.1.3 The system will be operated in accordance with all the requirements and the principles of the Human Rights Act 1998. Further detail can be found in section 4.4.
- 7.1.4 Camera operators will be mindful of exercising prejudices which may lead to complaints of the system being used for purposes other than those for which it is intended. The operators may be required to justify their interest in, or recording of, any particular individual, group of individuals or property at any time by virtue of an audit of the system.
- 7.1.5 The system will be operated with due regard to the principle that everyone has the right to respect for his or her private and family life and their home.
- 7.1.6 The public interest in the operation of the system will be recognised by ensuring the security and integrity of operational procedures. This Code of Practice contains the means by which this shall be achieved.
- 7.1.7 Throughout this Code of Practice it is intended, as far as reasonably possible, to balance the objectives of the CCTV System with the need to safeguard the individual's rights. Every effort has been made throughout the Code to indicate that a formal structure has been put in place, including a complaints procedure, by which it can be identified that the System is not only accountable, but is seen to be accountable.

7.2 ***Operation Practice***

- 7.2.1 As previously stated in section 1.0.13, "Closely related to this Code of Practice is a document called the Procedural Manual. It contains detailed instructions for monitoring room operators in regards to their daily duties. It is not publicly available due to its sensitive nature. For example, it contains instructions on how to log in to the relevant operational systems."
- 7.2.2 The cameras, control equipment, recording and reviewing equipment shall at all times only be operated by persons who have been trained in their use and the legislative implications of their use.

- 7.2.3 Every use of the cameras will accord with the purposes and key objectives of the system and shall be in compliance with this Code of Practice.
- 7.2.4 Cameras will not be used to look into private residential property except under specific circumstances. This highly regulated behaviour is explained and described in section 4.6 and section 10.3.
- 7.2.5 The operation of the system will also recognise the need for formal authorisation of any covert 'Directed' surveillance or crime – trend (hotspot') surveillance as required by the Regulation of Investigatory Powers Act 2000 (RIP Act), further info in section 4.6.
- 7.2.6 The System will be operated fairly, within the law, and only for the purposes for which it was established and are identified within this Code, or which are subsequently agreed to be in accordance with this Code of Practice.

7.3 ***Control Priority***

- 7.3.1 Operators located in the Primary Control Room have priority in operation of any of the cameras on the System. This priority is due to the fact that the Primary Control Room has access to the Police 'Airwave' Radio system, giving them a better idea of what incidents require the most immediate attention.
- 7.3.2 This priority is achieved by programming built into the system whereby simultaneous operation of a camera by both the Primary and Secondary control rooms will default to taking commands from only the Primary control room.
- 7.3.3 The operators in the Primary Control Room have the ability to choose which camera is displayed on the monitor in Silver Command. The choice of camera shown will usually be at the request of the Police.

7.4 ***Incident Logging***

- 7.4.1 Whenever an operator witnesses a incident, he shall note down the relevant details in the incident log at his control station.
- 7.4.2 Each incident will be sequentially numbered, dated and timed.
- 7.4.3 Any incident or circumstance which gives rise to suspicion or concern even if no further action is required by North Yorkshire Police should be recorded in the incident log.

7.5 ***Directed Surveillance Requests***

- 7.5.1 There will be occasions upon which the Police not only request a specific camera be shown in Silver Command, but that the camera be operated in a way that constitutes 'Directed Surveillance'.

- 7.5.2 All operators will be able to identify requests that fall under the category of ‘Directed Surveillance’ and will know the action to take in regards to the Regulation of Investigatory Powers Act 2000 (RIP Act). More information on the RIP Act is in section 4.6.
- 7.5.3 A record of any request is to be made into a book specifically held for this purpose after the operator has satisfied him/herself that the request falls within a category for which directed surveillance may be considered appropriate under the RIP Act.
- 7.5.4 Each request will be sequentially numbered, dated and timed and the record endorsed with the name and number of the police officer requesting the directed surveillance and brief details of the reason for the request. The time that the directed surveillance ceased shall also be entered into the record.
- 7.5.5 Directed surveillance requests from sources other than the police will only be accepted upon written authorisation by The System Owner. Upon such authorisation being given, the above information will be entered into the Directed Surveillance record book. In any case, section 4.6 still applies.
- 7.6 ***Operational Command of the System by the Police***
- 7.6.1 Under rare and extreme operational circumstances the Police may make a request to command the use of The System to which this Code of Practice applies. These circumstances may be a major incident or event that has a significant impact on the prevention and detection of crime or public safety. Such use will provide the police with a broad overview of events in order to command the incident.
- 7.6.2 Such requests will be viewed separately to the use of the systems’ cameras with regard to the requirement for an authority for specific types of surveillance under the Regulation of Investigatory Powers Act 2000
- 7.6.3 Applications made as at section 7.6.1 will be considered on the written request of a police officer not below the rank of Superintendent. Any such request will only be accommodated upon the personal written permission of the most senior representative of the System owners, or designated deputy of equal standing. In the event of an urgent need, a verbal request of the senior officer in charge, and in any case an officer not below the rank of Inspector, will be necessary. This should be followed as soon as practicable within 72 hours by a Superintendents’ written request.
- 7.6.4 In the event of such a request being permitted, the Monitoring Room will continue to be staffed, and equipment operated by, only those personnel who are specifically trained to do so, and who fall within the terms of Appendix C of this Code. They will then operate under the command of the police officer designated in the verbal / written request, taking into account their responsibilities under this code.
- 7.6.5 In very extreme circumstances a request may be made for the Police to take total control of The System in its entirety, including the staffing of the monitoring room and personal control of all associated equipment, to the exclusion of all representatives of the System owners. Any such request should be made to The

system manager in the first instance, who will consult personally with the most senior officer of the system owners (or designated deputy of equal standing). A request for total exclusive control must be made in writing by a police officer not below the rank of Assistant Chief Constable or person of equal standing.

7.7 *Maintenance of the System*

- 7.7.1 To ensure compliance with the Information Commissioners Code of Practice and that images recorded continue to be of appropriate evidential quality The System shall be maintained in accordance with the requirements laid out below.
- 7.7.2 The maintenance agreement will make provision for regular/ periodic service checks on the equipment which will include cleaning of any all weather domes or housings, checks on the functioning of the equipment, and any minor adjustments that need to be made to the equipment settings to maintain picture quality.
- 7.7.3 The maintenance will also include regular periodic overhaul of all the equipment and replacement of equipment which is reaching the end of its serviceable life.
- 7.7.4 The maintenance agreement will also provide for 'emergency' attendance by a specialist CCTV engineer on site to rectify any loss or severe degradation of image or camera control.
- 7.7.5 The maintenance agreement will define the maximum periods of time permitted for attendance by the engineer and for rectification of the problem depending upon the severity of the event and the operational requirements of that element of the system.
- 7.7.6 It is the responsibility of the System Manager to ensure appropriate records are maintained in respect of the functioning of the cameras and the response of the maintenance organisation.

8.0 **Management of Recorded Material**

8.1 *Principles*

- 8.1.1 For the purpose of this Code of Practice, 'Recorded Material' refers to any digital images stored by any part of The System. A single digital image may be referred to as a video 'still' or 'print' but differs from video footage only in the fact that a still is a single image whereas a video comprises of a number of sequential images.
- 8.1.2 The System is only capable of recording digital images; no videotape functionality is present.
- 8.1.3 There are only 2 ways in which The System can store recorded material. The first is within an isolated storage device located in the camera to which it is attached. The second is by means of a centrally located storage device at the Secondary Control Room which concurrently records all cameras connected to it. Cameras linked to the centrally located storage device comprise the majority of The Systems camera estate and are referred to as 'fibre' cameras due to the communications method employed.
- 8.1.4 Both means of recording shall be treated the same in regards to the management of recorded material stored thereupon.
- 8.1.5 Access to and the use of recorded material will be strictly for the purposes defined in this Code of Practice only.
- 8.1.6 Recorded material will not be sold or otherwise released and used for commercial purposes or for the provision of entertainment.
- 8.1.7 The practice laid out below in regards to managing recorded material is devised as to comply with the Data Protection Act 1998 and the Information Commissioners Code of Practice. Specifically, those parts relating to the storage of personal data (Data protection Principles 4, 5 and 7)

8.2 *Practice*

- 8.3 Retention - Images shall be retained for 31 days, after which they will be automatically overwritten, unless backed up on a separate device or media. 31 days has been chosen as the retention period due to a compromise between the technological storage capabilities of current technology, against the period of time it can take for criminal activity to be reported. (See Data Protection Principle 5)
- 8.4 Quality – Footage from every fibre camera is recorded 24 hours a day in the Secondary Control Room. The quality of footage varies from camera to camera, but in any case will not typically fall below 10fps at 704x576. As stated, this quality of footage will be maintained for 31 days, 24 hours a day when no faults are present.
- 8.4.1 The system is capable of recording at higher framerates and resolutions, but this quality and framerate has been calculated such that evidential quality footage is still available, yet there is not an unreasonable demand upon storage resources.

- 8.5 Spot Recording – As a means of replacing conventional videotape ‘spot recording’ facilities, a process has been set up on the central storage device to provide extra short-term, high quality recording for every camera, as a supplement to the standard quality long-term footage. For a period of 168 hours, footage from every camera shall also be recorded in 24fps at maximum possible resolution. The operators must then ensure the ‘best evidence’ is removed from the system where possible by organising the retrieval of footage within the stated period. It is to be noted and expected that in a lot of cases, the report of an incident will be received after the ‘spot recording’ footage has expired, and only the standard quality of footage will be available.
- 8.6 Viewing – Recorded material shall only be viewed by authorised operators and only in a private, secure location. This will be the Secondary Control Room. Viewings by third parties will be at the discretion of the system manager as per the procedures in sections 6.0 and 11.0 and 4.2. (7th data Protection Principle)
- 8.7 Removal - Recorded material removed from The System will remain in digital format, on a CD, DVD or Hard Disk Drive. The removal of footage shall be documented in the following way.
- 8.7.1 A CD / DVD / HDD production log is held within the Secondary Control Room and is filled in for EVERY instance in which recorded material is removed from The System.
- 8.7.2 The log documents:
- The date on which the images were removed from the system
 - The date and time/period of the footage removed
 - The camera(s) the footage was removed from
 - The location the footage pertains to
 - A crime reference number if relevant
 - The incident to which the footage relates
 - The operator who removed the footage
 - The operator who handed the footage over to the third party
 - The third party who is in receipt of the footage
 - The date and time the footage was handed over
- 8.7.3 This procedure complies with and exceeds the requirements of the 3rd and 7th Data Protection Principles.
- 8.7.4 The security of stored recorded material is addressed as follows
- 8.7.5 Recorded material stored on the centrally located storage device is secured by means of being located in a restricted room (see section 6.2) and by means of a password protected viewing station.
- 8.7.6 Material produced to CD / DVD / HDD is secured by means of being located in the restricted room until being removed by a third party who signs the production log, documenting its removal. Once removed, the third party becomes responsible for it’s security.

- 8.7.7 These measures satisfy the 5th and 7th Data Protection Principles.
- 8.7.8 Requests for footage from third parties, including Data Subject Access Requests are explained in section 11.0.

9.0 **Assessment of The System**

- 9.0.1 Assessment of The System can take many forms, from cost benefit analyses as to it's cost effectiveness, to enquiries into whether The System is being operated within this Code of Practice, and hence legally. Other forms of assessment may also become necessary over the course of the life of The System.
- 9.0.2 The primary means by which The System facilitates assessment is via a comprehensive audit trail covering all aspects of its operation. An assessment can be carried out at any point due to the data that is always available on the following topics, from the mentioned sources.
- 9.0.3 Note that the following information may be construed as sensitive and will not necessarily be available under the Freedom of Information Act.
- 9.0.4 Financial Implications – The System is financed from specific budgets in the City of York Council. As such, The Council's Financial Management System has a complete record of all expenditure on The System.
- 9.0.5 Impact upon Crime – The Police have access to crime statistics for areas covered by The System.
- 9.0.6 Additionally, a record is kept of every evidential piece of footage that is provided to the Police, with relevant incident number and evidence tag. Amongst other forms of analyses, one possible process is for the Police, on receipt of this record, to determine how many pieces of surrendered footage have been used in court proceedings.
- 9.0.7 Legal operation of The System – As stated in section 8.0, every movement and production of footage shall be recorded, this enables an assessment of whether Recorded Material has been managed legally and in accordance with this Code of Practice.
- 9.0.8 Every usage of any camera attached to The System is recorded on the centrally located recording facility. An assessment of direct usage of cameras in line with the law and this Code of practice can be enacted from this recorded material.
- 9.0.9 Utility for Traffic Management and City Centre Administration – A log shall be kept of all uses of The System for Traffic Management and City centre Administration purposes.
- 9.0.10 These audit trails provide sufficient evidence to assist in any assessment of The System.

9.1 ***Lay Visitor Scheme***

- 9.1.1 Regular assessments are carried out by a group of lay visitors who visit the control rooms to determine whether The System is being operated in accordance with this Code of Practice. The Lay visitor scheme operates as follows.

- 9.1.2 The lay visitors panel shall consist of 10 people who can apply for the positions when advertised.
- 9.1.3 Exclusions from applications:
- Officers of local government or their immediate families
 - Police officers.
 - Elected members of local or national government.
 - Applicants with a criminal record.
- 9.1.4 All applications will be subject to vetting by the police.
- 9.1.5 Application will be forwarded to the chairman of the local Community and Police Group for interview and selection. This recommendation will then be forwarded to the Police Authority for confirmation.
- 9.1.6 Positions will be held for two and three years initially and thereafter every two years.
- 9.1.7 The lay visitors will be responsible for undertaking an ethical and procedural audit to ensure the code of practice is being complied with and will submit an annual report to the City of York Council and the Chief Constable.
- 9.2 ***Changes to the Code of Practice or Procedural Manual***
- 9.2.1 Any major changes to either the Code of Practice or the Procedural Manual, (i.e. such as will have a significant impact upon the Code of Practice or upon the operation of the system) will take place only after consultation with, and upon the agreement of all organisations with a participatory role in the operation of the system.
- 9.2.2 A minor change, (i.e. such as may be required for clarification and will not have such a significant impact) may be agreed between the manager and the owners of the system.

10.0 **Accountability and Public Information**

10.1 ***Overall Accountability***

10.1.1 The Assistant Director (City Strategy, Development and Transport), named in section 2.0.1, being the nominated representative of the system owners, bears duties relating to being the owner of The System.

10.1.2 Formal consultation will take place between the owners and the managers of the system with regard to all aspects, including this Code of Practice and the Procedural Manual.

10.1.3 The other parties with responsibilities relating to The System are listed in section 2.0.

10.2 ***Accountability in regards to observing incidents***

10.2.1 The presence of a CCTV system does not guarantee that every action in the vicinity of a camera will be captured. This is due to the uni-directional nature of cameras, the limits upon the resolution of images captured by cameras; and infrequent, unavoidable hardware failures.

10.2.2 Furthermore, the number of cameras available exceeds the number of operators, meaning it is not possible to monitor every camera continuously.

10.2.3 Taking these points into consideration, the City of York Council will not be held accountable for failure to observe any incidents occurring in the vicinity of cameras.

10.3 ***Public Information***

10.3.1 A copy of this Code of Practice shall be published on the City Councils' web site, and a copy will be made available to anyone on request. Additional copies will be lodged at public libraries, local police stations and Council 'receptions. Salient details of this Code of Practice will also be made available in leaflet form.

10.3.2 Signs will be placed in the locality of the cameras and at main entrance points to the relevant area. The signs will indicate:

- i) The presence of CCTV monitoring;
- ii) The 'ownership' of the system;
- iii) Contact telephone number of the 'data controller' of the system.

10.3.3 The system will be subject to audit by an independent volunteer group of lay visitors, see section 9.1.

10.3.4 Cameras capable of obtaining personal information from private property will not be used to do so except under the specific requirements of an RIP Act request. See section 4.6. Furthermore, such an RIP Act request will only be made for investigations originating from the police or other body investigating serious

offences. Minor and non-criminal offences will not be investigated using intrusive surveillance.

10.3.5 An example for which intrusive surveillance will be used would be the monitoring of a private property being the focus of a police drugs raid or hostage situation.

10.3.6 All CCTV staff are contractually subject to regulations governing confidentiality and discipline. An individual who suffers damage or distress by reason of any contravention of this Code of Practice may be entitled to compensation.

10.4 ***Complaints***

10.4.1 A member of the public wishing to register a complaint with regard to any aspect of The System may do so by contacting the System Owners representative – The Assistant Director (Development and Transport). All complaints shall be dealt with in accordance with the City of York Councils' complaints procedure, a copy of which may be obtained from the Guildhall, York or any Council offices. Any performance issues identified will be considered under the organisations disciplinary procedures to which all members of the City of York Council, including CCTV personnel are subject.

11.0 **Release of footage to Third Parties**

11.0.1 This section details the principles and procedures involved with the release of footage captured by The System. Located in Appendix A is a guide that will provide an indication on whether footage will be produced for any particular situation. Note that each individual request is still considered on its own merit.

11.1 *Principles*

11.1.1 Disclosure of recorded material to Third Parties will be made only under the circumstances laid out in this Code of Practice.

11.1.2 Requests for access to recorded material shall be recorded.

11.1.3 Every request for the release of personal data generated by this CCTV System will be channelled through the System Manager. The System Manager will ensure the principles contained within this Code of Practice are followed at all times.

11.1.4 Recorded material shall be processed lawfully and fairly and used only for the purposes defined in the Code of Practice

11.1.5 The release or disclosure of data for commercial or entertainment purposes is specifically prohibited

11.1.6 The City of York Council and its partners are committed to the belief that everyone has the right to respect for his or her private and family life and their home.

11.2 *Police Requests for Release of Footage*

11.2.1 The majority of requests received by The Council relating to the release of footage come from The Police. As such, a streamlined process has been established that ensures footage is released in accordance with all relevant legislation, as expediently as possible.

11.2.2 This process applies not only to the civil police, but also to: Immigration or Customs Officers, Port Authority or Coastguard Officers, HSE Officers, Fire or Ambulance Officers, British Transport Police Officers, Ministry of Defence Officers, Military Police Officer, Civil Nuclear Constabulary, National Security Service. For brevity, only 'The Police' shall be mentioned hereafter.

11.2.3 The request must relate to one of the following lawful purposes:

- Providing evidence in criminal proceedings
- The prevention of crime
- The investigation and detection of crime
- Identification of witnesses

11.2.4 These purposes being deemed lawful as they coincide with the named purposes of The System, and these purposes being legitimate due to the Police and Criminal Evidence

Act 1984 and Criminal Procedures and Investigations Act 1996 (amongst others), thus satisfying the First Data Protection Principle.

11.2.5 The Police must provide satisfaction that any request made is for one of the above aforementioned lawful purposes. This will usually take the form of a crime reference number relating to the incident in question that will be recorded with the details of the request.

11.3 *Secondary Requests for Release of Footage*

11.3.1 A Secondary request can be thought of as a request that does not originate from the Police and also does not fall under a Data Subject Access Request (see section 11.4). Examples of Secondary requests would be from the media and solicitors.

11.3.2 Each secondary request will be individually considered by referring to The Councils Policy on Release of Footage to Third Parties (Appendix A)

11.3.3 Consideration will also be given to ensure that complying with the request would not contravene any relevant legislation, eg. Data Protection Act 1998, Human Rights Act 1998, Criminal Justice and Public Order Act 1994.

11.3.4 Consideration of any known case law will also be taken into account.

11.3.5 Consideration will be given as to whether release of footage would pass a test of 'disclosure in the public interest'.

11.3.6 The final decision as to whether footage shall be disclosed to a third party will come from the System Manager.

11.4 *Data Subject Access Request*

11.4.1 Section 7 of The Data Protection Act 1998 gives provision to individuals to request access to information held about themselves.

11.4.2 This provision means that a person may make a request to the system manager to view footage of themselves captured by The System.

11.4.3 A person making a request to review footage of themselves can do so through the form located in Appendix B.

11.4.4 There is a charge of £10 for each request made.

11.4.5 The system manager is not obliged to comply with a request under this section unless he is supplied with such information as he may reasonably require in order to satisfy himself as to the identity of the person making the request and to locate the information which that person seeks.

11.4.6 Where a system manager cannot comply with the request without disclosing information relating to another individual who can be identified from that information, he is not obliged to comply with the request unless:

- the other individual has consented to the disclosure of the information to the person making the request, or
- it is reasonable in all the circumstances to comply with the request without the consent of the other individual.

11.4.7 In determining whether it is reasonable in all the circumstances to comply with the request without the consent of the other individual concerned, regard shall be had, in particular, to:

- any duty of confidentiality owed to the other individual,
- any steps taken by the data controller with a view to seeking the consent of the other individual,
- whether the other individual is capable of giving consent, and
- any express refusal of consent by the other individual.

11.5 ***Control of recorded material after release***

11.5.1 Copyright on the footage contained on any released recorded material stays with the City of York Council. All laws pertaining to the usage of copyrighted material apply.

11.5.2 Persons receiving recorded material must also sign an agreement laying out the terms by which they accept receipt of said material, and the terms under which the material may be used.

11.5.3 If the City of York Council incurs damage due to use of released footage outside of the signed agreement, the City of York Council may seek recompense from the party in breach of aforementioned agreement.

11.5.4 Responsibility for controlling released footage in accordance with said agreement falls with the third party to who the material was released.

11.5.5 Should the third party, at a point in the future, no longer feel capable of honouring the agreement, the recorded material will be destroyed.

Appendix A

Policy for release of footage to Third Parties

This section gives a quick reference as to the Council's policy on release of recorded material to third parties. Each request will be considered on its own merits, and in accordance with the relevant legislation, however this section covers the majority of instances that arise.

Release of footage may be predicated by the acceptance of terms of use by the third party.

Third Party:	Police Officer / Immigration or Customs Officer / Port Authority or Coastguard Officer / HSE Officer / Fire or Ambulance Officer / British Transport Police Officer / Ministry of Defence Officer / Military Police Officer / Civil Nuclear Constabulary / National Security Service
Policy:	Footage produced on provision of incident number and other necessary information.

Third Party:	Media / Media representative
Policy:	Footage is not to be released to the media for entertainment purposes. Footage for purposes such as advertising missing persons should be received from the police, with the councils consent.

Third Party:	Insurer
Policy:	Is the request in relation to an Insured's claim? If No, Go to 1 If Yes, Go to 2
1	Request refused.
2	Footage usually produced. The council will first evaluate the footage to determine whether production would be in contravention of any relevant legislation.

Third Party:	Solicitor
Policy:	Is the request in relation to Civil Proceedings? If No, Go to 1 If Yes, Go to 2
1	Request Refused. Footage relating to criminal proceedings will always be channelled through the Police.
2	Request usually accepted. The council will review the footage to determine whether production would be in contravention of any relevant legislation. In some circumstances, a court order or subpoena may be required.

Third Party:	Individual
Policy:	Are you requesting footage of yourself? If No, Go to 1 If Yes, Go to 2
1	Request Refused. Data Protection Act - Section 7 – Data Subject Access Request is the primary process for individuals requesting recorded material.
2	Is the request in relation to a crime or criminal activity alleged to be committed by yourself or somebody else? If Yes, Go to 3 If No, Go to 4
3	Request Refused. Footage relating to potential criminal incidents must be channelled through the Police.
4	Is the request in relation to an insurance claim? If Yes, Go to 5 If No, Go to 6
5	Refuse Request. Footage relating to insurance claims is provided direct to insurance companies upon request from the insurance company.
6	Is the request in relation to civil proceedings? If Yes, Go to 7 If No, Go to 8
7	Refuse Request. Footage relating to civil proceedings is provided direct to solicitors upon request from a solicitor.
8	Request considered under Data Protection Act 1998, fill in form at Appendix B for consideration.

Appendix B

Data Subject Access Request Form**How to Apply For Access To Information Held On the CCTV System**

These notes explain how you can find out what information, if any, is held about you on the CCTV System. They also explain how to request copies of such information. Requests will be denied if you do not provide sufficient detail to enable the relevant information of yourself to be found.

Your Rights

Subject to certain exemptions, you have a right to be told whether any personal data is held about you. You also have a right to a copy of that information in a permanent form except where the supply of such a copy is not possible or would involve disproportionate effort, or if you agree otherwise. The City of York Council will only give that information if it is satisfied as to your identity. If release of the information will disclose information relating to another individual(s), who can be identified from that information, the Council is not obliged to comply with an access request unless –

- The other individual has consented to the disclosure of information
- It is reasonable to comply with the request without the consent of the other individual(s)
- It is possible and reasonable to edit out such information

The City of York System Owners Rights

The City of York Council may deny access to information where the Act allows. The main exemptions in relation to information held on the CCTV System are where supplying the information may jeopardise the enactment of:

- Prevention and detection of crime
- Apprehension and prosecution of offenders

Fee

A fee of £10 is payable for each access *request*, which must be in pounds sterling. Cheques, Postal Orders, etc. should be made payable to ‘**The City of York Council**’.

THE APPLICATION FORM:

(N.B. ALL sections of the form must be completed. Failure to do so may delay your application.)

Section 1 Asks you to give information about yourself that will help the Council to confirm your identity. The City of York Council has a duty to ensure that information it holds is secure and it must be satisfied that you are who you say you are.

Section 2 Asks you to provide evidence of your identity sufficient to enable a search of your stored data. This will take the form of photo-identification documents.

Section 3 Asks you to confirm whether you will accept just viewing the information, or if you want a copy of the information.

Section 4 **You must sign the declaration**

When you have completed and checked this form, take or send it together with the required identification documents, photograph and fee to:

The Head of Network Management, The City of York Council, 9 St Leonards Place, York ,
YO1 2ET .

If you have any queries regarding this form, or your application, please ring the Head of Network Management on (01904) 551414

SECTION 1 About Yourself

The information requested below is to help the Council (a) satisfy itself as to your identity and (b) find any data held about you.

PLEASE USE BLOCK LETTERS

Title				
Surname/family name				
First names				
Maiden name/former names				
Sex (tick box)	<i>Male</i>	<input type="checkbox"/>	<i>Female</i>	<input type="checkbox"/>
Height				
Date of Birth				
Place of Birth	<i>Town</i>			
	<i>County</i>			
Your Current Home Address (to which we will reply)				
	<i>PostCode</i>			
<i>A telephone number will be helpful in case you need to be contacted.</i>	<i>Tel. No.</i>			

SECTION 2 Proof of Identity

Your application must be accompanied by **TWO** official documents that between them clearly show your name, date of birth, current address and evidence of your physical appearance, to confirm your identity, and to enable the retrieval of the appropriate data.

One document must be a copy or original of a photo identification document of yourself. This can be a driving license, passport, armed forces identity card or other approved document.

The second document must confirm the address of the applicant. A utility bill or tenancy agreement will be sufficient. It must show the same name as the photo identification document.

Failure to provide this proof of identity may delay your application.

SECTION 3 Supply of Information

You have a right, subject to certain exceptions, to receive a copy of the information in a permanent form. Do you wish to:

(a) View the information and receive a permanent copy

(b) Only view the information

SECTION 4 Declaration

DECLARATION (to be signed by the applicant)

The information that I have supplied in this application is correct and I am the person to whom it relates.

Signed by

Date

Warning – a person who impersonates or attempts to impersonate another may be liable to prosecution.

SECTION 5 To Help us Find the Information

You must provide us with specific details of the location and date/time of the footage you wish to request. We will not be to search the database for you. Requests will be denied if you do not provide sufficient detail to enable the relevant able footage of yourself to be found.

Date and Time of Incident	
Place Incident Happened	
Brief Details of Incident	

*Some incidents may relate to a serious, or criminal offence. The police **must** be informed of such incidents before a subject access request is made. Subject Access Requests may be denied if the request relates to a relevant incident that has not yet been alerted to the police.*

Victims of crime are strongly advised to inform the police of any potential CCTV evidence that they believe may or may not exist.

Footage is stored for 31 days. If you believe the footage you are requesting is likely to fall outside this date by the time your request has been processed, follow the below procedure:

- *Fill in the appropriate forms as normal and apply promptly*
- *Contact the System Operator by telephone on 01904 551 426*
- *Inform the System Operator that you are sending in a Subject Access Request, but believe the footage may have expired by the time it will be processed.*
- *Give the System Operator the times and dates you wish to be temporarily archived to ensure the footage is retained.*
- *Where possible, this footage will then be retained for longer than 31 days for the purpose of reviewing the Subject Access Request.*

Before returning this form**Please check:**

- Have you completed ALL Sections in this form?
- Have you enclosed TWO identification documents?
- Have you signed and dated the form?
- Have you enclosed the £10.00 (ten pound) fee?

Further Information:

These notes are only a guide. The law is set out in the Data Protection Act, 1998, obtainable from The Stationery Office. Further information and advice may be obtained from:

**The Information Commissioner,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.
Tel. (01625) 545745**

Please note that this application for access to information must be made direct to **City of York Council** (address on Page 1) and **NOT** to the Information Commissioner.

OFFICIAL USE ONLY

Please complete ALL of this Section (refer to 'CHECK' box above).

Application checked and legible?	<input type="checkbox"/>	Date Application Received	<input type="text"/>
Identification documents checked?	<input type="checkbox"/>	Fee Paid?	<input type="text"/>
Details of 2 Documents (see page 3)	Method of Payment		<input type="text"/>
<input type="text"/>	Documents Returned?	<input type="text"/>	

Member of Staff completing this Section:

Name	<input type="text"/>	Location	<input type="text"/>
Signature	<input type="text"/>	Date	<input type="text"/>

Appendix C

Pre-approval list for access to CCTV Monitoring Rooms

Persons	Reason For Approval
CoYC employed Operators	Operation of The System
Police Inspector and above, and any Police Officer authorised by a person of that rank	Accountability
Any member of the Lay Visitor Scheme	Audit / Assessment
North Yorkshire Police CCTV Liaison Officer	Liaison
North Yorkshire Police Traffic Management Liaison Officer	Liaison
Maintenance Contractors appointed to maintain equipment within the monitoring room	Maintenance
North Yorkshire Police Premises Officer	Fabric Maintenance of the room
Assistant Director of City Strategy – Development and Transport	System Owners Representative
Police Officers with pre-booked appointments for collection of recorded material	Collection of Recorded Material
Police Officers with pre-booked appointments for review of recorded material	Review of Recorded Material

Appendix D

**City of York CCTV System
Visitors Declaration of Confidentiality**

I,

have been granted temporary access to part or whole of the CCTV system and monitoring room.

I hereby declare that:

I understand that it is a condition of my access that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the CCTV System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the CCTV System).

In appending my signature to this declaration, I agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future.

I further acknowledge that I have been informed and clearly understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my access may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.

Signed: Print Name:

Witness: Position:

Dated this day of (month) 20.....

Appendix E

**City of York CCTV System
Operators Declaration of Confidentiality**

I,, am retained by the City of York to perform the duty of CCTV Control Room Operator/have as part of my normal duties from time to time to use the CCTV equipment provided as part of The City of York CCTV system (delete whichever is not appropriate)

I have received a copy of the Code of Practice in respect of the operation and management of that CCTV System.

I hereby declare that:

I am fully conversant with the content of that Code of Practice and understand that all duties which I undertake in connection with the City of York system must not contravene any part of the current Code of Practice, or any future amendments of which I am made aware. If now, or in the future, I am or become unclear of any aspect of the operation of the System or the content of The Code of Practice, I undertake to seek clarification of any such uncertainties.

I understand that it is a condition of my employment that I do not disclose or divulge to any individual, firm, company, authority, agency or other organisation, any information which I may have acquired in the course of, or for the purposes of, my position in connection with the CCTV System, verbally, in writing or by any other media, now or in the future, (including such time as I may no longer be retained in connection with the CCTV System).

In appending my signature to this declaration, I agree to abide by the Code of Practice at all times. I also understand and agree to maintain confidentiality in respect of all information gained during the course of my duties, whether received verbally, in writing or any other media format – now or in the future.

I further acknowledge that I have been informed and clearly understand that the communication, either verbally or in writing, to any unauthorised person(s) of any information acquired as a result of my employment with City of York Council may be an offence against the Official Secrets Act of 1911, Section 2, as amended by the Official Secrets Act of 1989.

Signed: Print Name:

Witness: Position:

Dated this day of (month) 20.....



Community Safety Overview and Scrutiny Committee

21st September 2010

Report of the Director of Communities and Neighbourhoods

Relationship between the Capable Guardian Scheme and the Area Based Working Pilot

Purpose

1. To explain the relationship between the Capable Guardian Scheme and the Area Based Working Pilot.

Background

2. At the previous meeting of the Community Safety Overview and Scrutiny Committee, on 29th June 2010, members asked for a report on the relationship between the Capable Guardian Scheme and the proposed Area Based Working Pilot.

Capable Guardian Scheme

3. A report on the Capable Guardian Scheme was presented to the Executive Leader Decision Session on 7th September 2010. This report outlines the concept of the Capable Guardian Scheme, and the wards within the city to which it applies. The report is attached at **Annex One**.

Area Based Working Pilot

4. A report on the proposed Area Based Working Pilot was presented to the Executive on 20th July 2010. This report outlines the concept of area based working and the areas to which it is proposed to apply. The report is attached at **Annex Two**.
5. The Executive approved the report, and extended the period of the pilot to 12 months. The pilot will therefore commence in September, and run to September 2011.

Comparison

6. The two schemes have similarities, but also significant differences:
 - The Capable Guardian Scheme is solely focussed on a discrete number of partner organisations (primarily the police and CYC) working together to help

and deal with anti-social behaviour. It is also 'restricted' to those specific wards in the city that have historically exhibited a higher incidence of anti-social behaviour than other wards.

- The Area Based Working pilot is a 'geographic' area of the city, made up of wards comprising a rural/urban mix. The purpose is for a wide number of partner organisations and the voluntary sector to work together to identify and prioritise the services they deliver in the area, and to see whether, by combining efforts, they can collectively deliver some services in a more efficient way. The efficiencies may be financial, or non-financial or an ability to provide the same service in a different way, or even provide new services as a result of an identified community need.
7. Where there are similarities in relation to anti-social behaviour priorities in an area that is covered by the Capable Guardian Scheme and Area Based Working (Westfield being the only area), then both schemes will work together with Capable Guardian being part of the wider partnership working.
 8. Where Area Based Working and Capable Guardian are not in the same area, then the Capable Guardian scheme and Area Based Working will run independently.
 9. Clearly should Area Based Working be adopted city-wide, after the pilot has evaluated and reported back to the Executive, then the Capable Guardian Scheme is likely to be part of the general closer partnership working that will be a cornerstone of Area Based Working.

Contact Details

Author:

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(Neighbourhoods & Community
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Communities and
Neighbourhoods
Tel no. 01904 551811

Chief Officer responsible for the report:

Andy Hudson
Assistant Director (Neighbourhoods & Community
Safety)

Report Approved **Date** 23 August 2010

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None

Annexes

Annex One: Decision Session – Executive Leader Report 7th September 2010
Update on Capable Guardian Scheme

Annex Two – Executive Report 20th July 2010: Area Based Working Pilot



Report of the Director of Communities and Neighbourhoods

7 September 2010

Decision Session – Executive Leader

Update on Capable Guardian Scheme – Information Only Report

Summary

1. The purpose of this report is to update members on the progress of the Capable Guardian scheme.

Background & Context

2. The Capable Guardian scheme is about partner organisations working together to act as the 'eyes and ears' within the community, to address and prevent anti social behaviour, and to improve public confidence. Whilst some of this work is already happening, the actions, and the sharing of information to address and report anti-social behaviour are not fully coordinated. The Capable Guardian scheme aims to improve this and thus build safer, stronger communities, and to improve public confidence.
3. A pilot was run in the Westfield ward in April 2008. The pilot was evaluated by the Safer York Partnership (SYP) team. The results of that pilot indicated that:
 - a. Overall the Capable Guardian scheme had been received extremely positively by the community.
 - b. The Capable Guardian scheme had achieved visibility in the Westfield area.
 - c. Monthly meetings provided a clear focus for the partnership working at ward level.
 - d. Issues were dealt with more promptly as those involved in each service area could share information and discuss options to resolve problems.
 - e. There was stronger partnership working between ward based agencies.
 - f. There were Improved communication at ward level.
4. The Capable Guardian pilot scheme was widened to include the neighbouring wards of Dringhouses and Woodthorpe in December 2008.

5. A decision to extend the Capable Guardian scheme to other areas in the city that have high incidences of anti social behaviour, and to provide temporary resources to assist with this initial work as part of the PREVENT co-ordinators role was taken by the Crime and Disorder Reduction Partnership (CDRP) (Safer York Partnership Board) at a meeting on 14 December 2009.

Extension to Other areas of the City of York

6. The Capable Guardian scheme will be maintained in Westfield, Dringhouses & Woodthorpe and will be rolled out to 4 other wards with high incidences of anti Social behaviour during 2010. These are Clifton; Guildhall; Heworth; and Hull Road.
7. The nominated Capable Guardians from each service area within the council and partners are:
 - Environmental Protection Unit
 - Neighbourhood Management officers
 - Youth Services
 - Estate Officers from Housing
 - Local Councillors
 - Group Response
 - Mediation Services

Working in partnership with:

- Police safer neighbourhood team
- NY Fire and Rescue
- Local school head teachers

Progress

8. The Capable Guardian schemes are at different stages of being established.
9. Westfield, Dringhouses and Woodthorpe, Heworth and Clifton schemes are now in operation. Guildhall and Hull Road have had initial meetings and are currently in discussion with the Capable Guardian partners in order to determine how the scheme will be managed.

Consultation

10. Consultation and discussions have taken place with all the respective Ward Councillors, Police, Neighbourhood Management officers, Housing ,Street Environment officers, Environment Protection Unit officers and SYP. Due to the nature and characteristics of the anti social behaviour experienced within each ward and existing and preferred methods of dealing with issues, the Capable Guardian 'model' of operation is not intended to be prescriptive. The operation of the scheme will vary in format between wards according to locally agreed preferences, the key element being the way partners work together and achieve outcomes.

Monitoring / Evaluation

11. The monitoring of each Capable Guardian scheme at ward level will be undertaken by each Capable Guardian group against locally agreed priorities.
12. The 'actions' and outcomes will be reported by the respective groups to the SYP anti-social behaviour co-ordinator, and the outcomes will be evaluated annually. Surveys will be developed to give an indication of whether the scheme has influenced the levels of public confidence in the local authority and police working together, (a key national performance indicator).

Corporate Strategy

13. The Capable Guardian Scheme supports the 'Safe City' element of the corporate strategy.

Implications

14. The rollout of Capable Guardian is being led by the PREVENT co-ordinator as part of that officer's remit. This post terminates in November, and as such a key element of the implementation is that the wards which have adopted the scheme are able to take ownership of it, and provide resource within the existing ward partnership framework so as to ensure it is self sustaining.

Risk Management

15. There are no risks associated with this paper.

Conclusions

16. Members are asked to note the report.

Reason: So that members are informed of the progress of the Capable Guardian scheme.

Contact Details

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Jackie Jackson
PREVENT Coordinator
Neighbourhood Management Unit
Communities & Neighbourhoods

Tel no: 551802

Chief Officer Responsible for the report:

Andy Hudson
Assistant Director
(Neighbourhoods & Community Safety)

Report
Approved



Date 18 August 2010

Wards Affected:

Clifton
Dringhouses and Woodthorpe
Guildhall
Heworth
Hull Road
Westfield

For further information please contact the author of the report

Background Papers:

Capable Guardian scheme report to CDRP Board on 14 December 2009.

Annexes:

None.



Executive

20 July 2010

Report of the Director of Communities and Neighbourhoods

Area Based Working Pilot**Summary**

1. This report seeks approval for an area based working model to run as a pilot for a minimum of 6 months. The model will introduce enhanced neighbourhood management support arrangements dedicated to the area, and be designed to develop wider partnership working and more integrated service delivery through intelligence led decision making and enhanced neighbourhood action plans. The pilot will be evaluated throughout the period with a report back to the Executive in March 2011 in order for members to determine whether to continue the model and widen the scheme to the rest of the city.

Background

2. At a meeting of the Executive on 7 July 2009 (Agenda item 9), members received a report relating to the proposal to adopt a new model for street level services and to move to area based working.
3. Members resolved:
 - (i) *“That the principle of area based working be supported, and*
 - (ii) *“That a further report be received, outlining the details of areas ...”*

Area Working

4. Area working of street level services has been adopted by a number of councils across the country. This approach generally involves resources being deployed and managed on a geographic area basis, and it was this concept which was originally envisaged. This can prove effective for local authorities with the budgets, staff and physical resources to enable them to disaggregate services to an area level, particularly where the geographic area of the authority is so large that it creates efficiencies to do so. However, upon analysis, it was quickly established that it would not suit the needs of City of York Council for a number of key reasons:
 - The geographically compact nature of the city does not lend itself to an efficient disaggregation of services to area level. There would inevitably be a duplication of resources which would not be offset by increased efficiencies
 - Reduction in an ability to achieve any significant economies of scale within the current More for York neighbourhoods blueprint

- Potential for a dilution of current standards resulting in uneven service quality across neighbourhoods
 - Dilution of expertise and knowledge
 - Significant additional training implications
5. Since the 7 July 2009 Executive meeting, the organisational review has merged the Directorate of Neighbourhood Services with Leisure, Culture and Housing Services, including corporate responsibility for the managing the Equalities Unit and for voluntary sector liaison. The new Communities and Neighbourhoods Directorate now has 23 service areas and 2553 staff. The original concept of area based working was that it would involve all street level council services across a number of directorates. However, the new directorate has sufficient street level services within it to provide the opportunity to test any modification of delivery of these and other services which arise during the period of the pilot.
6. It is therefore proposed that a new model of area working is adopted, based around an enhanced strategic co-ordination role at local level, led by a dedicated neighbourhood management team. This will maintain the existing methods of service delivery, without the need to disaggregate services into geographic areas, but will allow the opportunity for a range of services to be shaped and improved through more co-ordinated working with internal and external partners, and by enhanced voluntary sector and community engagement.

Proposed Area Working model

7. York has a long standing tradition of involving local communities in decision making through the ward committee system. New and enhanced neighbourhood management support arrangements would see a dedicated neighbourhood management team for the pilot area working closely with members, service providers, partners, and the voluntary sector. The team will draw on the best practice from ward committees and ward planning meetings and develop the engagement of a wider range of partners within the area to provide a more cohesive, and efficient approach to service delivery. They will give service providers greater understanding of local communities needs, aspirations and expectations, and through closer working identify efficiencies and reduce duplication.
8. The dedicated neighbourhood management team within the pilot area will consist of a neighbourhood manager, two neighbourhood management officers, an engagement officer and a support officer. They will essentially be an interface between the community and the services delivered within the wards from a wide variety of providers. As well as continuing to administer ward committees, monitor the progress of local schemes and maintain the existing local democracy arrangements, the team will have a number of additional roles:
- To undertake ward audits and identify the extent of local provision such as the number of voluntary and community groups, local activities and physical assets:
 - To develop ward profiles using intelligence from the ward audits which will contain data and information that will provide much needed information to wards on which to identify community need and build customer choice.

This information will be supplemented by the results of the neighbourhood action plan refresh which will provide insight into the aspirations of local communities and help develop new ward level priorities.

- To liaise with elected members, the community, internal departments and partners and use the ward audits and local intelligence to determine what services are being provided by whom, and to identify and address gaps.
 - To liaise with service providers be a 'broker' of activity across a ward to maximise or provide new service delivery and improve efficiency.
 - To expand the engagement of local partners at a ward level to work with and support communities. The City Partnership Conference 20 May 2010 resulted in a commitment to this model from a wide range of partners and we expect to realise that commitment, shaping the membership of each partnership in line with the needs and aspirations of the local community, and led by the locally elected member for the ward. Closer links to the Local Strategic Partnership team will be established to ensure that community need and aspirations informs and shapes the development of new strategies for York.
9. The management and staffing arrangements to support area working will be drawn from experienced officers within the current Neighbourhood Management Unit (NMU). The associated backfilling and support costs can be borne from within existing NMU base budgets.
10. Examples of the nature and type of activity that the team may be involved in, and the outputs that might be anticipated are provided at **Annex One**.

Ward Members

11. The existing ward committee structure and ward team planning meetings would continue, as would the current devolved budget and decision making process. A key role of the dedicated neighbourhood management team within the pilot area would be to enhance the ability of members to make more informed choices and to engage with a wider sector of their community. The officers would assist members to do this by encouraging partners and voluntary bodies to attend ward planning meetings, and to identify how they can work together, so members can have an enhanced role in targeting services to meet local need and local choice.
12. If the pilot scheme is approved, officers from the neighbourhood management unit would hold a series of briefing sessions for the members within the pilot area prior to the launch, to ensure thorough consultation has taken place and there is a full understanding of how the model will operate.

Length of pilot

13. It is proposed to implement the area working model as a pilot for a minimum of 6 months. If the arrangements are approved, the pilot would commence during September 2010. A report would be brought back to the Executive in March 2011, in order to determine whether to continue with the arrangements and expand it to other areas of the city.

Evaluation

14. The pilot would be evaluated throughout the trial period. The evaluation criteria would be discussed with, and agreed by members in the pilot wards, as the nature of evaluation might differ in particular wards, but as a minimum it would measure the following outcomes:
 - Service delivery more accurately reflecting the needs of local communities. The pilot will improve service delivery and create both quantitative and qualitative efficiencies.
 - Partnership working within the wards has increased, and that partnership membership is appropriate to the activity that is required to deliver the priorities within the neighbourhood action plans.
 - New, more informed and focussed neighbourhood action plans are driving service delivery at a ward level and partnership members are working together to deliver outcomes related to the neighbourhood action plans.
 - The number of residents engaging with the local decision making process and informing local service delivery is increasing.
 - Voluntary sector engagement is increased and involved in delivering local activities.
 - Any financial savings as a result of closer partnership working.
 - Any 'non-cashable' added value activities arising from enhanced partnership and voluntary sector engagement.
15. Members would be a key part of the ongoing evaluation process and play a crucial role in the evaluation of the pilot prior to the final report being submitted to the Executive.

Governance

16. The project will be managed from within the Neighbourhood management Unit. However a project board will be established to oversee progress and it is anticipated this will contain representatives from key organisations within the Partnership.

Which Areas?

17. York is made up of twenty-two wards and there are eighteen ward committees in total, as eight wards have joint ward committees.
18. Wards which might form the pilot area were identified based on a number of criteria:
 - Those that contain areas of deprivation and perhaps lend themselves to drawing down external funding and those wards which do not.
 - Their adjacency to each other in order to provide a geographic focus for all service deliverers across the wards to more easily work together on a regular basis to ensure that day to day delivery is improved.

- An area that covered both rural and urban communities.
19. It is therefore proposed that the wards which will comprise the pilot area are: Acomb, Dringhouses and Woodthorpe; Holgate; Micklegate; Rural West and Westfield. A map showing the extent of the area is attached at **Annex Two**.
 20. During the pilot period service providers will be encouraged to use Acomb Explore (Library) as a hub which will provide facilities for hot desking, and space for meetings and networking to discuss ward issues and explore the potential for influencing day to day service delivery.

Remainder of City

21. The NMU will continue to support the wards within the remainder of the city. The posts vacated by officers seconded into the area working pilot would be backfilled such that there will be no adverse impact of existing service provision.

More for York

22. The area working concept supports the Communities and Neighbourhoods blueprint vision within the More for York programme. The More for York business case within the blueprint refers to a cross partnership approach and supporting communities to achieve their ambitions set out in the neighbourhood action plans. Area working responds to the blueprint vision, which states that:

“...It will deliver services at a neighbourhood level to meet the needs of individual communities and areas, by encouraging local ownership and contribution of resources by allowing residents to exercise control through local democratic frameworks”.

23. It goes on to say that the development and transformation of the service will be underpinned by a number of principles which include the development of:

“...Customer and member centric services, use of management information to develop schedules, area based management and service provision, partnership working and generic roles”.

24. The concept is also supported from experience gained through the Kingsway West Area Action project. The evaluation of this project stated that, ‘*Multi agency co-operation*’, was seen as a driving factor behind this success and goes on to recommend ‘*engagement with residents from the outset so that they are empowered to define areas of need and prioritise issues*’.
25. The additional costs associated with the pilot to provide backfilling and necessary support costs will be met from the CAN base budget. The directorate finance manager will work closely with the Head of Neighbourhood Management to identify and track any efficiency savings. The pilot will also identify any ‘non-cashable’ added value activities arising from enhanced partner and voluntary sector engagement. Regular reports will be submitted to the More for York Board on progress.

Consultation

26. Members whose wards would lie within the proposed area working model were formally consulted on 1st July 2010, and comments were requested by 7th July 2010. No comments were submitted at the time of the report. Should any comments be received before the executive, meeting, these will be given verbally

Options

27. **Option A.**
To approve the operation of an area based pilot model to run for a period of approximately 6 months, in the wards identified at para 19.
28. **Option B.**
To approve the operation of an area based pilot model to run for approx 6 months, in a different configuration of wards than those identified at para 19.
29. **Option C.**
Not to approve the operation of an area based pilot.

Analysis

30. Option A would enable area working to be piloted in a cluster of wards with adjacent boundaries that consisted of urban and rural communities and differing economic profiles.
31. Option B would require a differing cluster of wards with adjacent boundaries to be selected.
32. Option C would cease the concept of examining area working.

Corporate Priorities

33. The concept of area working supports the 'Effective Organisation' element of the Council's corporate priorities by promoting efficiencies through greater partnership working and more effective targeting of resources with greater customer influence.

Implications

- (a) **Financial:** The pilot will be funded from within the CAN base budget and the More for York efficiency programme
- (b) **Human Resources:** The management arrangements will require temporary secondments and some backfilling of posts within NMU. Staff have been consulted and the secondments and staffing arrangements will be undertaken within existing HR policies and procedures.
- (c) **Equalities:** None
- (d) **Legal:** None

- (e) **Crime and Disorder:** None
- (f) **Information Technology (IT):** None
- (g) **Property:** None
- (h) **Other:** None

Risk Management

34. There are no perceived risks in operating the pilot area working proposals.

Recommendations

34. The Executive is requested to approve the implementation of the area working pilot comprising the wards identified at paragraph 19 from September 2010 for a minimum of 6 months, and for an evaluation report to be brought back to the Executive in March 2011 in order for members to determine whether to continue the model and widen the scheme to the rest of the City.

Reason: To provide the scope for delivering improved services at a neighbourhood level by introducing enhanced neighbourhood support arrangements and working closely with a wider range of partners and the voluntary sector.

Contact Details

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Chief Officer Responsible for the report:

Sally Burns
Director of Communities & Neighbourhoods

**Report
Approved**



Date 07/07/2010

For further information please contact the author of the report

Background Papers:

'Street Level Services and Area based Working' report to Executive 7 July 2009.

Annexes

Annex One: Examples of activities and outcomes.

Annex Two: Map showing geographic area of the pilot.

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Community Safety Overview & Scrutiny Committee

21 September 2010

Scrutiny Topic Assessment – Review of CYC Taxi Licensing Policy**Purpose of Report**

1. This report presents information on a proposed scrutiny review of the council's current Taxi Licensing Policy, and asks Members to decide whether or not to proceed with the review.

Background

2. This topic was registered by Councillor Gillies as Chair of the Licensing & Regulatory Committee, following a number of recent meetings where the committee made decisions based on the council's current Taxi Licensing Policy which highlighted aspects of the policy open to interpretation. Members of the Licensing & Regulatory Committee are fully supportive of a review of the policy to ensure it remains robust and fit for purpose.
3. In August 2010, to support Councillor Gillies with registering the topic, a meeting was held with senior officers to discuss issues around the current policy and the potential scope of this review, resulting in a topic registration form being produced - see Annex A.
4. This topic falls within the remit of this Overview & Scrutiny Committee and supports a number of the aims of the council's Corporate Strategy i.e. to make York a thriving city with a successful economy and a safer city.
5. Nationally, each authority sets its own policy based on its own specific requirements. For example, some authorities have previously regulated the colour of taxis – and some of these authorities have since de-regulated. There would therefore be little to be gained by looking in detail at the Taxi Licensing Policy in place elsewhere, instead the review would be better informed if it were to focus on the Department for Transport's 'Best Practice Guidance for Taxi & Private Hire Licensing'.
6. The council's Licensing Unit have a deadline of Spring 2011 for reviewing the council's current Taxi Licensing Policy with respect to restrictions on the number of hackney carriage vehicle licences it issues, and would welcome the scrutiny review as a way of achieving the revision of this policy within that timeframe.

CYC Current Policy & Associated Issues

7. The principal aim of a taxi licensing policy is to protect the travelling public and to ensure there is adequate provision accessible to all who require the services.

8. The industry is divided into hackney carriage and private hire. Hackney carriages trade from ranks, can be hailed in the street and accept pre booked work. Private hire vehicles must be pre booked through an operator.
9. In both cases vehicles are licensed with locally determined conditions. Drivers are also licensed and their suitability is also determined against locally set criteria. In York, applicants are issued with guidance notes with the application form, detailing all the requirements of this authority.
10. In respect of licensed vehicle numbers a licensing authority cannot limit the number of private hire vehicles it licenses, and market forces regulate the provision. There are currently 596 licensed private hire vehicles operating in the city. Licensing authorities can however impose a limit on the number of licensed hackney carriage vehicles provided there is no unmet demand for such vehicles.
11. The current policy of this council is to limit the number of hackney carriage vehicle licences it issues. There are currently 176 licensed vehicles and this policy was set in by the Licensing and Regulatory Committee in May 2008 following a survey of unmet demand. At that time, 15 new hackney carriage vehicle licences were issued and it was determined that from the 1st July 2009 a further 2 licences would be issued every 6 months and it was agreed that further surveys would be undertaken every three years.
12. In guidance issued to local licensing authorities by the Department for Transport (Best Practice Guidance for Taxi and Private Hire Licensing) it states that it is best practice not to impose any quantity restrictions. 74% of authorities do not have any quantity restrictions.
13. It is the effect of the restriction policy and other issues that led to the Chair of Licensing and Regulatory committee requesting this review.

Consultation

14. It is recognised that if a decision is taken to proceed with a review of the council's Taxi Licensing Policy, any consideration of deregulation would need to be justified to be a proper appraisal of evidence, objectively collated, preferably by use of external consultants. The following parties would need to be involved / consulted as part of the review:
 - Taxi Licence Proprietors
 - Taxi Drivers
 - People on waiting list for a hackney vehicle licence
 - CYC Highways officers
 - CYC Licensing Unit officers
 - CYC Legal officers
 - Police

Suggested Way Forward

15. At this stage, based on the information provided in this report, the Committee have a number of options They may choose to:

- a) Proceed with the review – if this is the preferred option, the Committee will have a number of further decisions to make in regard to the review:
- As the Chair of the Licensing & Regulatory Committee is also a member of this overview and scrutiny committee, it is suggested that the committee as a whole does not carry out the review. Instead, that a Task Group (made up of other members of this committee) be formed to carry out the review and propose any resulting recommendations.
 - Agree a remit for the review – see suggested remit at Annex B
 - Having agreed a remit for the review, this committee may choose to set the workplan for the review or allow the Task Group to agree their own specific methods for carrying out the review
- b) Request a more detailed assessment report on the topic which includes a suggested workplan for the review, before deciding whether or not to proceed with the review.
- c) Agree not to proceed with the review - as officers need to review the council's current policy on the issue of hackney vehicle licences anyway by Spring 2011, rather than carrying out a full scrutiny review of the topic, this committee could be consulted at suitable stages of the officer review, and before the revised policy is finalised and presented for approval to the relevant Executive Member / Executive.

Options & Associated Implications

16. Option A - There are no known Financial, or HR, implications associated with carrying out the suggested review. There will however be some legal requirements to which the Scrutiny will need to have regard, and the scrutiny panel will be advised of these in due course. A focussed remit with fixed objectives increases the potential for a successful scrutiny review, thereby maximising the benefits from the review and justifying the use of resources.
17. Options B & C - It is understood that Members of the Licensing & Regulatory Committee feel of the current policy, in implementation would benefit from an early review, and therefore wish to see that the policy be reviewed as soon as possible.

There are no known HR or other implications associated with not carrying out the suggested review.

Risk Management

18. There are no known risks associated with the recommendations made within this report.

Recommendations

19. Having considered all of the information in this report and its annexes, it is recommended that the Committee:
- i. set up a Task Group to carry out a review of the council's Taxi Licensing Policy
 - ii. agree a remit and timeframe for the review
 - iii. instruct the Task Group to agree a workplan for the review

Reason: To ensure compliance with scrutiny procedures, protocols and workplans.

Contact Details

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Scrutiny Services
Tel No. 01904 552063

Chief Officer Responsible for the report:

Andrew Docherty
Head of Civic, Democratic & Legal Services

Assessment Report Approved



Date

9th September
2010

Specialist Implications Officer -

Name Dick Haswell
Title Licensing & Bereavement Services Manager
Tel No. 551515

Wards Affected:

All



For further information please contact the author of the report

Background Papers: N/A

Annexes:

Annex A – Topic Registration Form
Annex B – Suggested Remit For Review



SCRUTINY TOPIC REGISTRATION FORM

PROPOSED TOPIC: Review of CYC Taxi Licensing Policy

COUNCILLOR(S) REGISTERING THE TOPIC: Cllr Ian Gillies

(as Chair of Licensing & Regulatory Committee)

SECTION 1: ABOUT THE TOPIC

Please complete this section as thoroughly as you can. The information provided will help Scrutiny Officers and Scrutiny Members to assess the following key elements to the success of any scrutiny review:

How a review should best be undertaken given the subject

Who needs to be involved

What should be looked at

By when it should be achieved; and

Why we are doing it ?

Please describe how the proposed topic fits with 3 of the eligibility criteria attached.

As a general rule, topics will only proceed to review if they meet 3 of the criteria below. However, where it is adequately demonstrated that a topic is of significant public interest and fits with the first criteria but does not meet 3, Scrutiny Management Committee may still decide to allocate the topic for review. Please indicate which 3 criteria the review would meet and the relevant scrutiny roles:

	✓	Policy Development & Review	Service Improvement & Delivery	Accountability of Executive Decisions
Public Interest (ie. in terms of both proposals being in the public interest and resident perceptions)		✓	✓	
Under Performance / Service Dissatisfaction				
In keeping with corporate priorities				
Level of Risk		✓		
Service Efficiency				
National/local/regional significance e.g. A central government priority area, concerns joint working arrangements at a local 'York' or wider regional context				

Set out briefly the purpose of any scrutiny review of your proposed topic. What do you think it should achieve?

If you have not already done so above, please indicate in response to this, how any review would be in the public or Council's interest e.g. reviewing recycling options in the city would reduce the cost to the Council for landfill

The aim of the review would be to ensure the Council has a robust Taxi Licensing Policy which will:

- stand up to legal challenge;
- be fit for purpose;
- provide the levels of taxi provision across the city to residents' demand

Please explain briefly what you think any scrutiny review of your proposed topic should cover.

This information will be used to help prepare a remit for the review should Scrutiny Management Committee decide the topic meets the criteria e.g. How much recycling is presently being done and ways of increasing it

The provision and use of taxi ranks across the City

Reviewing the application form and other documentation required for a taxi license

Consideration of the pros and cons of 'de-regulation'

the Colour of Hackneys, i.e. should they all be black?,

The design and number of identification plates. (private hire have two, hackneys one), and the size of identification plates (ours are small in comparison to those of Harrogate and Leeds)

The number of hackney licenses

The availability of taxis suitable for use by the disabled

Rules around the testing of vehicles used as taxis – methods and periods

Consideration of best practice guidance from the Dept for Transport

Please indicate which other Councils, partners or external services could, in your opinion, participate in the review, saying why.

Involving the right people throughout the process is crucial to any successful review e.g. CYC Commercial Services / other local councils who have reviewed best practice for recycling / other organisations who use recycled goods

Taxi Proprietors
CYC Licensing Unit,
CYC Highways Officers
CYC Legal Officers
NYP

Explain briefly how, in your opinion, such a review might be most efficiently undertaken?

This is not about who might be involved (addressed above) but how the review might be conducted e.g. sending a questionnaire to each household to gather information on current recycling practices and gathering information on how recycling is carried out in Cities similar to York

Comparison of the council's current policy against the best practice guidance provided by the Dept for Transport
Consideration of the issues specific to this city that a revised policy would need to take into account

Consideration of the pros and cons for the city arising from de-regulation
Meetings with:

- Taxi Proprietors to gather their views on current policy and de-regulation
- Meeting with Highways officers to gather information pertaining to current taxi rank sites and any suitable additional sites across the city
- Meeting with Police to understand any concerns they may have with the current numbers of taxis in the city and any increase in the number of taxis and/or the number of taxi ranks
- Legal Officers to understand the legal issues arising from the current policy

Estimate the timescale for completion.

Please circle below the nearest timescale group, in your estimation, based on the information you have given in this form.

3-6 months

PLEASE ENCLOSE ANY SUPPORTING DOCUMENTS OR OTHER INFORMATION YOU FEEL MIGHT BE USEFUL BACKGROUND TO THE SUBMISSION OF THIS TOPIC FOR CONSIDERATION.

As Chair of Licensing and Regulation, over the past few meetings we have been asked to make policy decisions regarding several areas of Taxi Licensing, and I believe the time has arrived to examine the current policy in order to update the situation and make it more robust. It is also my belief that we are at risk legally in the implementation of policy and this also needs to be examined. Earlier this week we made judgements on three applications regarding ownership of vehicles, and this again gives the appearance that we are making or adding to policy in a piecemeal way.

I suggested a scrutiny topic was submitted which had the unanimous support of members, - they stated it should be submitted in the name of the Licensing and Regulation Committee.

Review of Taxi Licensing Policy – Suggested Remit

Aim

To ensure the council has an up to date Taxi Licensing Policy which is robust and fit for purpose.

Key Objectives

- i. To consider the future allocation of hackney carriage vehicle licences having regard to the Department for Transport's Best Practice Guidance for Taxi & Private Hire Licensing, in meeting the needs of all potential members of the travelling public
- ii. To examine the provision and usage of taxi ranks in the city
- iii. To examine conditions attached to vehicle licences, in particular with regard to accessibility, emissions, vehicle colour and window tinting
- iv. To look at innovative ways in which the licensed taxi and private fleet may enhance the public transport provision both within the city and in rural communities

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Community Safety Overview & Scrutiny Committee Work Plan 2010-11

Meeting Date	Work Programme
29 June 2010 @ 5pm	<ol style="list-style-type: none"> 1. 2009/10 Year End Outturn Report 2. Safer York Partnership Board Performance Report 3. Report on Safer Neighbourhood Teams Priorities & Public Attitude Survey Results 4. Policing Pledge Report 5. Presentation from North Yorkshire Police by Superintendent Lisa Winward 6. Draft Final Report for Gritting Policy Review 7. Workplan
21 Sept 2010 @ 5pm	<ol style="list-style-type: none"> 1. First Quarter Monitoring Report 2. SYP Performance Report 3. Update Report on CCTV 4. Report on Capable Guardian Pilot, and an overview of other initiatives inc. the 'Area Based Working Pilot' 5. Assessment Report on registered scrutiny topic on 'Review of CYC Taxi Licensing Policy' 6. Workplan
30 Nov 2010 @ 5pm	<ol style="list-style-type: none"> 1. Second Quarter Monitoring Report 2. SYP Performance Report 3. Topic Assessment Report for proposed 'Taxi Licensing' scrutiny review 4. Workplan
18 Jan 2011 @ 5pm	<ol style="list-style-type: none"> 1. Workplan
1 March 2011 @ 5pm	<ol style="list-style-type: none"> 1. Third Quarter Monitoring Report 2. Workplan

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