

Coventry City Council
Minutes of the Meeting of Cabinet Member for Policing and Equalities held at 3.00
pm on Thursday, 7 July 2022

Present:

Members: Councillor AS Khan (Chair)
 Councillor P Male (Shadow Cabinet Member)
 Councillor P Akhtar (Deputy Cabinet Member)

Employees Present:

D Cahalin-Heath, Streetscene and Regulatory Services
G Carter, Law and Governance
G Hood, Streetscene and Regulatory Services
U Patel, Law and Governance

Apologies: Councillor F Abbott (for Minute 39 below)

Public Business

1. **Declarations of Interest**

There were no declarations of interest.

2. **Minutes**

The minutes of the meeting held on 21 March 2022 were agreed and signed as a true record. There were no matters arising.

3. **Petition - Request for CCTV to be Installed in Caludon Park**

The Cabinet Member considered a report of the Director of Streetscene and Regulatory Services which responded to a petition that requested CCTV to be installed at Caludon Park.

The petition bearing 1858 signatures was submitted to the Council in July 2021 and was supported by Councillor F Abbott. The petition read: "We the undersigned petition the Council to provide CCTV coverage for the park to stop our children being assaulted and so that people are no longer afraid to walk through".

In addition, the petition provided the following justification: "After several recent attacks the local community have finally had enough".

Caludon Castle Park is an area of green space within the portfolio of Streetscene and Greenspace. It is a popular and highly valued park which is well used by the local community. The park is a designated Green Flag Park which is an internationally recognised standard of excellence. The Park is situated within the Wyken Ward and is 99,010 sqm in area.

Approximately, 10 years ago, the Parks Service independently purchased two NOMAD camera systems including one for Caludon Castle Park.

These cameras were independent to those managed by ESU or West Midlands Police and were not part of the City Council's core CCTV network. The cameras record images for 72 hours before it is recorded over, therefore, any data has to be downloaded within 72 hours of the incident. This has to be done on site via a laptop with suitable wireless technology and can be transferred to a flash drive memory stick.

If the Police required any recorded footage, they had to apply to the City Council Information Governance Team and would need to provide a completed WA170 Digital Viewing Request form. The Parks Service would be notified and would meet with a designated police officer in the park and using a dedicated laptop, download the required footage. The footage would need to be saved to a memory stick to be kept by the police. This is a laborious and outdated operation and no longer compliant with legislation including BS 7958:2016, the Information Commissioner's CCTV Code of Practice or the Coventry Communications Centre CCTV Control Room Code of Practice for CCT.

There are over 200 green spaces administered by the City Council. The Park Service receive many requests for CCTV to be provided in our parks and green spaces. Such requests would need to be balanced against various considerations such as:

- a. Costs – the estimated cost of installing a new fully compliant CCTV system in the Park is approximately £15,700 (November 2021), with an additional cost of approximately £40,000 to link up the system. This did not include the annual monitoring and maintenance costs for the new cameras. The cost of supplying and monitoring the number of cameras required to monitor the entirety of a large park such as Caludon Castle Park was outside of the Parks Service budget.
- b. Number and severity of reported incidents – overall the number of reported incidents of crime and anti-social behaviour was relatively low. Over the past 12 months, the police had received 24 calls and attended 4 recorded incidents relating to the Park.
- c. Camera effectiveness – it would be impracticable to provide a consistent level of visual surveillance across a natural green space such as a park. In addition, the perpetrators of crime and anti-social behaviour are aware of the limits of CCTV and would take measures to avoid being seen by the cameras. Furthermore, the most frequent time for ASB and crime to occur is in low light conditions such as at night when even new 'starlight' cameras are least effective.

Crime and anti-social disorder does still occur in the park, albeit infrequently and despite the presence of existing CCTV. Even where there are relatively new CCTV cameras installed in other parks around the city, they do not deter crime and anti-social behaviour. That said, all incidents, no matter how minor, are taken very seriously. In an on-going effort to keep crime and anti-social behaviour as low as possible in Caludon Park and other parks across the city, officers worked closely with colleagues in Community Safety and received support from the neighbourhood policing team who provided regular patrols of Caludon Park. In this instance, it was believed that new cameras would not deter anti-social behaviour from occurring within this park and hence cannot justify the cost of providing them.

Furthermore, with the need to comply with the new legislation governing CCTV and the apparent lack of effectiveness of the current cameras, meant that the existing cameras must be removed.

Officers would continue to work with the local police service and community safety team to maintain regular patrols of the park. Work would also continue with local residents to encourage positive use of the park and to consider the creation of a new 'Friends of Caludon Castle' residents' group.

Councillor F Abbott, the petition sponsor was unable to attend the meeting and had submitted comments for the Cabinet Member to consider. She stated that whilst she understood the cost implications of implementing new CCTV in the park, she also fully understood the concerns of the petitioners. She accepted that although the number of reported incidents were small, the serious nature of the incidents that had taken place had left local residents concerned about using the park.

Councillor Abbott further commented that she would welcome the promotion of local people using the park, the more it is used by local residents as a family venue, the safer the park would feel. Furthermore, she added that she would be grateful if officers could liaise with the petition organiser and Ward Councillors to find ways to promote the park for local residents and to identify any other appropriate measures that could be taken to ensure locals feel safe when using the park.

The Cabinet Member having considered the report, the representations made at the meeting and the comments submitted by Councillor Abbott, requested that officers continue to explore and secure all funding opportunities to facilitate the installation of new CCTV cameras in the park.

RESOVLED that, the Cabinet Member:

- 1. Considered the content of the petition and notes the concerns of the petitioners.**
- 2. Notes the number of reported issues of anti-social behaviour recorded at Cauldon Park over the past 12 months.**
- 3. Notes the cost of installing CCTV at Caludon Park is estimated at £15,692.19**
- 4. Notes the park already has CCTV and the limited effectiveness it has in deterring crime and anti social behaviour.**
- 5. Endorses the actions being taken by the Parks Service Team and the Community Safety Team to reduce antisocial behaviour in Caludon Castle Park.**
- 6. Requests officers to liaise with the petition organiser and Ward Councillors to find ways to promote the park for local residents and to identify any other appropriate measures that can be taken to ensure locals feel safe when using the park.**

7. Requests officers to continue to seek out funding opportunities where possible to enable new CCTV cameras to be installed in the park.

4. Licensing - Introduction of a Discretionary Chargeable Pre-application Advice Service

The Cabinet Member considered a report of the Director of Streetscene and Regulatory Services which sought approval to the introduction of a discretionary chargeable service for the provision of pre-application advice for licensing applications, and a check and send service for volume applications.

The Licensing Team (the team) are committed to working with applicants early in the application process to assist them with submitting a valid application and to ensure that the application would be acceptable. The licensing regime is often challenging and could deter some applicants from making an application, so the team proactively encourage pre-application advice as it would provide applicants with clarity and reassurance about their application. In addition, it provided an opportunity for the team to highlight any issues or concerns with the proposals.

Providing pre-application advice prior to an application being made is a discretionary service. Section 111 of the Local Government Act 1972 permits this discretionary service as it is classed as conducive or incidental in relation to carrying out the licensing function.

Currently, the team offers pre-application advice free of charge to applicants who request it. On average, this could take up to an hour and longer if a site visit was deemed necessary.

The team deal with a variety of licensable activities under a range of different legislation, with the following being the most complex and time consuming:

- Licensing Act 2003: new premises, variations, minor variations, transfers, and variation to the designated premises supervisor.
- Gambling Act 2005: new premises, variations and transfers
- Scrap Metal Dealers Act 2013: new and renewals
- Local Government (Miscellaneous Provisions) Act 1972: sexual entertainment venues, sex establishments and street trading consents

Under the licensing legislation, the Licensing Authority is both responsible for the administration and determination of applications and although it has a statutory duty to administer applications, that duty does not extend to the provision of pre-application advice and assistance.

In 2021, the team dealt with nearly 500 applications under the legislation detailed above with the most time-consuming ones requiring some form of statutory consultation with the responsible authorities. It was proposed that the discretionary pre-application fees be applied to applications made under the legislation listed above because those applications tend to be more complex and could potentially require more officer time.

The proposal to introduce a discretionary chargeable pre-application service would be beneficial to the Council and to the applicants. The introduction of fees to formalise the giving of advice would be covered within the costs of running the service as oppose to being at the expense of it.

The level of pre-application advice and the fee charged would be determined by the type of application to be completed. It was proposed that the advice would be charged on an hourly basis depending on the level of support needed by the applicant.

A check and send service would also be made available whereby officers would do a pre-submission validation check to ensure that there were no errors or omissions that may invalidate the application, thus avoiding any delays. This service would be preferable to those who did not require any pre-application advice.

The proposed fees were attached at Appendix A of the report and would be reviewed on an annual basis to determine whether the service could be expanded to cover other types of licence.

It was noted that other authorities were already charging for licensing pre-application advice and a full benchmarking exercise had been undertaken when determining the fees.

The proposal would require a clear separation between officers who would provide pre-application advice and those who would be responsible for the subsequent processing and in some cases, such as minor variations, the determination of an application; to avoid any conflicts from occurring.

Applicants who decided not to take advantage of this service would be signposted to the relevant guidance notes and policies available on the website. And it was important to note that no fees would be charged for straightforward enquiries which could be dealt with quickly either by phone or via email.

Certain premises are exempt from statutory application fees, as set out on the Licensing Act (Fees) Regulations 2005.

Where an application relates to the provision of regulated entertainment only (not alcohol) and where that application was made by or on behalf of an educational institution e.g. a school or a college, or a church, parish or village hall or similar building; no fee is payable on application. Consequently, it was proposed to extend this exemption and not charge for pre-application advice for these premises.

In considering the report, the Cabinet Member agreed to requests that mosques, temples and other places of worship also be included in the exemption noted above.

RESOLVED that, the Cabinet Member:

- 1. Approves the provision of a discretionary chargeable service for licensing pre-application advice.**

2. Adopts the proposed fees set out in Appendix A of the report.

5. Outstanding Issues

There were no outstanding issues.

6. Any Other Business

There were no other items of urgent public business.

(Meeting closed at 3.35 pm)