

**SOUTHERN RURAL AREA COMMITTEE
18 MARCH 2010**

***PART 1 – PUBLIC DOCUMENT**

AGENDA ITEM No.

6

TITLE OF REPORT: COVERT CAMERAS & FURTHER DIVERSIONARY ANTI FLY-TIPPING ENFORCEMENT MEASURES

REPORT OF THE HEAD OF POLICY, PARTNERSHIPS AND COMMUNITY DEVELOPMENT

1. SUMMARY

1.1 For the Committee to consider a funding application at a cost of £15,600 for an additional Stealth Covert Camera Kit & further diversionary anti fly-tipping enforcement measures from the Area Committee's Capital Plant & Equipment Visioning and 2009/10 Development Revenue Budgets.

1.2 The system will be an additional Stealth CCTV Covert Camera Kit to complement the two existing tailor made kits currently being deployed by the Council's Enforcement Officers.

This will offer a professional and workable solution to detect & record fly-tipping and generate evidential images via an additional third system of covert cameras & detectors, fit for purpose for low light & rural deployments, using wireless waterproof cameras, PIR detectors, trip sensors, high power battery packs, high resolution camera lens, remote viewing GSM module kit, GPS tracking and recovery module, computer software & additional enforcement/surveillance equipment.

1.3 Additional diversionary measures for Capital funding consideration as part of the funding consideration of £15,600 from the Committee's Capital Plant & Equipment Visioning budget are:

- Movable concrete blocks to facilitate blocking access from the highway to farmland, as the blocks are peripatetic and will be easily moved to areas that may become hotspots by using a special supplied attachment.
- Sunken pyramid style bollards to block large vehicular access.

1.4 Further additional diversionary measures for funding consideration from the Committee's 2009/10 Development Revenue Budget are:

- Metal Signage to erect at key entry points in to the Southern Rural area especially from the North West/Luton areas such as Lilley and Hexton. These costs would need to be funded from the Committee's Revenue budgets as it is not compliant under the Council's Financial Regulations for Capital funding.

- Posters for display on bus networks accessing SR areas. These costs would need to be funded from the Committee's revenue budgets as it is not compliant under the Council's Financial Regulations for Capital funding.
- Stickers and posters for display on existing Veolia fleet of vehicles and possibly existing NHDC fleet of service vehicles in Waste Management & Enforcement. These costs would need to be funded from the Committee's Revenue budgets as it is not compliant under the Council's Financial Regulations for Capital funding.

1.4.1 The costs for the signs, posters and stickers were still being finalised at the time of writing the report and the Committee will be updated of these revenue costs at the Committee meeting.

1.4.2 The Head of Policy, Partnerships and Community Development is currently in discussion with the police in a potential partnership initiative whereby information points could be erected across the district to provide specific information to deter further fly-tipping. The related costs may be provided for this element of the initiative from existing Community Safety funding.

2. FORWARD PLAN

2.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

3. BACKGROUND

3.1 The need for further anti fly-tipping measures to be enforced is as a result of the on-going fly-tipping 'hot spots' across the Southern Rural area of the district. The Visioning Consultation in 2003 identified fly-tipping as an issue and whilst the Council has both existing analogue hard wire and digital peripatetic cameras, the analogue equipment requires high resource maintenance. The additional enforcement equipment is digital and wireless and would not only compliment the existing 2 Stealth CCTV Covert Camera Kits, but only requires the minimum of officer maintenance and resource.

The successful outcome of the two existing Stealth Covert CCTV Kits has resulted in a number of offenders successfully being caught on camera and provided key evidence in successful prosecutions, as well as fines and costs being awarded in court.

In consideration of the officer time taken previously in having to manually sift through rubbish that has been fly-tipped, the availability of a further mobile CCTV system would be advantageous in reducing the previous officer time spent, as officers could rely on evidence of the perpetrator taken at the time by camera of the fly-tipping offence.

This has resulted in recognising that an additional third Stealth Covert CCTV Kit be advantageous, to provide the additional deployment of covert CCTV. This need has been fully endorsed and supported by the Council's Licensing and Enforcement Team.

The successful prosecutions continue to receive widespread media coverage under a 'name and shame' policy of the Authority.

- 3.2 The Community Development Officer, with support from the Council's Enforcement Team officers, has spent a considerable time over recent years researching new equipment which is 'fit for purpose' and the proposed further enforcement measures are considered to be an effective means of preventing future fly-tipping.
- 3.3 The Council's Rural Strategy for North Hertfordshire 2005 – 2010 states 'In March 2004, based on the extensive consultation of the previous year, the Rural Members Working Group determined that one of the rural priorities within the context of the Community Strategy is: Community safety, crime and policing, including vandalism and fly-tipping, as well as extend the use of mobile anti fly-tipping cameras'.
- 3.4 In discussion with officers in the Council's Enforcement Team and the Head of Policy, Partnerships and Community Development, a promotion/advertising campaign to highlight fly-tipping offences, as well as the measures being taken by the Council will be implemented, to also include additional signage at all key Southern Rural fly-tipping hotspots and entry points in to the district.
- 3.5 The ultimate objective in this high profile campaign is to endorse the Council's enforcement stance on envirocrime from 2008 as set out in the H&EHS Statement of Enforcement Policy and Practice document. Whilst 'zero tolerance' is not a legally robust approach to legislative enforcement, the aforementioned policy does explain the decision making process that Members expect the Head of Housing and Environmental Health to take in connection with instituting prosecutions on such matters.
- 3.6 The recent Scrutiny Task and Finish Group on CCTV concluded that the use of mobile surveillance equipment may not represent 'Value For Money' and the Head of Housing and Environmental Health has been charged with writing a report to Cabinet to explore this issue in depth.
- 3.7 The third CCTV Covert Camera Kit and additional diversionary anti fly-tipping measures will further enhance the investigatory capacity of the Licensing and Enforcement Team.
- 3.8 Liaison with partnership involvement with the Environment Agency, Hertfordshire County Council, Hertfordshire Situational Crime Prevention Project and the Fly-Tipping Working Group will ensure a consistent co-ordinated county wide approach regarding the use of any metal signage, posters and stickers for display and promotional purposes in any heightened and focussed campaign.

4. LEGAL IMPLICATIONS

- 4.1 The Committee has delegated powers to spend its Capital Visioning and Development Revenue Budgets.
- 4.2 This project meets the Council's priorities.
- 4.3 At the time of writing the report the comments were awaited from the Council's Acting Corporate Legal Manager & Monitoring Officer. Members will be updated at the meeting.

5. FINANCIAL AND RISK IMPLICATIONS

- 5.1 The Committee has £15,600 remaining within its Capital Visioning Budget. The diminimus limit for items classed as 'Capital Plant & Equipment' is £10,000. The Committee cannot, therefore, apportion an award less than this amount.
- 5.2 The Community Development Officer has received confirmation from the Council's Group Accountant, that the proposed expenditure complies with the Capital Plant & Equipment and Development Revenue criterias.
- 5.3 There are no on-going costs attributable to this equipment, as subject to any failure or faults developing with any of the electronic equipment, this would be covered under the manufacturer's standard one year warranty. Any minor replacement costs due to "wear and tear" will be met from existing budgets.
- 5.3.1 In consideration of this, there will need to be an additional 4 year manufacturer's extended warranty purchased at a cost of £2,000, as outlined in Point 7.2 of the report.

Whilst this extended warranty would be a revenue cost item, it could be funded from the Committee's 2009/10 Development Revenue budget. The overall 5 year period is the recognised industry norm for the life expectancy of this equipment and has been adopted as the norm by the Council.

- 5.4 Whilst the costs of the warranty would be a revenue item and have to be paid in full at the time of purchasing the equipment from the Committee's 2009/10 Development Revenue Budget, the Committee's Development Revenue allocated budget for this specific revenue funding would then be reduced by £500 in each financial year over the next 4 years starting in 2011/12, to comply with the Council's financial and accountancy practice. The Community Development Officer will liaise with Accountancy Services to address this point.
- 5.5 The Council's Risk Manager has been consulted with regard to the Council's Insurance Schedule and Policy. Should any camera unfortunately become damaged or stolen, the repair/replacement costs would be met under the Council's self-insurance provision.
- 5.6 Should the Committee be mindful of supporting the capital elements of the funding request from its Capital Visioning Budget, the Council's Procurement Procedures in line with its Financial Regulations and Practices will need to be followed as the overall costs will fall within these financial measures.
- 5.6.1 The threshold for Procurement Procedures being undertaken is for all funding more than £5,000 net of VAT.

6. CONSULTATION WITH EXTERNAL ORGANISATIONS AND WARD MEMBERS

- 6.1 Consultation has been undertaken with Officers in the Council's Enforcement team to ensure that the equipment is fit for purpose. There is also a corporate view that using additional diversionary anti fly-tipping measures such as signage on the Council's vehicles and on contactors vehicles such as Veolia, would heighten public awareness and potentially encourage increased reports of fly-tipping offences being committed.

7. RECOMMENDATIONS

- 7.1 That the Committee approve £15,600 of its Capital Plant & Equipment Visioning budget to be allocated to further diversionary anti fly-tipping enforcement measures.
- 7.2 The additional Stealth Kit will require an extended warranty of 4 years on the equipment as of 2011, at a cost of £500 per annum, and £300 per annum for 4 years as of 2011 on the optional editing equipment. (These costs are incurred after the first 12 months manufacturer's warranty has expired).
 - 7.2.1 As these additional 4 years warranty costs of £2,000 and editing costs of £1,200 are revenue and not capital items, the total costs of £3,200 would need to be considered for funding from the Committee's Development Revenue Budget and reduced by the apportioned amounts on a 'year by year' basis from the Committee's financial years of 2011/12 – 2014/15.
- 7.3 The Committee approve the costs of metal signage, posters and stickers in support of the highlighted campaign and additional diversionary anti fly-tipping measures. These specific costings were still being assessed at the time of writing the report and the Committee will be updated at the meeting.
- 7.4 The existing scripting implemented by the Council's CSC Team (CSCT) will need to be reviewed to take account of the revised procedures for receiving any anticipated and substantial increase in public calls, to ensure accurate information is being given out and received for any action required.

Additional measures will also need to be in put in place to scrutinise calls to ensure they are genuine and not bogus/hoax calls. This may/could create a greater work load for the CSCT.

- 7.5 The Council's Risk Manager to advise on the 'year on year' insurance costs for the stealth equipment, as the Council will need to cover the total costs of 3 Stealth CCTV Kits on a 'like for like' replacement cost of £12,500 per kit.

The Council does not insure its street furniture such as movable concrete blocks. If they were damaged as a result of someone driving into them this damage would not be covered by the Council's insurance. A claim pursued could be pursued against the vehicle's insurance if the registration number of the vehicle causing the damage is known.

- 7.6 The Council's Licensing and Enforcement Manager to advise the Council's Risk Manager of any manufacturer's increase in replacement costs on a 'year on year' basis during the Council's ownership of the Stealth CCTV Kits.
- 7.7 This is to ensure that the sum insured under the Council's self insurance provision is adequate should the need to replace the Stealth CCTV Kits be required due to any unfortunate likelihood of theft occurring whilst the kits are deployed in the field, or accidental damage occurring.

8. REASONS FOR RECOMMENDATIONS

- 8.1 To meet the Council's priorities under the heading of 'Town Centres 006 National Indicators 21 and continuous Improvements 027'.
- 8.2 The implementation of the 2003 Area Visioning Action Plans which identified diversionary anti fly-tipping measures as a major action.

9. CONTACT OFFICERS

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10. BACKGROUND PAPERS

- 10.1 H & HES Statement of Enforcement Policy and Practice document available on the Council's website: [http://environment and planning/environmental health/enforcement policy/housing and environmental health statement of enforcement policy.htm](http://environment%20and%20planning/environmental%20health/enforcement%20policy/housing%20and%20environmental%20health%20statement%20of%20enforcement%20policy.htm).

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