



## AGENDA

### COMMUNITY COMMITTEE MEETING

Date: Wednesday, 7 September 2022

Time: 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT\*

Membership:

Councillors Cameron Beart, Lloyd Bowen, Steve Davey, Mike Dendor, Oliver Eakin, Tim Gibson, Alastair Gould, James Hall, Nicholas Hampshire, Elliott Jayes (Vice-Chair), Peter Macdonald, Lee McCall, Richard Palmer (Chair), Hannah Perkin and Ken Rowles.

Quorum = 5

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Pages

#### Information for the Public

\*Members of the press and public may follow the proceedings of this meeting live via a weblink which will be published on the Swale Borough Council website.

Link to meeting: To be added.

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#### 1. Emergency Evacuation Procedure

The Chair will advise the meeting of the evacuation procedures to follow in the event of an emergency. This is particularly important for visitors and members of the public who will be unfamiliar with the building and procedures.

The Chair will inform the meeting whether there is a planned evacuation drill due to take place, what the alarm sounds like (i.e. ringing bells), where the closest emergency exit route is, and where the second closest emergency exit route is, in the event that the closest exit or route is blocked.

The Chair will inform the meeting that:

(a) in the event of the alarm sounding, everybody must leave the building via the nearest safe available exit and gather at the Assembly points at the far side of the Car Park. Nobody must leave the assembly point until everybody can be accounted for and nobody must return to the building until the Chair has informed them that it is safe to do so; and

(b) the lifts must not be used in the event of an evacuation.

Any officers present at the meeting will aid with the evacuation.

It is important that the Chair is informed of any person attending who is disabled or unable to use the stairs, so that suitable arrangements may be made in the event of an emergency.

#### 2. Apologies for Absence and Confirmation of Substitutes

#### 3. Minutes

To approve the [Minutes](#) of the Meeting held on 28 June 2022 (Minute Nos. 146 – 152) and the Minutes of the Extraordinary Meeting held on 10 August 2022 (Minute Nos. to follow) as correct records.

#### 4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They must declare and resolve any interests and relationships.

The Chair will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary Interests (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

**Advice to Members:** If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the Meeting.

#### **Part B reports for the Community Committee to decide**

5.	Forward Decisions Plan	5 - 6
6.	CCTV Public Space Policy Review 2022	7 - 26
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**Issued on Tuesday, 30 August 2022**

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about this Committee, please visit [www.swale.gov.uk](http://www.swale.gov.uk)

**Chief Executive, Swale Borough Council,  
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

## Community Committee Forward Decisions Plan

<b>Report title, background information and recommendation(s)</b>	<b>Date of meeting</b>	<b>Open or exempt?</b>	<b>Lead Officer and report author</b>
CCTV public space policy review 2022	07.09.22		Lead officer: Emma Wiggins Report author: Steph Curtis
Rebuild and repairs to churchyard wall at St Peter and St Paul's Church, Lynsted	07.09.22		Lead officer: Emma Wiggins Report author: Martyn Cassell
Coach parking in Sheerness	07.09.22		Lead officer: Emma Wiggins Report author: Martyn Cassell
Member appointment – Council Leisure Service	07.09.22		Lead officer: Emma Wiggins Report author: Martyn Cassell
Domestic abuse policy	01.11.22		Lead officer: Emma Wiggins Report author: Steph Curtis
Community Safety Strategic Assessment	10.01.23		Lead officer: Emma Wiggins Report author: Steph Curtis
Built Facility Strategy (BFS)	01.03.23		Lead officer: Emma Wiggins Report author: Jay Jenkins

Playing Pitch Strategy (PPS)

01.03.23

Lead officer: Emma Wiggins

Report author: Jay Jenkins

<b>Communities Committee Meeting</b>	
<b>Meeting Date</b>	7 <sup>th</sup> September 2022
<b>Report Title</b>	CCTV Public Space Policy Review 2022
<b>EMT Lead</b>	Emma Wiggins
<b>Head of Service</b>	Charlotte Hudson
<b>Lead Officer</b>	Stephanie Curtis, Community Safety Manager
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. That the Communities Committee adopts this refreshed Public Space CCTV Policy.</li> <li>2. That the Communities Committee agree the principles for charges for third-party CCTV services</li> <li>3. That the Communities Committee delegate authority to the Head of Housing and Communities and the Director of Resources to enter into third-party services and to agree the charge on a case by case basis</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report provides an overview of proposed changes made as part of a refresh of the public space CCTV policy and asks for Committee approval.

## 2 Background

- 2.1 The first Swale Public Space CCTV Policy was adopted in April 2020, following the upgrade of the CCTV service, and bringing the monitoring of the service back in-house to our purpose-built control centre.
- 2.2 The Policy discusses the objectives of the system; the policy it must comply with; responsibilities within the Council; deployment of cameras; monitoring and access to images; maintenance; transparency; security; and health and safety. The Policy is also underpinned by a series of operational procedures embedding the principles of the policy in the day to day running of the service.
- 2.3 The Policy was due to be reviewed in 2023, however this refresh was brought forward to ensure that the policy incorporates third party monitoring which would enable income to be generated by the service.
- 2.4 The Policy has also been refreshed to ensure it includes best practise recommended by the National CCTV Group, which has seen some amendments and expansion to a number of existing sections.
- 2.5 Key amendments have also been made as follows:

- With Section 2, the number of objectives of the system has been expanded to reflect the monitoring of camera systems within SBC buildings and therefore their role in supporting staff.
- Within section 4, an additional paragraph has been added in relation to CCTV systems implemented or monitored on behalf of other council teams and the need for those managers to regular liaise with the Control Centre Manager regarding their effectiveness and ongoing justification. This will ensure that the operation of those systems remains compliant with the Surveillance Code of Practice.
- Addition of section 5 in relation to CCTV in third party owned buildings or spaces. This section sets out the process for agreement of installation and/or monitoring of third-party CCTV Systems by the Control Centre. It discusses the commissioning process, ongoing management and principles for fees. Advice has been taken from the national CCTV User Group regarding best practice for Councils on this, to ensure that there is no risk in compliance with the Surveillance Camera Code of Practice to the Council. Third parties will be responsible to ensuring the ongoing justification of these systems and regular reviews will be put into place. Fees would be based upon the level of service required from the Control Centre, which may vary from service to service.
- Addition of section 12 in relation to insurance claims. Over the last 12 months there has been an increase in request for CCTV footage as part of third-party insurance claims (such as road traffic collisions). It has been recommended by the national CCTV User group that a charge is made for these due to the processing time required. It is therefore proposed within this section that Swale BC do start to charge for such an activity. Many other Kent councils do also do this.
- Addition of section 13 to highlight performance monitoring for the service
- Addition of section 14 in relation to possible visits or inspections of the control centre.

### **3 Proposals**

- 3.1 That the Communities Committee adopts this refreshed Public Space CCTV Policy.
- 3.2 That the Communities Committee agree the principles for charges for third-party CCTV services as shown as an appendix within the Public Space CCTV Policy.
- 3.3 That the Communities Committee delegate authority to the Head of Housing and Communities and the Director of Resources to enter into third-party services and to agree the charge on a case-by-case basis.



## 4 Alternative Options

- 4.1 To not approve the refreshed policy – this is not recommended as although the current policy is still valid, it doesn't take into account in particular third-party monitoring which is important if we wished to take on this and bring in income.
- 4.2 To only approve specific sections of the refreshed policy – as the most significant changes to the policy relate to either best practice improvements or the third-party monitoring proposals, a decision could be made to only approve specific sections. This is not recommended as it is felt by officers that all amendments are required as part of this policy refresh to ensure the service meets all requirements, national best practice and is able to bring in income for the Council.

## 5 Consultation Undertaken or Proposed

- 5.1 Consultation has taken place with the national CCTV User Group regarding third party monitoring and best practice.
- 5.2 Consultation took place with Kent Police as part of the creation of the previous version of this Policy. None of the changes made as part of this refresh will impact on the relationship and day to day working with Kent Police and as such consultation on this version has not taken place.

## 6 Implications

Issue	Implications
Corporate Plan	This Policy supports the Corporate Plan priority 'tackling deprivation and creating equal opportunities for everyone' and the objective of 'ensuring that the council plays a proactive role in reducing crime and ASB, including through the modernisation of CCTV provision'.
Financial, Resource and Property	There are no additional finance, resource or property implications in implementing this refreshed policy.  Through the additional sections of the policy for third party monitoring and insurance claims, the introduction of fees would bring in an income for the council. The principles behind these fees are shown as an appendix to the main CCTV Policy. As each third-party contract would need to be considered on a case by case basis, depending on the service requested, its overall fee would need to be agreed by officers. They would also need to consider the commercial element of all third-party contracts over and above cost recovery to the Council in delivering it.

	The Localism Act 2011, part 1 chapter 1 section 3, states that the Council is able to charge for the provision of a service when the service is not statutory, and that the person has agreed to its being provided.
Legal, Statutory and Procurement	<p>There is no Statutory Duty to deliver CCTV. However, Section 17 of the Crime and Disorder Act 1998 places an obligation on local authorities to consider the crime, disorder and environmental issues affecting the local area and ensure their activities do all they reasonably can to prevent them. The implementation and monitoring of CCTV is one such activity delivered by Swale Borough Council that ensures this obligation is met.</p> <p>The Surveillance Camera Code of Practice provides guidance on how all public space CCTV services should be managed. This needs to be borne in mind along with the Data Protection Act.</p> <p>Guidance has been sought from the CCTV user Group regarding any legal implications of monitoring third party CCTV in a public space and impact on compliance with the Surveillance Camera Code of Practice.</p>
Crime and Disorder	The policy details the main objectives of the Public Space CCTV service. These are principally to prevent and deter crime and Anti-Social Behaviour (ASB).
Environment and Climate/Ecological Emergency	No environment and sustainability implications have been identified at this stage.
Health and Wellbeing	The delivery of the Public Space CCTV service seeks to create safer communities - not only in a sense of feeling safer, but also by reducing the risk of physical injury. It also provides a service to protect vulnerable members of the community e.g. those that go missing. The latter is identified as one of the objectives of the service within the Policy.
Safeguarding of Children, Young People and Vulnerable Adults	The delivery of the Public Space CCTV service enables the safeguarding of children, young people and adults through the daily operation of the control centre.
Risk Management and Health and Safety	A risk assessment and other health and safety procedures are in place within the control centre.
Equality and Diversity	No specific implications on groups with protected characteristics have been identified.
Privacy and Data Protection	A privacy notice is in place for the CCTV Service and a DPIA was completed at the time the service was brought back in house.

## **7 Appendices**

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Swale CCTV Public Space CCTV Policy 2022 – 2025

## **8 Background Papers**

No background papers.

## Appendix 1

### Swale Public Space CCTV Policy

Document name:	<b>Swale Public Space CCTV Policy</b>
Version:	Version. 2
Author:	Stephanie Curtis/Sean Smith
Updates:	Refreshed Policy Draft July 2022

## **1. Introduction**

- 1.1 Swale Borough Council operates a public space CCTV system across the borough in its town centres and other locations where there is an identified need due to levels of crime and anti-social behaviour (ASB).
- 1.2 Swale Borough Council is committed to respecting people's rights to privacy and supports the individual's entitlement to go about their lawful business. This is a primary consideration in the operation of any CCTV system operated by the Council.
- 1.3 This document along with individual systems Codes of Practice are designed to give clear guidelines on the Swale Borough Council (SBC) use of CCTV and to protect SBC and its CCTV operators & partners from allegations of misuse of the system and to protect staff and the public from any misuse of the CCTV system.
- 1.4 This policy covers the purchase and use of CCTV equipment and the gathering, storage, use and disposal of visual image data. This policy applies to all staff employed by Swale Borough Council and should be the standard expected from any external agencies or persons who operate CCTV systems on its behalf.
- 1.5 This document should be read in conjunction with the Management & Operational Procedures. Failure to comply with these documents could lead to disciplinary action, which may lead to dismissal and in certain circumstances criminal proceedings against the individuals concerned.
- 1.6 This Public Space CCTV System has been notified to the Information Commissioners Office.

## **2. Objectives of Council CCTV Systems**

- 2.1 Swale Borough Council operates its public space CCTV system in compliance with the Information Commissioners CCTV Code of Practice. This states that CCTV use may be necessary to address one of the following – crime prevention (including ASB); Public Safety; and/or National Security.
- 2.2 The Crime and Disorder Act 1998 places an obligation on local authorities to consider the crime, disorder and environmental issues affecting the local area and ensure their activities do all they reasonably can to prevent them. The implementation and monitoring of CCTV is one activity delivered by Swale Borough Council that contributes towards this obligation as it is one of the regulated authorities that can offer this service to the community.

- 2.3 It is important that everyone and especially those charged with operating the CCTV systems on behalf of Swale Borough Council understand exactly why each of the systems has been introduced and what the cameras will and will not be used for.
- 2.4 Each CCTV system will have its own site or task specific objectives. These will include some or all the following:
- Protecting areas and premises used by staff and the public.
  - Deterring, detecting and recording crime and anti-social behaviour.
  - Assisting in the identification of offenders leading to their arrest and prosecution or other appropriate action / sanction.
  - Reducing violent or aggressive behaviour towards staff and others working for the Council or tenant
  - Reducing fear of crime, anti-social behaviour and aggression
  - Protecting property & assets owned by Swale Borough Council and others
  - Assisting with staff disciplinary, grievance, formal complaints and Health and Safety Investigations.
- 2.5 The CCTV systems will not be used for any other purpose than those set out in this document without prior consultation with the (Swale Borough Council Senior Manager responsible for CCTV) and where appropriate advance notification to staff and following consultation with the Trade Unions and, where appropriate, residents who live in the property. Any novel or nonstandard use of the CCTV cameras will require the approval of the above Manager.
- 2.6 CCTV cameras will not be used to monitor the progress of staff or individuals in the ordinary course of their lawful business in the area under surveillance. Nor are managers permitted to use the cameras to observe staff working practices or time keeping or to assist them in the day-to-day management of their staff without prior approval from HR and when carried out as part of an investigation, or for review of recorded footage.
- 2.7 Staff / Members of the public will only be monitored if there is reasonable cause to suspect a criminal offence or serious breach of discipline, potentially amounting to misconduct has been, or may be, about to be committed and this will only be permitted when authorised by an appropriate manager and may require the use of an additional authorisation(s). Officers should consult the Heads of Legal Services and Human Resources before any such action is taken.

### **3. Legislation**

3.1 In addition to Swale Borough Council policies, procedures, guidelines and Management & Operational Procedures, CCTV and its operation are subject to legislation under:

3.1.1 The Data Protection Act 2018 (DPA).

3.1.3 UK General Data Protection Regulation.

3.1.3 The Human Rights Act 1998 (HRA).

3.1.4 The Freedom of Information Act 2000 (FOIA).

3.1.5 The Regulation of Investigatory Powers Act 2000 (RIPA).

3.1.4 The Protection of Freedoms Act 2012 (PFA)

3.1.5 Information Commissioners Surveillance Code of Practice and 12 guiding principles

### **4. Responsibility**

4.1 The Swale Borough Council Control Centre Manager will act as the CCTV Single Point of Contact (CCTV SPOC) for the Council.

4.2 The role of the CCTV SPOC includes the following.

- Advising the Council managers and elected members on all CCTV related matters
- Ensure that authorised staff use the CCTV system appropriately and taking appropriate disciplinary action if required
- Responsible for liaison with all partners in, and users of, the CCTV system; this includes the supervision of access to any images obtained by CCTV
- Giving guidance and advice on the procurement, specification, operation and maintenance of all CCTV systems used by the council
- Maintaining a register of all CCTV systems operated and funded by the council
- Maintaining a map showing all cameras for access by the public
- Acting as an internal consultant for projects which require the specification of CCTV systems (as charge for this service may be made)

4.3 It is important that the operation of all Swale Borough Council CCTV systems comply with the relevant legislation, policies, procedures, guidelines and

Management & Operational Procedures. This is to ensure that staff operating the CCTV systems, the public and Swale Borough Council are protected from abuse of the CCTV systems. The CCTV SPOC will be responsible for the review of all CCTV documentation relating to the operation and use of the system annually (or as changes occur) and to ensure the information in those documents is up to date.

- 4.4 The CCTV SPOC will be responsible for ensuring that all users are kept up to date on new legislation and changes in procedures and will review the Swale Borough Council Policy and Management & Operational Procedures annually, together with maintaining a central database of all documents relating to the Swale Borough Council CCTV systems.
- 4.5 Staff operating CCTV systems are responsible for operating the equipment in accordance with requirements set out in current legislation, this policy document, guidelines, confidentiality certificates, Management & Operational Procedures and local Operational Manuals. Management must ensure that their training is up to date. They are responsible for bringing any faults or misuse of the equipment to the Responsible Officer's or Control Centre Managers attention immediately for repairs to be arranged.
- 4.6 For any CCTV systems installed or monitored on behalf of other Council departments, the team manager is responsible for liaising with the CCTV SPOC on a regular basis regarding their ongoing use and justification on at least an annual basis.

## **5. CCTV in Third Party Owned Buildings or Spaces**

- 5.1 A number of Swale Borough Council CCTV systems may be located in premises or spaces owned or managed by third parties. These may include private premises, or those public spaces managed by parish councils, partner agencies etc.
- 5.2 Services offered by Swale Borough Council in relation to these systems will be on a case-by-case basis and may include design, installation, monitoring and/or maintenance, upgrades and decommissioning.
- 5.3 There will be a clear understanding between the Council and these third parties as to who is responsible for each element of the system, with a time-defined Service Level Agreement in place.
- 5.4 The third party will always be responsible for the justification of the CCTV system and therefore compliance with the Surveillance Camera Code of Practice, specifically the principle that 'use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need'. Advice will be given by the CCTV SPOC to these third parties on compliance with this code of practice, including though design and ongoing operation.



- 5.5 The CCTV SPOC will meet regularly with all third parties to ensure compliance of the system with the Surveillance Camera Code of Practice.
- 5.6 A fee will be charged to all third parties based upon the level of service from the CCTV Control Centre. This will be tailored for each service provided but will ensure as a minimum full cost recovery for both management and daily operation of their system. All third-party services will be viewed as commercial ventures and costs will be considered inline with benchmarking of other local provision. Appendix 1 details the principles for costings for these services.
- 5.7 The Council has the right to refuse any third party service in relation to public space CCTV.

## **6. Purchase and Deployment of CCTV Cameras**

- 6.1 It is crucial that serious consideration is given to the necessity for CCTV cameras in any given location, and to assess any impact of them on the privacy of individuals using the areas where cameras are to be installed, ensuring compliance with the Surveillance Code of Practice.
- 6.2 Any requests for the installation of public space CCTV must be discussed with the CCTV SPOC. There will be consultation with the Police or other enforcement agencies, to determine if there is the evidence of reported crime or ASB concerns, or another justification for community safety purposes. This will include the volume and frequency of incidents, the risk level of the victim and if they are a repeat victim and if there is under reporting in the area. Consideration will also be given to the other solutions already tried to resolve the problem and how it is felt that CCTV will resolve the problem. If required, there will also be consultation with other partner agencies and communities to determine if there is a legitimate aim and pressing need for the camera.
- 6.3 Before deciding on CCTV cameras as a solution, there is a requirement to look at less intrusive alternatives. If after looking at all the alternatives it is decided that CCTV is the only suitable solution, a clear operational objective for the system and each camera must be identified together with an assessment on the impact on privacy must be carried out. A record of these decisions must be retained for inspection and review every year.
- 6.4 Swale Borough Council will not use CCTV cameras if there are cheaper, less intrusive and more effective methods of dealing with the stated problem. No individual Department or Service will be permitted to purchase or install CCTV cameras until a full Operational Assessment and Privacy Impact Assessment have been completed and presented to the CCTV SPOC for compliance checks and additional input or advice.
- 6.5 Cameras are not to be installed in such a way that they can look into private space such as inside private dwellings.

- 6.6 Cameras should normally be clearly visible and clearly signed. All areas where CCTV is deployed will have suitable signage that is compliant with the CCTV Code of Practice. The signage includes the reasons for the operation of the CCTV cameras and a point of contact for further information.
- 6.7 Covert cameras are not normally to be deployed into areas used by staff or the public (and will in all cases be deployed following a RIPA authorisation). When monitoring on behalf of third parties or within council property, concealed and unsigned cameras may on very rare occasions be deployed in areas of high security where there is no legitimate public access and where staff access is controlled and restricted (for example, an IT server room or secure plant room). Staff who normally work in these areas should, where appropriate, be informed of the location of these cameras (usually by signage), their purpose and where the monitor to view the images is kept.
- 6.8 This policy does not cover the use of Body Worn Cameras; these are covered by a separate policy.
- 6.9 Swale Borough Council does not deploy 'Dummy' cameras as these give a false sense of security to the public who may otherwise have avoided an area not under "real" monitoring.
- 6.10 Council officers are not to purchase cameras that are used for monitoring audio conversations or be used to talk to individuals as this is seen as an unnecessary invasion of their privacy.
- 6.11 There will be a regular review of all deployments of CCTV Cameras to ensure that their necessity remains. The CCTV Decommissioning procedures will be utilised should this need no longer remain. Consultation as part of this will take place with Kent Police and other appropriate partners/community members. When cameras are monitored by the Council on behalf of a third party, the third party will be responsible for this.
- 6.12 The Council operates a small number of mobile CCTV cameras. These are deployed to areas of increased crime/ASB and locations are agreed in conjunction with Kent Police where the need is evidenced. They are deployed for a limited period and their impact is continually assessed.
- 6.13 Should any Council department be considering use of CCTV with a project or delivery of a service; the CCTV SPOC is available to give advice at each stage of the above process. Costs need to be considered for all on-going revenue, maintenance and replacement of the proposed system.
- 6.14 Once authorisation is given to procure new or replacement CCTV cameras, advice should be sought from the Swale Borough Council Procurement Team to ensure that the correct procedures are followed.
- 6.15 It is a requirement under the Information Commissioners Code of Practice and the National CCTV Strategy that any equipment purchased is fit for purpose and

will meet the objectives set down for the scheme. There is also a clear requirement for all CCTV schemes to have an effective maintenance schedule and to be operated in accordance with the Code of Practice. Council Officer's / staff purchasing new CCTV equipment need to ensure these requirements are fully met.

## **7. Monitoring**

- 7.1 The CCTV Control Room will be staffed by Swale Borough Council employees to enable 24/7/365 monitoring of all required cameras.
- 7.2 Monitoring of other cameras where required will only be carried out by persons authorised by the CCTV SPOC or departmental Responsible Officers.
- 7.3 Any CCTV visual displays located in public reception areas are intended to provide live monitoring of reception areas by staff alone. It is the responsibility of the Responsible Officer in the associated Department concerned to ensure that those observing the visual displays are properly trained in their duties & responsibilities and that the ability to view the display is restricted to only those authorised to see it.

## **8. Recorded Images Reviews and the Provision of Evidence**

- 8.1 All equipment will be capable of recording all cameras simultaneously throughout every 24-hour period. Recorded data is stored onto a hard drive and automatically deleted after 28 days.
- 8.2 The provision of evidence or reviews of recorded material will normally be requested either by the police, other enforcement agency or another department conducting an investigation into criminal activities, potential disciplinary matters, complaints, grievance or Health and Safety issues.
- 8.3 Enforcement agencies such as the police have a legal obligation to 'seize' any relevant evidence when investigating a crime and Responsible Officers must comply with their requests. However, enforcement agencies are bound by the same procedures and policies as everyone else.
- 8.4 Enforcement agencies are not permitted to trawl the CCTV system on the off chance of detecting a crime or wrongdoing. They are required to provide the Control Centre Manager or Responsible Officer with a Crime or Incident number or other such proof that they are conducting a legitimate investigation.
- 8.5 The release of evidence or permission to view images may only be authorised by the Control Centre Manager or Community Safety Manager or in their absence, the Head of Service, Information Governance (DPO) or the Departmental Director. Where an enforcement agency requests copies of an image or video recording, one copy is to be made but there is no requirement for the Responsible Officer to retain or produce any further copies.

- 8.6 As the purpose of the CCTV system includes crime prevention, detection and investigation, it must be capable of providing images and other data which are of evidential value to the criminal justice system and shared with Police and other statutory agencies. Effective safeguards will be in place to ensure that the integrity of the recorded images and data. A recorded audit trail will be in place as agreed in the CCTV Control Room procedures. Should any recorded media not be collected within 28 days of it being made, it will be destroyed inline with the control room procedures.
- 8.7 All staff required to operate CCTV equipment are to receive training in the use of the equipment and must conform to this Policy document and their system Code of Practice at all times. Staff who operate the video image recorders will be required to sign a 'Confidentiality Statement', which prohibits them from making any material available for purposes other than those stated in the Code of Practice. Any other staff having access to the equipment will also sign a Confidentiality Statement. Once signed, the Confidentiality Statement should be placed in the person's Personal file.
- 8.8 Recorded material will not be sold or used for commercial purposes or for the purposes of entertainment. Images provided to the Police or other enforcement agencies or for internal investigations shall at no time be used for anything other than the purposes for which they were originally released.

## **9. Maintenance**

- 9.1 To ensure compliance with the Information Commissioner's CCTV Code of Practice and to ensure images recorded continue to be of appropriate evidential quality, the system shall be maintained in accordance with the requirements of the CCTV Procedures under a maintenance agreement.
- 9.2 The maintenance arrangements will make provision for regular service checks of all equipment including cleaning and checks/minor adjustments to the equipment settings.
- 9.3 The maintenance arrangements will make provision for 'emergency' attendance on site by a CCTV engineer to rectify any loss or severe degradation of image or camera control. This will include maximum time periods for attendance and repair, depending on the severity of the impact.
- 9.4 Provision will be made to ensure that equipment is replaced that is reaching the end of its serviceable life.

## **10. Security**

- 10.1 The Control Centre will be secured at all times and only accessed through an access control system.

- 10.2 The CCTV Recorders are kept in a secure room within Swale House. These can only be accessed by authorised Council officers.
- 10.3 Access to the Control Centre will be strictly limited. Where there is a requirement for an authorised officer to attend or an officer from another statutory service, their attendance will be logged as per the operational procedures. Other visitors may be agreed in conjunction with the Control Centre Manager.
- 10.4 Visitors to the Control Centre that have not been Police vetted should not be able to hear any police broadcasts through the Police radio system. The Police radio should be turned off or down, or visitors asked to leave.
- 10.5 The Police radio is not to be removed from the control room, unless authorised by Kent Police, Control Centre Manager or the Community Safety Manager

## **11. Transparency and Third Party Access**

- 11.1 This CCTV Policy, performance information and any reviews of the system will be made publicly available to demonstrate transparency to those persons that the system is monitoring.
- 11.2 Any complaints in relation to the operation of the CCTV System should be addressed through the Council corporate complaints process.
- 11.3 A Data Protection Impact Assessment (DPIA) will be completed for the CCTV System and reviewed on a regular basis. An additional one will be completed if there are fundamental changes to the system such as large equipment upgrades.
- 11.4 A Privacy Notice will be in place for the public space CCTV system.
- 11.5 Under the Data Protection Act, UK GDPR and the Freedom of Information Act members of the public and other organisations have the right to ask to see data held by Local Authorities and other Public Bodies. This data includes visual images captured by CCTV. As a general principle, access to this data should not be refused. However, there are certain circumstances when it will not be possible to provide images from CCTV - for example, when the images form part of a criminal investigation. In all instances where Access Requests are received, they should be passed onto Swale Borough Council Information Governance Officer (who has responsibility for dealing with Access Requests) for action, before CCTV images are released.

## **12. Insurance Claims**

- 12.1 CCTV involvement in insurance claims falls into two categories. Firstly, incidents, which may result in claims against Swale Borough Council and secondly claims involving third parties, normally road traffic collisions.

- 12.2 The CCTV SPOC will be able to assist in the provision of images for investigations into any claims against Swale Borough Council.
- 12.3 Third party requests, relating to issues such as road traffic collisions, can only be actioned from a direct request by an insurance company, not a member of the public. Separate procedures must be followed in relation to these and there will be a fee for the release of any images. This fee is based on the amount of time spent by staff to review extracted the images, to copy them and for any other processing of the images together with the administration, completion of appropriate documentation, cost of media, disk labelling etc. and is based on the hourly salary rate.

### **13. Statistics**

- 13.1 CCTV systems are required to show how effective the cameras are in dealing with the objectives set out for them.
- 13.2 An annual performance report will be compiled to demonstrate the effectiveness of all CCTV systems managed by Swale BC and will include the following:
- Location of system (building and address)
  - Number and details of installed system and cameras
  - Number of recorded incidents in the past year
  - Number of CCTV evidence reviews
  - Number of evidence seizures (passed to police or other agency)
  - Number of authorised RIPA operations
  - Date of last maintenance and functional check
  - Any changes to the system

### **14. Inspections/ Visits**

- 14.1 All CCTV systems may be subject to inspections or visits by a member of the Information Commissioners Office or the Regulation of Investigatory Powers Commissioner. In addition, systems may also be subject to visits/ inspections by members of the organisation and the CCTV SPOC.
- 14.2 These visits/ inspections are designed purely to ensure that the systems are being operated and maintained in accordance with current legislation, this Policy and their own CCTV Codes of Practice are to offer advice for improvement where required.

## 15. Health and Safety

- 15.1 The CCTV Control Room will be operated inline with the Council's health and safety policies and procedures. This will include lone working procedures, working with electrical equipment and visual display units. Any additional measures for the control room will be included within the operational CCTV procedures and risk assessment. Responsible officers need to ensure any of their own staff operating CCTV cameras are aware of these polices and procedures.

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## Appendix 1

Area	Principles for Charges
System Design	No charge
System Install	<p>Overall system install charge.</p> <p>Costs to be based upon:</p> <ul style="list-style-type: none"> <li>- Equipment costs (as per contractor quote)</li> <li>- BT Fibre Line costs if applicable</li> <li>- Management costs - Control Centre Manager (hourly rate) for time for liaison with contractors, BT, seeking any highways/other permissions and any problem solving.</li> </ul>
Monitoring and footage provision	<p>Cost per camera – based upon monitoring hours (24/7/365 or other agreed hours).</p> <p>Costs to be based upon:</p> <ul style="list-style-type: none"> <li>- Operator staffing (hourly rate)</li> <li>- Control centre oncosts (electricity and facilities)</li> <li>- Insurance</li> <li>- Management Costs – Control Centre Manager (hourly rate) for overall control centre management costs as well as performance information provision/reports, and minimum annual review meeting.</li> <li>- Fibre line rental if applicable.</li> </ul>
Maintenance	<p>Cost per camera.</p> <p>Cost to be based upon:</p> <ul style="list-style-type: none"> <li>- Overall contractor costs for maintenance</li> <li>- Management costs – Control Centre Manager (hourly rate) for liaison with contractor and provision of reports on maintenance outcomes.</li> <li>- Costs of any repairs that fall outside of contract</li> </ul>
Upgrades	<p>Cost per camera,</p> <p>Cost to be based upon:</p> <ul style="list-style-type: none"> <li>- Equipment costs (as per contractor quote)</li> <li>- Management costs - Control Centre Manager (hourly rate) for time for liaison with contractors, BT, seeking any highways/other permissions and any problem solving.</li> </ul>
Decommissioning (removal of cameras)	<p>Cost per camera.</p> <p>Cost to be based upon:</p> <ul style="list-style-type: none"> <li>- Contractor Costs for removal of each camera</li> <li>- Management costs - Control Centre Manager (hourly rate) for time taken to manage decommissioning process (liaison with contractor, report compilation)</li> </ul>
Insurance Claims (motor insurance)	<p>Standard cost per insurance company request – to include review and provision of evidence.</p>



companies for third parties)	Costs to be based upon: <ul style="list-style-type: none"><li>- Operator time (hourly rate) to complete a standard review</li><li>- Cost of equipment for evidence provision</li></ul>
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<b>Community Committee Meeting</b>	
<b>Meeting Date</b>	7 September
<b>Report Title</b>	Coach parking in Sheerness
<b>EMT Lead</b>	Emma Wiggins, Director of Regeneration and Neighbourhoods
<b>Head of Service</b>	Martyn Cassell, Head of Environment and Leisure
<b>Lead Officer</b>	Jeff Kitson, Parking Services Manager
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Agree to convert the Ship on Shore car park for coach parking. To undertake the Off-Street Parking Places Order process specifically to allow coach parking only between 8am and 8pm (all days).</li> <li>2. Agree to recommend the proposed tariff to Policy and Resources committee in order to add them to the Council's fees and charges.</li> <li>3. Delegate authority for the Head of Environment and Leisure to complete the relevant paperwork for the off-street parking order.</li> <li>4. To allocate funding of £35,000 from the Kent Pool Economic Development Business Rates Reserve for the resurfacing and preparation of the site for the coach park.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report sets out the Council's intention to convert the Ship on Shore car park to a coach park and complete the required off-street parking order.
- 1.2 The car park is currently a free to use car park but is seldom used and is a draw for dumped vehicles and fly-tipping.
- 1.3 Sheerness has no formally advertised coach parking opportunities and therefore it is difficult to attract tourist groups to local venues. The project will help deliver priorities within the Visitor Economy Framework and support local industry.

## 2 Background

- 2.1 The location shown in appendix I, known as the Ship on Shore car park, has been a free to use car park for a long period of time. It is not well used by local residents, despite properties within the vicinity being without off-street parking. There is however ample on-street parking capacity close by.

- 2.2 The car park is not located near to the high street or main hotspots for tourists, so will not take up capacity needed by other private vehicles. Other pay and display car parks in Sheerness provide ample capacity for individual visitors/residents.
- 2.3 The Ship on Shore car parking area is currently under-utilised and over the years has been a draw for abandoned vehicles and fly-tipping.
- 2.4 In an effort to encourage further visitors to the area, it is considered that coach parking would be a good incentive for day trips. Addressing coach parking gaps is a priority in the Swale Visitor Economy Framework. Active targeting of group bookings (either directly or through travel trade/operators) is currently impossible so this would open up possibilities for individual attractions who can carry group bookings, to work and market collaboratively to pull together day packages.
- 2.5 In order to formalise coach parking and to allow restrictions to be put in place to stop other vehicles from being left in the parking area, an application for an Off-Street Parking order is required under section 35 of the Road Traffic Regulation Act 1984.
- 2.6 Under the legislation, we are required to place notices in the parking area and in local newspapers informing the public of the intention to place an order on the area. If there are no objections, then the order can be completed. If there are objections, then these will be reported to the Joint Transportation Board for decision.
- 2.7 The final order will set out the tariff that will be charged and the restrictions on other vehicles. Restrictions are proposed to be in place between 8am and 8pm every day of the year, allowing overnight usage of the area by residents should it be needed.
- 2.8 Research has been undertaken on equivalent charges by other local authorities. Given that this is introducing a new service that will take time to build up business (the coach trade tend to work a season ahead), the tariff proposed for this location is set at the lower end of comparable Kent charges;
- £8 per day (8am – 8pm)
  - £1.50 per hour
  - All year-round tariff – charging every day of the year
- 2.9 The proposal would see a cashless payment (RingGo only) process for coach drivers, to keep operating costs low and reduce the chance of vandalism of the pay unit.
- 2.10 Works will be required to improve the surfacing of the car park due to the expected high wear and tear of large coaches. Quotes have been obtained and the costs of resurfacing, lining and signage and are considered to be in the region of £35,000.

### **3 Proposals**

- 3.1 To Agree to convert the Ship on Shore car park for coach parking. To undertake the Off-Street Parking Places Order process specifically to allow coach parking only between 8am and 8pm (all days).
- 3.2 Fees and charges are agreed annually via Full Council but the constitution allows in-year agreements for new services. Therefore, it proposed that the Committee agrees the proposed tariff and is passed to Policy and Resources committee for final approval following the off-street parking order consultation.
- 3.3 Delegate authority for Head of Environment and Leisure to complete the relevant paperwork for the off-street parking order.
- 3.4 Due to the project's links in supporting economic development and encouraging visitors, to allocate funding of £35,000 for the resurfacing and preparation of the site for the coach park from Kent Pool Economic Development Business Rates Reserve.

### **4 Alternative Options**

- 4.1 The car park could be left as it is currently – a free car park. This would not solve the anti-social behaviour or provide future opportunities to boost visitor numbers. It would also fail to generate the Council additional income from the coach parking charges.
- 4.2 The site could remain as a car park but be converted into pay and display. It is considered that there would not be a high demand for paid parking in this location and therefore this option would not raise additional income. Options of having some car parking spaces as well as coach parking was also considered but rejected due to health and safety concerns.
- 4.3 Other locations could be looked at for coach parking. The Council does not have other large spaces suitable or free. Suggestions from local trade have been made about Bluetown parking bays but this area is controlled by KCC and not SBC.

### **5 Consultation Undertaken or Proposed**

- 5.1 Consultation has been undertaken with the Chair of the Community committee and Chair of Regeneration and Property committee.
- 5.2 The Off-Street parking order process requires public consultation for a 21 day period, during which we will liaise with Ward Members and Town/Parish Councils.

## 6 Implications

Issue	Implications
Corporate Plan	<p>This proposal meets a number of Corporate Plan priorities and objectives including 'Implement the visitor economy framework to increase investment, address new visitor demands and grow the value of the sector to the Swale economy' and to 'reduce dependence on government controlled funding sources'.</p>
Financial, Resource and Property	<p>The car park is currently free to use so does not generate any income but requires on-going maintenance. This proposal, whilst likely to be slow to build over a couple of years due to lead in times with tourism industry press, will generate some additional income each year and hopefully reduce the requirement for officers to attend to fly-tipping and anti-social behaviour.</p> <p>Civil enforcement officers will be required to attend regularly to ensure compliance with the new restrictions. This will not come at additional cost to the Council as the contract buys a set number of hours.</p> <p>Costs to prepare the site are estimated at £35,000. As it meets the criteria for use, funding is proposed from the Kent Pool Economic Development Business Rates Reserve.</p>
Legal, Statutory and Procurement	<p>The Off street parking order process comes under the Road Traffic Act 1984, section 35. Swale Borough Council will require final consent from Kent County Council. The notices will read;</p> <p><i>'Notice is hereby given that SWALE BOROUGH COUNCIL intend to make the above Order under section 35 of the Road Traffic Regulation Act 1984, having obtained the consent of the Kent County Council in accordance with Section 39(3) of the Act, and of all other enabling powers, and after consultation with the chief officer of police in accordance with Part III of Schedule 9 of the Act'.</i></p> <p>Checks have been made with HM Land Registry and the land is owned by the Council up to the highway. Legal state there are no covenants on the land that would restrict conversion into a coach park.</p>
Crime and Disorder	<p>The car park has been the subject of continued fly-tipping that we have successfully taken to court and is a draw for abandoned vehicles. Formalising the site and putting in restrictions will hopefully alleviate some of these issues.</p>

Environment and Climate/Ecological Emergency	Encouraging coach travel parties will likely reduce the number of private vehicles coming to the town thus reducing potentially harmful emissions.
Health and Wellbeing	No implications at current time
Safeguarding of Children, Young People and Vulnerable Adults	No implications at current time
Risk Management and Health and Safety	Resurfacing the site will reduce the potential for accidents. Currently coaches that do visit the town have to choose often unsuitable spaces to drop off and park up.
Equality and Diversity	It is considered that this decision does not impact any of the protected characteristics negatively.
Privacy and Data Protection	No implications at current time

## 7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Map of Ship on Shore car park

## 8 Background Papers

n/a

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**Ship on Shore Car Park, Marine Parade, Sheerness**



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<b>Community Committee Meeting</b>	
<b>Meeting Date</b>	7 September 2022
<b>Report Title</b>	Rebuild and Repairs to Churchyard Wall at St Peter and St Paul's Church, Lynsted
<b>EMT Lead</b>	Emma Wiggins, Director of Regeneration & Neighbourhoods
<b>Head of Service</b>	Martyn Cassell, Head of Environment & Leisure
<b>Lead Officer</b>	Jay Jenkins, Leisure Services Manager Trevor Wentworth, Special Projects Surveyor
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. Agree to the repair of the collapsed section of wall and the commencement of tender proceedings for option 2 (subject to receipt of KCC approval) or option 1 (if KCC approval is not received).</li> <li>2. To undertake the additional works to repair the braced section, bulging section and general repairs.</li> <li>3. To add a sum of £120,000 to the capital programme funded from capital receipts.</li> <li>4. To delegate authority for the Head of Environment and Leisure in consultation with the Director of Resources to award the contract if above £100k but within the budget allocation.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report documents the issues resulting from a collapse of the churchyard wall at St Peter and St Paul church in Lynsted and proposes solutions to repair.
- 1.2 As the cost of any repair work to the church wall falls outside of allocated budgets, additional funding is required for this work to be undertaken.

## 2 Background

- 2.1 A section of the wall in this churchyard collapsed onto the road in January 2021. The old stone wall acts as a retaining wall between the higher level of the churchyard and the adjacent highway. A combination of vegetation growth, wet weather, rolling traffic and constant pressure over many years is likely to have caused the failure of the wall. There are also anecdotal reports that this section of the wall was possibly impacted by a vehicle shortly before the collapse.
- 2.2 Lynsted churchyard is one of the 'closed churchyards' under the Council's responsibility. Where a Church of England churchyard is closed to further burials in accordance with an Order in Council under the Burial Act 1853, responsibility for maintenance may, at the request of the Church, be transferred to the relevant local authority (Parish Council first and

then Borough Council). The transfer is compulsory, not dependent on the condition of the churchyard in question, and not dependent on the local authority's ability to meet the additional maintenance costs.

- 2.3 Following the collapse, a contractor cleaned the debris from the road and made the wall temporarily safe. Re-useable material including flints has been stored in the churchyard. A structural engineer was appointed to design a temporary structure that would prevent the wall from further collapse which was provided in the form of 1 tonne bags of gravel stacked in front of the battered back soil. This work was complete on 4<sup>th</sup> February 2021.

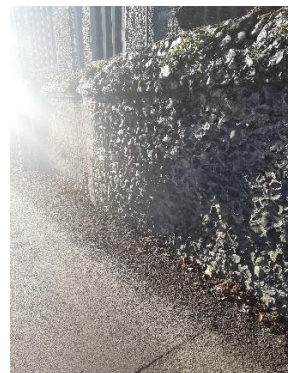


- 2.4 The structural engineer was asked to design a permanent wall solution which was then submitted for approval by KCC Highways. This was received on 6<sup>th</sup> September 2021 following several requests for changes to the design and clarifications. The approved design comprises a mass concrete retaining wall which is dressed in re-used flints to match the existing wall.

- 2.5 Some further visits were undertaken to inspect the wall with conservation colleagues and independent stonemasons where it became evident that other areas of the wall needed attention, namely a section of wall that has been braced with timber for several years and another section that is protruding, suggesting that it is under strain and potentially prone to collapse (see images below).



Braced section



Protruding section

- 2.6 It also became clear that there are multiple repairs necessary along the length of the wall, which will cause it to fall into further disrepair if not attended to. This includes loose masonry, large pieces of capping which can be lifted off and splits in the core, which rainwater freely

drains into. Previous repairs have been carried out with cement instead of lime mortar, causing further cracking and movement.

- 2.7 Stone masons have raised the option of rebuilding the collapsed wall using traditional construction, as the original wall. KCC Highways, however, favour the concrete retaining wall option, even though the traditional construction might not need a complete road closure, whereas the concrete wall option would. Closure of the highway requires 3 months' notice to KCC Highways, and the road is busy, also being a bus route. There is however a risk that KCC may not approve the traditional construction method.
- 2.8 Due to the length of time of the project, we have revisited with contractors and KCC to agree a revised fencing structure that has released more of the road space for use by vehicles. See image below;



- 2.9 The following costs have been incurred to date from the existing budget.

Clearing the road following wall collapse and temporary stabilisation solution	£5,000
Engineer's fees	£2,132
KCC Highways fees	£5,000
Hire of barriers (ongoing), estimate: -	£1,000
Revised fencing structure	£3,000
<b>Total:</b>	<b>£16,132</b>

- 2.10 It is clear that the collapsed wall needs to be rebuilt. We believe there are two options 1) a concrete retaining wall and 2) traditional build method.

### 3 Proposals

3.1 The potential costs for the works to the wall for both options can be summarised as follows: -

Work Item	Estimated costs OPTION 1	Estimated costs OPTION 2
Collapsed wall repair	£60,000	£80,000
Removal of vegetation and repointing/stabilising braced section	£25,000	
Dismantle and rebuild protruding section	£20,000	
Allow for contingency	£10,000	£10,000
KCC design fees	n/a	£4,000
KCC fee for road closure	£500	£500
Traffic Management	£4,500	£4,500
<b>Total:</b>	<b>£120,000</b>	<b>£99,000</b>

3.2 We therefore recommend that the Committee;

- Agree to the repair of the collapsed section of wall and the commencement of tender proceedings for option 2 (subject to receipt of KCC approval) or option 1 (if KCC approval is not received).
- To undertake the additional works to repair the braced section, bulging section and general repairs.
- To add a sum of £120,000 to the capital programme funded from capital receipts.
- To delegate authority for the Head of Environment and Leisure in consultation with the Director of Resources to award the contract if above £100k but within budget allocation.

### 4 Alternative Options

4.1 We could progress quicker with option 1 given the design stage is agreed. Although KCC have expressed reservations about alternative methods of construction, a traditionally built wall is favoured by conservation officers, Members, and the stonemasons themselves. The traditional built wall has been in situ for many years and therefore provides as good an option as the concrete retaining wall and stonemasons feel that the design might even hinder the flow of rainwater along the run of the wall. The traditional build method is

estimated to be more cost effective as well. There is of course however a risk that KCC do not approve the traditional method.

- 4.2 A further option would be to leave the temporary solution in-situ. This is not deemed acceptable as the church, Parish Council and KCC highways are expecting a permanent solution.

## 5 Consultation Undertaken or Proposed

- 5.1 Since the collapse of the wall, we have been liaising with church personnel to apply for the necessary church permissions to get the relevant faculty approval. This has been a long process, but headway has been achieved in recent weeks and the faculty approval can run alongside the tender period. There has also been close communication with KCC regarding the approval of the design and the necessary road closure.
- 5.2 Procurement colleagues have also been kept up to date and tender documents are currently in final draft stage.
- 5.3 We have recently received a letter, dated 7 June, from Lynsted Parish Council stating that the Councillors of Lynsted with Kingsdown Parish Council find it totally unacceptable that we are no further forward some 18 months after the initial collapse. We have responded setting out the above position.

## 6 Implications

Issue	Implications
Corporate Plan	This supports the Council’s objective to ‘Recognise and support our local heritage to give people pride in the place they live’.
Financial, Resource and Property	<p>Costs identified in this document are deemed to be necessary expenditure to reduce risk of further collapse and disrepair of the wall. The expenditure would be an investment against future repair costs, The rebuilding of the collapsed wall is paramount.</p> <ul style="list-style-type: none"> <li>• Option 1 - KCC preferred method at approx. <b>£120,000</b> with all additional works</li> <li>• Option 2 – Conservation Officers &amp; Stonemasons’ preference at approx. <b>£99,000</b> with all additional works.</li> </ul> <p>2022/2023 budgets relating to closed churchyards;</p> <ul style="list-style-type: none"> <li>• The annual Revenue budget of <b>£32,000</b> is currently overspent/committed by £12,000 undertaking priority 1 and 2 works in other churchyards.</li> <li>• The Closed Church Yard and War memorials reserve of <b>£25,758</b> - will be drawn down to cover the above overspend and remainder has been provisionally allocated to the remaining priority 2 works from the condition surveys.</li> </ul>

	<ul style="list-style-type: none"> <li>Therefore, a request has been made to add the sum of £120,000 to the capital programme funded by capital receipts.</li> </ul>
Legal, Statutory and Procurement	Tender and procurement documents are drafted and ready to issue upon receiving funding approval. Any commissioned work will follow the Council's Contract standing orders but delegated authority is requested above to award the contract to try and speed up the repair process.
Crime and Disorder	None identified at this stage
Environment and Climate/Ecological Emergency	None identified at this stage
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage
Risk Management and Health and Safety	The current temporary solution for the collapsed wall presents H&S risks in terms of traffic travelling on a reduced width highway (albeit vastly improved with the most recent changes), and the bulging wall is in danger of collapse.
Equality and Diversity	None identified at this stage
Privacy and Data Protection	None identified at this stage

## 7 Appendices

7.1 Not used

## 8 Background Papers

8.1 Not used.



<b>Community Committee</b>	
<b>Meeting Date</b>	7 September 2022
<b>Report Title</b>	<b>Member appointment – Council Leisure Service</b>
<b>EMT Lead</b>	David Clifford
<b>Head of Service</b>	Head of Policy, Governance and Customer Services
<b>Lead Officer</b>	Martyn Cassell, Head of Environment and Leisure
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	The committee is recommended to: 1. <b>Determine</b> which one member should be appointed to attend Swale Community Leisure Board meetings.

## 1 Purpose of Report and Executive Summary

- 1.1 This report asks the Community committee to agree the council’s member representation for the municipal year 2022/23 at the Swale Community Leisure Board.

## 2 Background

2.1 A joint arrangement is one in which the council collaborates with other local authorities or agencies to provide services in partnership. Member appointments to the boards or committees exercising control over such arrangements are distinct from nominations to outside bodies, in which members are asked to take on the role of directors or trustees of separate organisations, generally with a fiduciary duty to those organisations and not as representatives of the council.

2.2 In respect of joint arrangements, members are appointed to boards or committees with the express intention that they will represent Swale’s interests on those boards or committees. Under the executive model, member appointments to boards, committees or steering groups covering these arrangements were made by cabinet or by the executive leader.

2.3 This was logical inasmuch as joint arrangements generally cover services which were previously executive matters. Moving to the committee system, it is appropriate that these appointments are made by the service committee within whose remit the service in question falls.

2.4 The dates of the next meetings are currently set at;

- Monday 17 October 2022                      Sheppey LC
- Monday 23 January 2023                    Swallows LC
- Monday 24 April 2023                        Sheppey LC

### 3 Proposals

#### *Swale Community Leisure*

- 3.1 The Council's leisure centre operations in Sittingbourne (Swallows) and Sheppey (Sheppey Leisure Complex) are currently contracted out to Swale Community Leisure (SCL). They hold the leases to the buildings and have a Leisure Management agreement in place that runs until 31 March 2025.
- 3.2 SCL is an independent Trust with Trustees forming the Board. The nominated Member will be a representative for the Council but will not become a Trustee. The role is there to attend Board meetings and provide oversight of the board's operations and communicate matters relating to SBC's service. The committee is now **recommended** to determine who should be appointed for the municipal year 2022/23.

### 4 Alternative Options

- 4.1 The governance mechanisms for the joint arrangements require members to be appointed to these roles, so there are no alternative options.

### 5 Consultation Undertaken or Proposed

- 5.1 This is a routine appointment to existing arrangements, so no consultation has been undertaken or is proposed beyond asking group leaders for their nominations.

### 6 Implications

Issue	Implications
Corporate Plan	The joint arrangements contribute to a number of corporate plan objectives, primarily but not exclusively under Priority 4, "renewing local democracy and making the council fit for the future".
Financial, Resource and Property	There are no specific financial implications in the appointment of members to the governance bodies.
Legal, Statutory and Procurement	No implications identified at this stage.
Crime and Disorder	No implications identified at this stage.
Environment and Climate/Ecological Emergency	No implications identified at this stage.
Health and Wellbeing	No implications identified at this stage.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified at this stage.

Risk Management and Health and Safety	No implications identified at this stage.
Equality and Diversity	No implications identified at this stage.
Privacy and Data Protection	No implications identified at this stage.

## **7 Appendices**

7.1 The following documents are to be published with this report and form part of the report:

- n/a

## **8 Background Papers**

8.1 Not used

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