

[REDACTED]

24 March 2025

Dear [REDACTED]

Thank you for your formal complaint which was received by Kingsbridge Town Council (Council) at its meeting held on 11 March 2025. A resolution was carried to delegate this written response to the Town Clerk and myself in accordance with paragraph 10. of Council's Complaints Procedure.

1. Documents considered.

Your letter dated 17 February 2025.

2. Summary of complaint.

You have alleged that:

- There has been no public consultation for the potential installation of CCTV in Fore Street, Kingsbridge.
- Such a substantial spend warranted a public consultation.
- The council in adopting the proposal for installation of CCTV in Fore Street has not complied with government guidelines reported in the "Surveillance Camera Code of Practice: A Guide for Councillors published by the Surveillance Camera Commissioner".
- A "Privacy Impact Assessment" has not been conducted or published.
- CCTV cameras should only be used in pursuit of a specified purpose in accordance with The Protection of Freedoms Act 2012.
- Council has ignored the requirements of the Localism Act 2011.
- Council has displayed a lack of care, concern and consideration for the opinions, situations, concerns and wellbeing of the residents of Kingsbridge.
- Council has failed to inform the general public of the project that will impact on residents, shopkeepers and visitors privacy in Kingsbridge.
- Council has failed to adhere to the Human Rights Act (Article 8).

### 3. Outcomes sought.

You seek:

- Council's suspension of the expansion of CCTV to Fore Street and any attempt to resurrect or continue the project should be on the grounds that a full Privacy Impact Assessment according to the above Code of Practice be actioned.
- Commitment to a full public consultation steered by the Localism Act and the Human Rights Act.

### 4. Decision.

- Your complaint is Dismissed.

### 5. Reasons for the decision:

There is no legislation which obligates Council to hold a public consultation with the town's citizens before implementing a CCTV surveillance system. Notwithstanding the above, Council recognises that it is good practice to consult upon key proposals. However, given the project is about attempting to stop fly tipping, illegal parking, shoplifting, dog fouling and anti-social behaviour Council did not wish to provide a voice to those people who are committing these acts.

Expenditure has been estimated at £10,000 to £12,000 to install 4 in number CCTV cameras to cover Fore Street from its base to the junction with Duncombe Street. Council considers that this is a fair and reasonable spend of public monies to deter the above current issues.

The Surveillance Camera Commissioner's "Surveillance Camera: Code of Practice: A Guide for Councillors" dated June 2013 available on gov.uk refers to documentation withdrawn in February 2022 i.e. Surveillance Code of Practice June 2013, A Guide to the 12 Principles and Steps to Complying with the 12 Principles. Council's "Code of Practice for the Management and Operation of the Kingsbridge Town Council Closed Circuit Television (CCTV) System" revised December 2024 and available on Council's website refers to, and is compliant with, the revised Surveillance Camera Code of Practice dated November 2021. This document was identified to you on 13 February 2025.

Privacy Impact Assessments were withdrawn in May 2018 and are not defined within the legislation regulated by the Office of the Information Commissioner. However, a Data Protection Impact Assessment (DPIA) is required and was produced by Council in December 2024 and available on Council's website. This followed liaison with our internal auditor and another local council which had recently introduced CCTV. It was produced specifically to earmark the proposed expansion of CCTV to Fore Street (and the Recreation Ground) which was included at paragraphs 2, 3, 4 and at the Notes. This document was identified to you on 13 February 2025.

The specified purposes of Council's CCTV system are reported in our own Code of Practice at paragraph 2. "Statement of Purpose" and repeated within the DPIA at paragraph 3.

We refute that the Localism Act 2011 will be breached and reference to the same is not understood however, the extracts you refer to i.e. "act in a way which secures public confidence in the role of a councillor", "exercise reasonable care and diligence", "subjection to scrutiny and accountability" are all adhered to by Town Councillors.

Council considers that its expansion of CCTV to Fore Street is the polar opposite to your assertion that there has been a lack of care etc. Indeed, this is the fundamental reasoning for the CCTV project; it is because Council cares.

Council published the then draft DPIA verbatim in the agenda for the full council meeting held on 10 December 2024 which identified the proposal for the expansion of CCTV in Fore Street (and the Recreation Ground). The DPIA and proposals were adopted at said meeting.

We refute that the Human Rights Act will be breached and reference to the same is not understood but appears to be based on your privacy rights and that they could be at risk. Council's CCTV system has restricted access, it is not monitored live, retains footage for 30 days only and is only accessed on request from Devon and Cornwall Police for its investigation of incidents. The Code of Practice refers. Should the proposed expansion to Fore Street come to fruition then Devon County Council (illegal parking) and South Hams District Council (fly tipping and dog fouling) are intended to be added to access arrangements.

For information, the latest Annual Review of Council's CCTV system was conducted by the Property & Recreation Committee on 28 January 2025 and their recommendation for it to be sustained, as it was required for the prevention and detection of crime and for protecting the safety of the community, was carried at the full council meeting held on 11 February 2025.

Yours sincerely

A solid red rectangular box used to redact the signature of the councillor.

Councillor Julia Wingate  
Chairman