



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Cabinet

Date: **Thursday 19 March 2020**

Time: **2.00 pm**

Place: **Chappell Room**

For any further information please contact:

Alec Dubberley

Service Manager Democratic Services

0115 901 3906

Cabinet

Membership

Chair Councillor John Clarke

Vice-Chair Councillor Michael Payne

Councillor Peter Barnes
Councillor David Ellis
Councillor Gary Gregory
Councillor Jenny Hollingsworth
Councillor Viv McCrossen
Councillor Henry Wheeler

AGENDA

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MINUTES CABINET

Thursday 13 February 2020

Councillor John Clarke (Chair)

Present: Councillor Michael Payne Councillor Gary Gregory
Councillor Peter Barnes Councillor Jenny Hollingsworth
Councillor David Ellis Councillor Henry Wheeler

Absent: Councillor Viv McCrossen

Officers in Attendance: M Hill, H Barrington, A Dubberley, C McCleary and D Wakelin

70 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 JANUARY 2020.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

71 DECLARATION OF INTERESTS.

None.

72 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Viv McCrossen.

73 PRUDENTIAL AND TREASURY INDICATORS AND TREASURY MANAGEMENT STRATEGY STATEMENT (TMSS) 2020/21

The Service Manager Financial Services introduced the report, which had been circulated prior to the meeting, presenting the Council's Prudential Code Indicators and Treasury Strategy for 2020/21.

RESOLVED to:

- 1) Approve the Prudential and Treasury Indicators and Treasury Management Strategy Statement 2020/21, which includes the key elements below, and refer it to Council on 5 March 2020 for approval as required by the Regulations:

- a) The Minimum Revenue Provision Policy Statement (paragraph 2.2);
 - b) The Borrowing Strategy (paragraph 2.3.4);
 - c) The Annual Investment Strategy (paragraph 2.3.8);
 - d) Capital Affordability Prudential Indicators for 2020/21 to 2022/23 (Appendix 1);
 - e) Treasury Indicators including affordability limits to borrowing for 2020/21 to 2022/23 (Appendix 1); and
- 2) Note the indicative Prudential and Treasury Indicators for 2023/24 and 2024/25 (Appendix 1).

74 CAPITAL PROGRAMME AND CAPITAL INVESTMENT STRATEGY

The Service Manager Financial Services introduced the Capital programme for the next financial year as well as an indicative capital spending strategy for the next five years.

RESOLVED to:

- 1) Note the estimated capital financing available for 2020/21 to 2024/25;
- 2) Approve the Capital Investment Strategy 2020/21 to 2024/25 detailed at Appendix 1 to the report and refer it to Council for approval on 5 March 2020;
- 3) Approve the Capital Programme for 2019/20 to 2021/22 detailed at Appendix 2 to the report and refer it to Council for approval on 5 March 2020; and
- 4) Note the indicative Capital Programme for 2023/24 to 2024/25.

75 GENERAL FUND BUDGET 2020/21

The Service Manager Financial Services introduced the proposed 2020/21 general fund budget.

RESOLVED to:

- 1) Approve a 3% discretionary income inflation increase for the individual portfolios as shown in the table at paragraph 2.5.6 of the report; and
- 2) To recommend to Council on 5 March 2020:
 - a) that the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5m for 2020/21;

- b) a Council Tax increase of 3.07% (£5.00) which balances the financing of a Net Council Tax Requirement of £6,283,600 in 2020/21;
- c) that the detailed budget for 2020/21, as detailed in Appendix 2 of the report is approved.

76 GEDLING PLAN 2020/21

The Director of Organisational Development and Democratic Services gave an overview of the Gedling Plan for 2020-23 and summarised a number of key points.

RESOLVED to:

Approve the Gedling Plan 2020-23 and refer to Council for approval on 5 March 2020 subject to the Director of Organisational Development and Democratic Services making any minor amendments to correct typographical, grammatical or presentational errors prior to the document's publication

77 WILLOW FARM DEVELOPMENT BRIEF

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting, to consider the Willow Farm Development Brief as a Supplementary Planning Document (SPD).

Cllr Hollingsworth started by thanking everybody who took part in the consultation. She said that on reflection, it was felt that she could not support the recommendation to adopt the Development Brief as a Supplementary Planning Document but instead proposed the second alternative option at paragraph 3.2 of the report which meant that although not adopted, the document could be used as informal guidance if and when required. She said that this was partly due to the strength of views from local residents, particularly the Willow Farm Action Group. In seconding the revised recommendation, Councillor Payne also requested that Cabinet formally thanked the public, in particular Willow Farm Action Group for their involvement and input into the consultation. He also requested Cabinet formally thanked officers in the Planning Policy team for their work in preparation of the Development Brief. Councillor Payne stated that, on balance, it would not be appropriate for Cabinet to make a decision to formally approve and endorse the development brief as a Supplementary Planning Document, particularly given shared concerns with residents about issues contained within the Development Brief, and that any planning application put forward by developers would be determined by the Planning Committee.

The Service Manager Development Services clarified that should Cabinet not adopt the document as an SPD, the document will still be

material to any decision made at planning committee, albeit with less weight attached to it.

RESOLVED to:

- 1) Not adopt the Development Brief as a Supplementary Planning Document but agree that the document should be used as informal planning guidance in support of the development plan;
- 2) Thank the public, particularly members of the Willow Farm Action Group, for their input into the consultation; and
- 3) Thank officers in the Planning Policy team for their considered professional advice and hard work in preparation of the brief.

REASON for decision:

The use of the design brief document as informal planning guidance promotes high standards of design and it is important that the engagement with local residents is not lost. The Planning Committee will give detailed consideration to the development of the site.

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ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

Signed by Chair:
Date:



Report to Cabinet

Subject: Update on Council Surveillance Systems and Policy Document

Date: 19 March 2020

Author: Service Manager for Legal Services

Wards Affected: All

Purpose

To update members on work being undertaken to ensure good governance and compliance with the law in respect of the Council's surveillance systems.

To seek approval of the Council's Policy and Code of Practice for Surveillance Cameras at Appendix 1 of this report.

To further promote good governance in the future acquisition of any surveillance cameras by giving the Director authority to approve all new acquisitions of surveillance cameras.

Key Decision

This is not a key decision.

Recommendations

THAT Cabinet:

- 1) Notes the work that has been undertaken and continues to be done to ensure lawful compliance and good governance and efficacy in the operation and use of the Council's surveillance systems.
- 2) Approves the Council's Policy and Code of Practice for Surveillance Cameras at Appendix 1 to this report.
- 3) Delegates authority to the Director for Organisational Development and Democratic Services, as Senior Responsible Officer, to approve any additional CCTV equipment acquired by the Council, including, where necessary, authority to submit an application for planning permission in respect of CCTV equipment.

1 Background

- 1.1 The Surveillance Camera Commissioner wrote to all Chief Executives in early 2019 in relation to local authorities use and governance of surveillance cameras. Surveillance cameras do not just include CCTV Town Centre cameras, but all local authority CCTV cameras in operation for example in our leisure centres and inside the Civic Centre. Surveillance cameras also include body worn cameras, which are deployed in Public Protection, vehicle cameras which are used in PASC, Waste and Public Protection and drones.
- 1.2 In his letter, the Surveillance Camera Commissioner raised concerns generally about local authority compliance with the Protections of Freedom Act 2012 (PoFA). Section 33 of the PoFA requires local authorities to pay due regard to the Surveillance Camera Code of Practice (“the Code”) where they operate surveillance cameras overtly in an open space. There has been concern that as technology advances and additional surveillance cameras are being acquired, local authorities are not having due regard to the Code, moreover, concerns have been raised around compliance with the General Data Protection Regulation and the Data Protection Act 2018 in relation to the processing of personal data when operating surveillance cameras.
- 1.3 The Surveillance Camera Commissioner wants to ensure that authorities are complying with PoFA, GDPR and the Data Protection Act 2018 in respect of surveillance cameras and that they have appropriate governance and policies in place to demonstrate compliance.
- 1.4 The Surveillance Camera Commissioner asked all local authorities to appoint a Senior Responsible Officer for ensuring compliance with the relevant legislation outlined, and to take strategic responsibility for the integrity and efficacy of the processes and governance in place for utilising surveillance cameras. As a result of this request, the Director of Organisational Development and Democratic Services was appointed by Senior Leadership Team in June 2019 as the Senior Responsible Officer (SRO) for this Council. Following on from this appointment, and in line with the Code, the Surveillance Camera Commissioner again wrote to the SRO in January 2020 advising that a single point of contact should be appointed at operational level to deal with matters and requests in respect of surveillance cameras. The SRO subsequently appointed the Community Protection Manager as the Single Point of Contact (SPOC) in respect of the Council’s surveillance cameras.
- 1.5 Currently the Council operates a number of surveillance cameras including Town Centre CCTV cameras, cameras on our parks, leisure centres and car parks. Whilst the Code was considered when preparing a

policy document in relation to these cameras, it is recognised that the policies governing our surveillance cameras need to be updated.

- 1.6 Following on from the Surveillance Camera Commissioner's letter, work has been undertaken by the Community Protection Manager and the Data Protection Officer to review the Council's surveillance cameras and processes and to pull together a new Policy document and Code of Practice for the Council's surveillance cameras which is compliant with the law and takes into account the Surveillance Commissioner's Code.
- 1.7 The work has involved a complete audit of the Council's Town Centre CCTV system, a system which involves the operation of 76 cameras over 14 sites including the outside of our Leisure Centres and covering Arnot Hill Park, Gedling Country Park and Jubilee Depot as well as our town centres of Arnold, Carlton, Netherfield, Calverton and Mapperley. This system is the only system currently operated from the Council's CCTV control room which is overseen by the Community Protection Manager.
- 1.8 To facilitate this audit, an audit template document was created taking into account the Code and other guidance documents from the Surveillance Camera Commissioner. The audit checked the operation of the cameras, the lawful justification for the cameras in their various locations and also looked at the processes for storing, handling and accessing data recorded from the cameras to our CCTV control room. The Council work very closely with the Police and frequently get requests for access to CCTV footage by police officers as part of criminal investigations. The processes and powers to release this data to the police is managed well in the control room and we need to ensure that the same process is adopted in respect of all our surveillance cameras.
- 1.9 In addition to the Town Centre CCTV system, the Council has a number of other surveillance systems at Leisure Centres, the Civic Centre as well as bodycams, deployed by neighbourhood wardens and vehicle cameras in some of the Council's vehicles including refuse vehicles. Currently these systems are all purchased, controlled and managed by the relevant department responsible for the system. Full audits have been undertaken of the cameras at Calverton Leisure Centre, and cameras in the Civic Centre Reception as well as a review of bodycams and vehicle cameras. Audits are currently underway for internal cameras at other leisure centres. Once all audits are completed and reviewed by the SRO and Data Protection Officer, any recommendations in respect of any specific cameras will be made to the relevant service areas. Given the range of cameras, and the different control points, investigation is being made into whether all cameras could ultimately be centralised in the longer term to the CCTV control room. This is a larger piece of work which will have contractual implications and technical hurdles to overcome, however

longer term there may be cost savings and better control if all systems can run to the central control room.

- 1.10 Following on from the audits already undertaken, it has been concluded that there needs to be a more robust process to ensure that any new cameras can be considered, prior to acquisition, to ensure that in all cases any surveillance cameras are necessary, proportionate and justified. In order to facilitate this, it is recommended that any new requests for cameras, should come to the SRO to determine whether they are required. Quite often, particularly in respect of Town Centre cameras, new cameras will also require the installation of a CCTV mast which needs planning permission. Again, to ensure that the installation of new cameras is considered by the SRO, authorisation of the SRO is recommended be considered to apply for any necessary planning permissions.
- 1.11 Given the volume of surveillance cameras in operation around the Borough, and to ensure that all Managers responsible for those systems are clear on the justification for those cameras and the process for handling data captured, a new Policy document in respect of surveillance cameras has been drafted and is attached at Appendix 1 to this report. This document has regard to the relevant legislation and the Code, and provides policy and operational guidance for departments who maintain surveillance systems. The policy gives clear guidance on the justification and lawfulness of cameras, as well as providing processes for dealing with data and, where necessary, highlighting other policies which should be taken into account such as the Council's policy on the Regulation of Investigatory Powers Act 2000, which governs covert surveillance, and the Council's Data Protection Policy. The policy also provides for at least an annual review of surveillance systems to consider whether there is a continuing need for any particular system. The audit documents created can be used to easily facilitate this annual review.
- 1.12 In addition to the completed and ongoing audits, Data Protection Impact Assessments have been undertaken for the Council's surveillance systems, in order to ensure compliance with GDPR. These assessments are currently under review by the Data Protection Officer.
- 1.13 Since the earlier correspondence from the Surveillance Camera Commissioner, the Commissioner wrote again to all SROs in February 2020 enclosing a survey to be completed by all authorities. This survey asks questions of the authority in order for the Commissioner to understand the nature of the camera systems in place across the authority and how the authority are complying with legislation and the Code. The survey must be completed and returned to the Commissioner by Friday 3rd April. The work already undertaken as part of the Council's

surveillance camera audit and the new policy document at Appendix 1 will be invaluable in the completion of the survey and a robust policy document and review should assist in demonstrating to the Commissioner that the Council is working hard to ensure ongoing compliance with the law and the Code.

2 Proposal

- 2.1 It is proposed that members note the work that has been undertaken and the ongoing work being carried out in relation to the Council's surveillance cameras. It is also proposed that members be updated annually in relation to this work, including reports on annual audit and any policy updates needed.
- 2.2 It is proposed that members approve the Surveillance Camera Policy and Code of Practice document at Appendix 1 to this report to ensure that the Council maintains good governance and control over its CCTV and camera systems and to ensure a cohesive and lawful approach to the use and monitoring of cameras and the handling of data in respect of surveillance.
- 2.3 It is proposed that authority be given to the Director of Organisational Development and Democratic Services in her role as the SRO, to approve the acquisition and installation of any new surveillance cameras, including giving authority, where appropriate, for applications for planning permission to be submitted. This will ensure compliance with relevant legislation, the Code and the Council's policy.

3 Alternative Options

- 3.1 Members may decide not to approve the policy document or recommend an alternative policy. This document has been drafted having regard to all relevant legislation and the Surveillance Commissioners Code of Practice for Surveillance Cameras. It is considered to be fit for purpose and is considered essential in ensuring good governance and ongoing lawfulness of the Council's surveillance cameras. The document also provides key operational guidance to ensure those responsible for managing surveillance camera systems do so in a cohesive way.
- 3.2 Members could determine not to delegate authority to the SRO to consider all new acquisitions of surveillance cameras, however, ensuring there is a central point for considering new cameras will ensure that thorough consideration and justification is given to the Council's policy and the relevant legislation prior to any new devices being acquired.

4 Financial Implications

- 4.1 The work to ensure compliance with the relevant legislation will be undertaken with existing resource. Surveillance cameras are already part of agreed budgets for relevant service areas.

5 Appendices

Appendix 1 - Gedling Borough Council's Surveillance Camera Policy and Code of Practice

6 Background Papers

- 6.1 None

7 Reasons for Recommendations

- 7.1 To ensure Members are up to date in relation to recommendations from the Surveillance Commissioner and the resulting work undertaken.
- 7.2 To ensure the governance arrangements around surveillance cameras are lawful and to ensure transparency in the use of such cameras.
- 7.3 To ensure ongoing monitoring and control of the Council's surveillance cameras and to ensure compliance with relevant legislation, the Code of Practice and the Council's policy by evidencing sound justification for the acquisition of any new surveillance cameras.

Surveillance Camera Systems Policy and Code of Practice

At a glance ...

- The use of overt surveillance cameras such as town centre CCTV systems can be particularly intrusive to the privacy of individuals. Their use must be necessary, proportionate and adequate for the specified purpose they are there to address.
- The Council will have regard to relevant Codes of Practice and this policy document in its use of surveillance cameras.
- There must be a clear and lawful justification for the use of surveillance cameras. Other options for achieving the same ends must be considered.
- A surveillance camera system specific Data Protection Impact Assessment (DPIA) must be completed for all new systems before they become operational. DPIAs will also be completed for existing systems.
- There must be appropriate information and signage and privacy information to advise of the use of overt surveillance cameras.
- The Council's Regulation of Investigatory Powers Act 2000 Policy and guidance document applies to the use of covert surveillance cameras.
- All suppliers of surveillance cameras systems will have a contract with the Council that has appropriate data protection clauses.
- All surveillance camera systems will have a designated owner responsible for compliance with this procedure. The owner may appoint system operators.
- Request for surveillance camera images by people asking for their own data, or by third parties (i.e. a Subject Access Request) under the Data Protection Act 2018 or as part of Freedom of Information request should only be dealt with in accordance with this policy.
- The Council's Director of Organisational Development and Democratic Services is the Senior Responsible Officer for overt surveillance camera systems and will be the Council's point of contact with the Surveillance Camera Commissioner.
- The Community Protection Manager is the single point of contact (SPOC) in respect of all operational issues and questions in relation to surveillance camera systems.
- A corporate register of all surveillance camera systems will be maintained by the Senior Responsible Officer for overt surveillance camera systems.

1.0 Introduction

- 1.1 Gedling Borough Council (the Council) operates surveillance cameras including Closed Circuit Television (CCTV) cameras for a number of purposes. This includes the security of Council premises and car parks; security of personnel (bodycams), the monitoring of accidents and employee safety (for example cameras on refuse vehicles).
- 1.2 The Council recognises that the use of surveillance cameras can be intrusive and is committed to ensuring that the relevant codes of practice inform its use of surveillance cameras.
- 1.3 The role of the Surveillance Camera Commissioner (SCC) is to encourage compliance with the [Surveillance Camera Code of Practice](#). The Protection of Freedoms Act 2012 requires all local authorities operating surveillance cameras to pay due regard to this Code of Practice.
- 1.4 The role of the Information Commissioner's Office (ICO) is to oversee implementation of data protection laws including the Data Protection Act 2018. The ICO [CCTV Code of Practice](#) provides guidance for use of surveillance systems and is designed to explain the legal requirements operators of surveillance cameras are required to meet to comply with data protection law.
- 1.5 In setting this policy the Council has had regard to the following legislation:
 - The Data Protection Act (DPA) 2018;
 - The EU General Data Protection Regulation (GDPR) and laws implementing or supplementing the GDPR;
 - The Human Rights Act 1998;
 - The Regulation of Investigatory Powers Act 2000;
 - The Freedom of Information Act (FoIA) 2000;
 - The Protection of Freedoms Act (PoFA) 2012.

2.0 Scope and Definitions

- 2.1 This policy forms part of the suite of documents that comprise the Council's Information Governance Framework and should be read in conjunction with these other documents:
 - Data Protection Policy and Appropriate Policy Document
 - Information Security Policy
 - Records Retention and Disposal Policy
 - Detailed Employee Guidance on Access to Information
 - Information Asset Registers
 - Any Data Processing or Information Sharing Agreements
 - Any system specific Data Protection Impact Assessments

- 2.2 This policy applies to all overt surveillance cameras operated by the Council, regardless of whether mobile or fixed or the means by which they are put in place (ie on bodies; in cars or other vehicles; on or in buildings; on drones etc.)
- 2.3 This policy does not apply to covert surveillance. There are strict rules on covert surveillance. Please refer to the Council's Regulation of Investigatory Powers Act 2000 Policy and guidance and seek advice from the Council's Legal Services team if covert surveillance is being considered.
- 2.4 A surveillance camera system is defined as the cameras and all the related hardware and software for transmitting, processing and storing the data which is captured.
- 2.5 Information in this procedure is used as a collective term primarily to describe personal data collected through the use of surveillance camera systems.
- 2.6 Recorded material is defined as a DVD, CD or still image (including audio and electronic files) or digital storage device (hard drive/usb) and contains data from the CCTV systems.
- 2.7 A data controller is defined as an organisation that determines how and why personal data is collected and used. The Council is a data controller.
- 2.8 A data processor acts under the instruction of a data controller and may collect, store and use personal data on the controller's behalf. Surveillance camera system suppliers are data processors.
- 2.9 A data subject is defined as an identified or identifiable individual to whom personal data relates.

3.0 Purpose of the system

- 3.1 The Council will ensure that its surveillance camera systems will only be used for legitimate purposes and always in accordance with this policy. The following are relevant lawful purposes:
- To prevent crime and protect buildings and assets from damage, disruption, vandalism and other crime;
 - For the personal safety of staff, visitors and other members of the public and to act as a deterrent against crime;
 - To support law enforcement bodies in the prevention, detection and prosecution of crime;
 - To assist in day-to-day management, including ensuring the health and safety of staff and others;

- To assist in the effective resolution of disputes which arise in the course of customer complaints or internal disciplinary or grievance proceedings;
- To assist in the defence of any civil litigation, including but not limited to insurance claims or employment tribunal proceedings.

3.2 The above list is not exhaustive and other lawful purposes may be considered or become relevant.

3.3 Any data captured by any surveillance camera system may be used for other legitimate purposes where it is reasonable, justified and proportionate to do so with the relevant authorisation in place and where permitted by relevant legislation.

3.4 This policy will be supplemented by operational/procedural manuals for authorised officers and system operators.

4.0 The systems

4.1 The Council owns and operates overt CCTV surveillance systems which cover key public spaces including town centres and council offices. The current CCTV systems are:

- Fixed CCTV system across public spaces and town centres in the borough.
- Council Office CCTV system covering internal and external public spaces around council buildings.
- Body Worn Video Cameras (BWVC).
- Vehicle mounted video camera systems (VMVC).
- Leisure Centres CCTV system covering internal and external public spaces.

4.2 The cameras, as part of the systems noted above will not be hidden (they will be overt systems) and signs saying that cameras are operating in and around the surveillance areas are displayed in visible locations.

4.3 A central register of all surveillance camera systems will be maintained by the Senior Responsible Officer (SRO). All Services will need to ensure that they provide information necessary to ensure that the register is complete and up-to-date.

5.0 Monitoring and Recording Facilities (excluding VMVC and BWVC)

5.1 A staffed monitoring room for the Council's town centre and public open spaces cameras is located within a secure Council owned and controlled building and is known as the 'CCTV Control Room'. The CCTV Control Room

is staffed by specially selected and trained operators and access to the CCTV Control Room is limited to authorised personnel only. The CCTV Control room is managed by the Community Protection Manager who is the Single Point of Contact (SPOC) in respect of surveillance systems.

- 5.2 For all other Council surveillance camera systems a secure Council controlled monitoring room is used. Access to these controlled rooms is limited to authorised personnel who have been specifically selected and trained in respect of the system and the monitoring of the system and handling of data. .
- 5.3 For the purpose of this policy, a control room is any area or room (including the CCTV Control Room) which contains equipment that forms part of a surveillance system which stores the recorded material captured.
- 5.4 No equipment, other than that housed within a control room shall be capable of recording images from any of the surveillance cameras.
- 5.5 All viewing and recording equipment shall only be operated by trained and authorised users with other access limited to those who require it for a specific legitimate reason and where permission has been given by the Single Point of Contact for surveillance cameras.
- 5.6 CCTV operators are able to record images from selected cameras in real-time, produce hard copies of recorded images, replay or copy any pre-recorded data in accordance with this Policy (para 8), relevant Codes of Practice and where necessary in accordance with the law.
- 5.7 All operators shall receive training relevant to their role in the requirements of the relevant legislation and the Codes of Practice and this policy. Ongoing training will be provided as necessary, refresher training will also be provided periodically to remind operators of the relevant legislation.

6.0 Monitoring and Recording facilities – VMVC and BWVC

- 6.1 All footage and images recorded on VMVC and BWVC are recorded to an internal memory within each individual device. The operation of these cameras will be in accordance with the operational guidance for those camera systems and those cameras will only be operated by those authorised officers who have been trained in the operation of the cameras.
- 6.2 Any recording or monitoring of images captured from VMVC and BWVC will be undertaken by authorised personnel within the relevant service areas and the images will only be viewed for a legitimate purpose in accordance with this policy and the Codes of Practice.

7.0 Security and retention of recorded material

- 7.1 All surveillance camera material shall be stored securely and protected by appropriate security measures to safeguard against unauthorised access and use.
- 7.2 Images and information obtained from the surveillance camera system shall be stored no longer than that which is strictly required for the stated purpose of the system's use. **This will ordinarily be no longer than 28 days.**
- 7.3 The Council's corporate Records and Retention Policy indicates that CCTV footage will be retained until overwritten unless required for use in legal proceedings, in which case the CCTV footage will become part of the case file and stored in accordance with the Records and Retention Policy.
- 7.4 Information must be securely destroyed once its purpose has been discharged and at the end of its retention period unless there is a documented reason to retain it (e.g. to support legal proceedings).
- 7.5 Deleted information shall not be capable of being recovered. ICT shall be consulted on the appropriate method of deletion.

8.0 Access to Information

- 8.1 Any request for images or information from the Council's surveillance camera systems by individuals through a subject access request or by a third party organisation under the Data Protection Act 2018 should be requested in writing and forwarded to Legal Services to consider whether the release of information is lawful.
- 8.2 Any request for information from the Council's surveillance camera systems made under the Freedom of Information Act 2000 should be in writing and should be forwarded to Legal Services to consider whether the release of information is lawful.
- 8.3 From time to time the Council receive requests for access to information from surveillance cameras from the police. Such information will often fall under an exemption to the Data Protection Act 2018 as it is required for the prevention or detection of crime or the apprehension or prosecution of offenders. Where the police request information from the CCTV Control Room, the SPOC can authorise release of footage where necessary and in compliance with the law. For all other control rooms where requests for CCTV are made by the Police, the relevant system manager should forward the request to Legal Services.
- 8.4 No surveillance camera information should be disclosed to a third party unless in accordance with this policy and the Data Protection Act 2018.
- 8.5 Records of all disclosures of surveillance camera information disclosed to third parties should be maintained.

8.6 Whenever disclosure of information from surveillance camera systems is undertaken, steps should be taken to ensure that the method of disclosure is secure, and information is only seen by the intended recipient. Consideration should also be given as to whether images or parts of images need to be obscured to prevent unwarranted identification and limit unfair intrusion into the privacy of individuals.

9.0 Privacy

9.1 All overt surveillance camera systems should be included in the Council's Information Asset Registers and referred to in the Council's registration with the Information Commissioner under the Gedling Borough Council Registration.

9.2 Each system identified within 4.1 has appropriate restrictions on the data it captures and is in accordance with the purpose of the system. This includes regular auditing of the images each camera captures in all of the systems the Council owns to ensure privacy, compliance and appropriateness.

9.3 Every consideration will be given to the right of the general public and staff to go about their daily business without fear of their loss of privacy.

9.4 Cameras will not be used to look into private residential property. Where the equipment permits it 'Privacy zones' will be programmed into the system as required in order to ensure that the interior of any private residential property, within range of the system, is not surveyed by the system. If such 'zones' cannot be programmed the operators will abide by the appropriate legislation with regards to privacy issues.

9.5 Appropriate signage must be in place in respect of all surveillance systems to ensure that the public are aware that such systems are in operation. The operation of such systems will also be referenced in the Council's privacy notices.

10.0 System evaluation

10.1 As stipulated in the Surveillance Commissioner's Code of Practice, an annual review and audit of the surveillance camera systems will be completed and published to ensure that the purpose of the systems and objectives are being complied with and achieved. The report will include:

- An assessment of the impact upon crime and anti-social behaviour of the system;
- An audit of the compliance with this policy including whether any footage viewed and/or downloaded was in line with the system aims and objectives; and,
- Any operational changes made over 12 months, including the

addition or removal of cameras.

- An assessment of the technical capability of the systems to ensure they remain fit for purpose.

10.2 The production of the Annual Review will be the responsibility of the System Manager/s to organise and may include independent undertakings by an appropriate third party organisation e.g. another local authority.

10.3 The SRO will report annually to Members on the outcome of audits and reviews and any amendments required to this policy document.

10.4 Operational changes to the systems will be approved by the SRO. This will include any additional cameras, or removal of cameras. Considerations of these changes will include:

- Whether the changes would meet all legal requirements necessary; and,
- A review of other tools and powers used to address the issue or concern.

11.0 Complaints

11.1 The Council's complaints procedure will apply to the handling of complaints related to surveillance camera operation. Complaints of this nature should be referred to the SPOC who will, where necessary, liaise with the Data Protection Officer in relation to data protection issues that are raised. Departments operating surveillance cameras may be asked to provide information to the SPOC or the SRO.

11.2 Complaints may be handled as a data protection complaint if the complaint relates to the use of personal information. Such complaints should be notified as soon as possible to the Data Protection Officer and within 24 hours at the latest.

11.3 Where complaints cannot be resolved through the internal complaints process they may be referred to the Information Commissioner's Office or the Local Government and Social Care Ombudsman as appropriate.

11.4 Any data breach arising out of the processing of personal information captured through the Council's surveillance camera systems should be reported immediately to the Council's Data Protection Officer and in any event within 24 hours of the breach occurring. Officers should have regard to the Council's breach reporting process as set out in the Council's Information Security Policy.

12.0 Roles and Responsibilities

- 12.1 The Senior Responsible Officer for surveillance cameras is the Director of Organisational Development and Democratic Services.
- 12.2 The Legal Services Manager is the Data Protection Officer and is responsible for ensuring compliance with the relevant legislation and conducting audits of the system.
- 12.3 The Community Protection Manager is the Single Point of Contact for all operational and monitoring queries in respect of surveillance camera systems and is responsible for day to day operational management of the CCTV control room.
- 12.4 Information Asset Owners (Service Managers) are accountable for ensuring that surveillance camera systems operating as part of their service's business, do so in accordance with the provisions of this policy. Specifically, they will:
- Ensure that planning for any new Surveillance camera systems is informed by a DPIA and that the DPIA is approved before the system becomes operational.
 - Approval is obtained from the SRO for any new surveillance cameras or systems.
 - Assign a Surveillance Camera System Owner to be responsible for the oversight of all new and existing systems. This maybe, but is not required to be, the Information Asset Owner for the business area undertaking the surveillance.
 - Conduct an annual review and audit of surveillance camera systems.
- 12.5 Responsibility for the implementation of this and associated procedures and for reporting performance issues related to surveillance camera systems rests with all employees who have involvement in the management of the surveillance camera equipment.
- 12.6 Staff who use the CCTV system have the following responsibilities:
- To uphold the arrangements of this policy and associated Codes of Practice.
 - To handle images and data securely and responsibly, within the aims of this Policy.
 - To be aware that they could be committing a criminal offence if they misuse surveillance camera images.
 - To uphold the corporate procedure for subject access requests.
 - To report any breach of procedure to the Data Protection Officer using the Council's data breach process
 - To attend training / refresher sessions as required.
 - To assist and co-operate any surveillance system audits and reviews.



Report to Cabinet

Subject: Gedling Plan Performance Indicators 2020/21

Date: 12 March 2020

Author: Senior Leadership Team

Wards Affected

Borough wide

Purpose

To agree the performance indicators against which progress of the Gedling Plan will be measured against in 2020/21.

Key Decision

This is not a key decision

Recommendation

THAT the performance indicators for 2020/21 at Appendix 1 be approved.

1 Background

- 1.1 The Gedling Plan 2020/23 was approved by Cabinet on 13 February and Council on 5 March 2020. The Plan sets out the Council's strategic direction and the key strategic actions which will be delivered to meet the priority objectives over the next 3 years.
- 1.2 As Members are aware, performance indicators are used to monitor and measure progress against the Gedling Plan actions. Current performance indicators have been reviewed by Senior Leadership Team and Service Managers to assess whether they are still appropriate to measure progress against the Plan.

2 Proposal

- 2.1 It is proposed that the suite of performance indicators for 2020/2021 at Appendix 1 are approved. A small number of current performance indicators

no longer relate to the new Gedling Plan actions and have therefore been removed. However the majority of the current performance indicators are relevant and have been carried forward. The targets have been reviewed and in most cases remain the same to ensure that performance is maintained. In relation to the performance indicators which have continually exceeded target in 19-20, an increased target is proposed.

2.2 In relation to the following 3 performance indicators a reduced target is proposed to reflect that target has not been met in 19-20. However the proposed target still aims to secure an improvement on current performance:

- Average length of time spent in temporary accommodation
- Percentage of household waste sent for reuse, recycling and composting
- Residual household waste per household in Kg

2.3 New performance indicators are proposed to reflect some of the new actions in the Gedling Plan. Notably in relation to carbon reduction and Arnold town centre.

2.4 Members will note that these performance indicators contain a wide range of measures which are predominantly focused on outward facing priorities and which will be reported quarterly or annually or used for tracking purposes. Service Plans will capture the key operational performance indicators for each service area.

2.5 Progress against these performance indicators will be reported to Cabinet and Overview and Scrutiny Committee on a quarterly basis and reports published on the Council's website in the usual way.

3 Alternative Options

3.1 Not to approve performance indicators for 2020/21, however without performance information, it will be difficult to assess the Council's performance against the Gedling Plan.

4 Financial Implications

4.1 None arising from this report.

5 Appendices

5.1 Appendix 1 - Proposed performance indicators for 2020/21.

6 Background Papers

6.1 None identified.

7 Reasons for Recommendations

7.1 To ensure the Council has robust performance measures in place for 2020/21.

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Performance Indicators - 2020/21

Cohesive, Diverse and Safe COMMUNITIES			
Description	Service Area	Frequency	Target 20/21
Average length of time spent in temporary accommodation	Revenues and Welfare Support	Quarterly	15 weeks
Average time to process new HB Claims	Revenues and Welfare Support	Quarterly	13 days
Average time to process HB change in circumstances	Revenues and Welfare Support	Quarterly	4 days
Level of All Crime across Gedling Borough rate (per 1000 population)	Public Protection	Quarterly	Tracker Only
Level of recorded anti-social behaviour across Gedling Borough (per 1000 population)	Public Protection	Quarterly	Tracker Only
Number of litter and dog fouling Fixed Penalty Notices (FPN) served	Public Protection	Quarterly	Tracker Only
Number of fly tipping and duty of care cases submitted to the Council's Legal Team (cumulative figure)	Public Protection	Quarterly	Tracker Only
Percentage of fly tipping incidents removed within 4 working days	Parks and Street Care	Quarterly	98%
Number of reported fly tipping incidents	Public Protection	Quarterly	Tracker Only
Number of placements for young people under the national supported internship programme	Organisational Development	Annual	3
Number of successful fly tipping and duty of care prosecutions	Legal Services	Annual	4

High Performing COUNCIL

Description	Service Area	Frequency	Target 20/21
% of calls to the contact centre answered	Customer Services and Communications	Quarterly	94%
% of customers that are satisfied with overall customer service	Customer Services and Communications	Quarterly	93%
% of customers seen by customer Services Advisor within 15 minutes	Customer Services and Communications	Quarterly	90%
Percentage of invoices paid within 30 days	Financial Services	Quarterly	99%
Percentage of Council Tax collected	Revenues and Welfare Support	Quarterly	98%
Percentage of Business Rates collected	Revenues and Welfare Support	Quarterly	99%
Working Days Lost Due to Sickness Absence (rolling 12 month total)	Organisational Development	Quarterly	9 days
Number of social media followers	Customer Services and Communications	Annual	27,000
Number of Keep Me Posted subscribers	Customer Services and Communications	Annual	25,000

Vibrant ECONOMY

Description	Service Area	Frequency	Target 20/21
Net additional homes	Planning Policy	Quarterly	480
Percentage of Major planning applications processed within 13 weeks	Development Services	Quarterly	90%
Percentage of minor planning applications processed within 8 weeks	Development Services	Quarterly	91%
Percentage of other planning applications within 8 weeks	Development Services	Quarterly	85%
Number of affordable homes delivered (gross)	Economic Growth and Regeneration	Quarterly	20
Delivery of school based employability events	Economic Growth and Regeneration	Quarterly	8
Number of school-age work experience placements hosted in Gedling Borough	Organisational Development	Quarterly	6
Delivery of employer based employability events	Economic Growth and Regeneration	Annual	2
Number of placements provided over the year across the council	Organisational Development	Quarterly	16
Amount of employment land developed for the delivery of jobs	Economic Growth and Regeneration	Annual	2 Hectares
Number of new investments in Gedling for regeneration projects that the Council has facilitated	Economic Growth and Regeneration	Quarterly	5
Percentage of vacant properties along the high street	Economic Growth and Regeneration	Bi-annual	Tracker Only

Vibrant ECONOMY

Description	Service Area	Frequency	Target 20/21
Percentage of occupancy for all GBC owned car parks in Arnold.	Economic Growth and Regeneration	Bi-annual	Tracker Only
Number of 'change of use' requests received by the planning team within the primary shopping area for Arnold Town Centre.	Economic Growth and Regeneration	Bi-annual	Tracker Only

Sustainable ENVIRONMENT

Description	Service Areas	Frequency	Target 20/21
Number of Green Flag status parks	Parks and Street Care	Annual	4
Percentage of household waste sent for reuse, recycling and composting	Transport and Waste	Quarterly	36%
Number of garden waste customers	Transport and Waste	Quarterly	16,100
Residual household waste per household in Kg	Transport and Waste	Quarterly	560kg
Level of CO2 emissions from Council Buildings	Property Services	Annual	Tracker Only

HEALTHY lifestyles			
Description	Service Area	Frequency	Target 20/21
No. of attendances at the Bonington Theatre	Leisure Services	Quarterly	2% increase over previous year outcome
Percentage of food premises scoring 4 or 5 in the food, health and safety rating scheme	Public Protection	Quarterly	90%
Number of visits to leisure centres	Leisure Services	Quarterly	1% increase over previous years outcome
Number of people on the swim scheme	Leisure Services	Quarterly	2,750
Number of DNA members (rolling 12 months average)	Leisure Services	Quarterly	4,200
Number of activities undertaken in our Parks including those that take place on Council owned sports pitches.	Parks and Street Care	Annual	1,100



Report to Cabinet

Subject: Scrutiny Report, Economic Development Working Group.
The opportunity to intervene – for social and economic reasons

Date: 19 March 2020

Author: Councillor Rachael Ellis, Chair of the working group

Wards Affected

Borough wide

1. Purpose of the Report

To present the report and recommendations of the working group that considered the economic and social benefits that should be taken into account when making decisions to purchase property using Strand 3 of the Commercial Property Investment Strategy. Members are asked to consider the report, previously approved by the Overview and Scrutiny Committee and refer the report to the appropriate Cabinet Member in order for a response to be made to the Overview and Scrutiny Committee at the next meeting on 27th April 2020.

RECOMMENDATION

Cabinet is recommended to:

1. Consider and agree that the criteria outlined in the report is taken into consideration when making decisions to purchase property using Strand 3 of the Commercial Property Investment Strategy; and
2. Refer to the appropriate Cabinet Member in order for a response to be made to the Overview and Scrutiny Committee.

2. Background

Members are reminded that part of the remit of Scrutiny is to deal with wider service or policy issues through the establishment of working groups, which take an in depth view of Council policies and plans as directed by the

Overview Scrutiny Committee, and make recommendations to Cabinet accordingly. In accordance with the Scrutiny Improvement Plan 2010, a review is commissioned when:

- There is added value that this work will bring to the core priorities of the Council
- It is likely to make a difference if a working group undertake this work
- It is likely to lead to improved performance
- It is likely that the working group's recommendations will improve the lives of the residents of Gedling Borough
- It will increase Member awareness of important issues.

3. Proposal

Members are asked to consider the report and recommendations of the above review, which has been approved by the Overview Scrutiny Committee for referral to Cabinet.

4. Alternative Options

Under Executive governance arrangements the Cabinet is required to consider reports from the Scrutiny Committee so there are no alternative options 5.

5. Appendices

Appendix 1: The final report of the Economic Development Working Group.

6. Background papers

None identified.

7. Reasons for Recommendations

To comply with Executive governance arrangements and fulfil the role of the Overview and Scrutiny Committee.

Report to: Cabinet

Subject: Scrutiny Report

Report of the Economic Development Working Group.

The opportunity to intervene – for social and economic reasons.

Date: 19 March 2020

Author: Councillor Rachael Ellis, Chair of the working group

1. Purpose of the Report

To present the final report and recommendations of the Overview and Scrutiny Committee working group which considered what additional economic and social benefits needed to be taken into account when property is purchased under Strand 3 of the Commercial Property Investment Strategy (CPIS). The primary motive of the recently adopted investment strategy is to generate additional income, allowing the authority to purchase land or property to which value can be added to create a higher return than previously. Members felt that whenever possible Strand 3 of the strategy should be used to increase social and economic benefits for the residents of Gedling and sought to develop principles that could be taken into account that could support the authority to deliver these benefits when purchasing land or property.

2. Background

Gedling Borough along with many other authorities has had to implement new strategies to generate additional income to support ongoing service delivery. One of the approaches the authority has taken is to implement a commercial property strategy, investing in property which will generate financial, economic and social returns. The strategy consists of three strands:

Strand 1 includes tenanted commercial property. This enables commercial investment of tenanted properties where the objective is to increase business rates and/or rental income. This allows for investment in properties that would generate significant financial and economic returns and would be funded through borrowing.

Strand 2 includes Gedling Borough Council owned land. This enables investments through building on Gedling Borough owned land to create financial returns. It is similar to Strand 1 with the objective to increase income from, for example, business rates, rental income or council tax. In addition where the business case is not viable on its

own, it allows external funding to be obtained which will enable building on Gedling owned land to create positive returns as well as economic growth.

Strand 3 involves acquiring commercial property to enhance. This enables the purchase of land or property to which value can be added to create a higher income than it is currently producing. The objective is to increase business rates and/or rental or council tax income. Examples include the refurbishment or better management of existing privately – owned buildings or the purchase of land for the developments of properties that would be privately let. It is this strand that member examined with the objective of developing criteria that should be used to assess the social and economic benefits that can derive to an area when considering the purchase of land or properties.

3. Findings

Members considered that Strand 3 of the strategy should not just be about income generation but it should also be used as a vehicle to generate increased employment, and to incentivise and encourage the growth of business in the borough, providing social and economic benefits to support the objectives in the Gedling Plan. They considered that there was a need to attract businesses to locate in the borough, acknowledging the challenge of how to motivate businesses to do this. Wherever possible the strategy should be used in areas of deprivation with the objective of increasing employment and benefits for the local economy and residents.

To enable members to draw together the principles on which to base decisions three hypothetical sites were used to enable members to consider the social and economic issues that should be taken into account when prioritising development.

Using this these three sites Members explored issues they felt should be prioritised when decisions were taken to purchase land or property and when there were choices to be made between a number of sites.

Criteria to be considered when purchasing land/property using Strand 3 of the CPIS:

I. Deprivation

Some areas of the borough fall within the 10% most deprived in England. Deprived areas can slide into deeper decline when people move out leading to fewer resources in the local economy and lack of local job opportunities. The mapping of areas of deprivation needs to be available to enable comparisons to be made between different areas of the borough. This would enable a range of social and economic factors to be taken into account when intervening in the property market, this could help address the challenges presented by deprived areas. The mapping of areas of deprivation is currently being undertaken and will be available in due course.

II. Employment

In areas of high unemployment and low incomes consideration should be given as to whether the acquisition and improvement of the land/premises would have potential to provide employment for local residents? Businesses that look to create and safeguard job opportunities should be encouraged. If local people are employed they will spend their money locally thereby improving the local economy. Provision of youth employment opportunities was seen as particularly important especially in areas of deprivation.

III. Skill Levels

The location of a business can make an important difference to its success and the benefits it can bring to a geographical area. Areas where there are high attainment levels need high tech companies located there and neighbourhoods where there are low skill levels need companies that will provide training opportunities.

Highly technical industries benefit from having a labour pool from which to recruit workers, however, even where there not a skilled workforce available locally consideration should be given to supporting businesses locate as increased business activity can offer other economic and social benefits to neighbourhoods, for example an increased use of local shops or café's.

The opportunity for employment and training for everyone, particularly young people, can help revitalise local economies by tackling unemployment and economic inactivity. There should be an emphasis on supporting business to become established in deprived areas of the borough where there is low educational attainment and/or a skilled and trained workforce. Consideration should be given to the location of the business premises that have the potential to offer training opportunities, apprenticeships and work experience. As an authority we should encourage the provision of training and job opportunities in areas of low educational attainment. One way of working towards this and removing barriers to employment can be incentivising businesses that will provide employment and that offer skills training.

IV. Connectivity

How easy is it to get to the location of the site? Dependent on the potential use of the land/property and the skill level required is there an available workforce. If not how easy is it for potential employees to get to the location and how financially viable is it for workers to travel to the site. Dependent on the type of business is the site easily accessible for the transportation of raw materials and finished products.

V. Growth areas

Is the area a growth area with new housing development? Would the location of provide business units for new enterprises and employment opportunities for new residents. Would the location of business and retail units help create sustainable communities, providing both employment and local services?

Consideration should be given to encouraging the provision of employment opportunities in close proximity to housing development, this could contribute to decreasing our carbon footprint by reducing the distances travelled to work.

VI. Other social and environmental factors

There are other site specific benefits that need to be considered when ranking possible opportunities against each other. The possible alleviation of flooding on sites through careful redevelopment and planning, or the reusing of derelict or underused sites to improve the locality bringing perhaps the benefit less anti-social behaviour or acting as a catalyst to restore economic viability to an area.

A scoring matrix for use when assessing the criteria is attached at **Appendix 1**.

4. Conclusion

The use of Strand 3 of the CPIS is dependent on which properties are being marketed and that each property will have to be individually assessed for its potential to have value added. Members regarded this individual assessment as an opportunity for it to be used as a mechanism to intervene in areas of deprivation and engender benefits for the residents of Gedling. They concluded that social and economic benefits should be integral to any decision being taken to purchase/develop land under the strategy. The working group considered that the criteria they have developed would add value to the decision making process in other areas of the Councils work and felt that all the data currently available relating to economic position of the borough, and from other service areas, should be taken into account when decisions were being taken.

Appendix 1: Scoring Matrix

Criteria	Scoring			Comments
	Positive impact	No impact	Negative impact	
Deprivation				
Employment				
Skill levels				
Connectivity				
Growth areas				
Other factors				

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Report to Cabinet

Subject: Scrutiny Report: Report of the Executive-Scrutiny Protocol working group.

Date: 19 March 2020

Author: Councillor Clunie, Chair of the working group

Wards Affected

Borough wide

1. Purpose of the Report

To present the report and recommendations of the working group that have developed an Executive-Scrutiny Protocol which will help define the relationship between the Overview and Scrutiny Committee and the Cabinet. Members are asked to consider the report, previously approved by the Overview and Scrutiny Committee, and refer the report to the appropriate Cabinet Member in order for a response to be made to the Overview and Scrutiny Committee at the next meeting on 27 April 2020.

RECOMMENDATION

Cabinet is recommended to:

- 1) Consider and agree the principles set out in the protocol; and
- 2) Refer to the appropriate Cabinet Member in order for a response to be made to the Overview Scrutiny Committee.

2. Background

Members are reminded that part of the remit of Scrutiny is to deal with wider service or policy issues through the establishment of working groups, which take an in depth view of Council policies and plans as directed by the Overview Scrutiny Committee, and make recommendations to Cabinet accordingly. In

accordance with the Scrutiny Improvement Plan 2010, a review is commissioned when:

- There is added value that this work will bring to the core priorities of the Council
- It is likely to make a difference if a working group undertake this work
- It is likely to lead to improved performance
- It is likely that the working group's recommendations will improve the lives of the residents of Gedling Borough
- It will increase Member awareness of important issues

3. Proposal

Members are asked to consider the protocol which has been approved by the Overview Scrutiny Committee for referral to Cabinet.

4. Alternative Options

Under Executive governance arrangements the Cabinet is required to consider reports from the Scrutiny Committee so there are no alternative options.

5. Appendices

Appendix 1: The final report of the Executive-Scrutiny Protocol working group.

6. Background papers

None identified.

7. Reasons for Recommendations

To comply with Executive governance arrangements and fulfil the role of the Overview and Scrutiny Committee.

Report to: Cabinet

Subject: Scrutiny Report

Report of the Executive-Scrutiny Protocol working group

Date: 19 March 2020

Author: Councillor Clunie, Chair of the Overview and Scrutiny Committee.

Wards Affected

Borough wide

1. Purpose of the Report

To present the final report and recommendations of the working group that has been developing an Executive-Scrutiny Protocol which will be used to define the relationship between the Overview and Scrutiny Committee and the Cabinet. Members are asked to consider the report and recommendations of the above review, previously approved by the Overview and Scrutiny Committee and refer the report to the appropriate Cabinet Member in order for a response to be made to the Overview and Scrutiny Committee at the next meeting.

2. Background

The relationship between the Executive (Cabinet and Portfolio Holders) and the scrutiny function is governed in part by legislation and the Council's Constitution, in particular the Overview and Scrutiny Committee procedures. The purpose of this protocol is to set out the principles which will be followed by both the Executive and the Overview and Scrutiny Committee.

- I. To enable Overview and Scrutiny members and the Executive members to fully understand their powers, roles and responsibilities in relation to the Overview and Scrutiny function
- II. To establish a framework and the necessary procedures to enable scrutiny to work effectively.
- III. To define and clarify the role of the Executive in the scrutiny process.

The Executive and the Overview and Scrutiny Committee have very different functions and responsibilities. However the aim of both is to secure the best outcomes for the people who live and work in Gedling.

It is the responsibility of the Executive to take decisions to implement the budget and the key policies set out in the policy framework agreed by Full Council.

The Overview and Scrutiny Committee has a number of responsibilities. These include:

- I. Holding the Executive to account on behalf of the residents of the borough of Gedling through the regular review of performance in relation to service delivery
- II. Holding the Executive to account through scrutinising its decisions
- III. Undertaking reviews of Council activities and those of other public bodies that affect the people who live and work in Gedling, leading to recommendations on improvements which can be made
- IV. Calling-in Executive decisions which have not yet been implemented if there is a need for aspects of the decision to be reviewed
- V. Assisting the Executive in policy formulation and developing recommendations on the budget and policy framework when examining the Executive's proposals.

3. Relationship between the Executive and Scrutiny.

The following principles set out how the working relationship between the Executive and the Overview and Scrutiny Committee should operate.

- I. The Executive and members of the Overview and Scrutiny Committee recognise that they each have different functions and responsibilities that contribute to securing the best outcomes for the people who live and work in the Gedling borough.
- II. All participants in the working relationship between Executive and the Overview and Scrutiny Committee will do so in a spirit of mutual respect and constructive challenge.
- III. Meetings of the Overview and Scrutiny Committee should bear in mind the statutory guidance that scrutiny work should be conducted in a non-party political manner
- IV. The Executive recognises that the Overview and Scrutiny Committee has a number of rights, for example requiring Portfolio Holders to attend its meetings or calling-in Executive decisions which have not yet been implemented should they consider a decision to be reviewed. The Overview and Scrutiny Committee will exercise those rights responsibly.
- V. One of the principal responsibilities of the Overview and Scrutiny Committee is the ability of non-executive members to hold the Executive to account. An important method to ensure accountability is through examining performance and decisions taken by the authority. To facilitate this challenge the Overview and Scrutiny Committee may:

- a. Challenge the Executive about decisions which have been taken by Cabinet;
 - b. Consider performance information;
 - c. Query or ask for information about items which are set out in the Forward Plan.
- VI. In addition to their rights as councillors members of the Overview and Scrutiny Committee and its working groups have additional rights of access to documents as included in the Access to Information rules in the Constitution. This allows the committee access to copies of any documents which are in the possession, or control, of the Executive or its committees. There are a few limits on this access and these are identified in the rules.
 - VII. The Chair of the Overview and Scrutiny Committee, to maintain the independence of the committee, should declare an interest when presiding over the scrutiny of relatives who may be part of the Executive.
 - VIII. Members of the Executive cannot be members of the Overview and Scrutiny Committee and members holding a Policy Advisor role will not act as a member of the Committee to maintain separation of roles between the Executive and Scrutiny function.
 - IX. The Overview and Scrutiny Committee will report annually to Full Council to evaluate their work during the previous year and to summarise the programme for the forthcoming year.
 - X. The Leader and Chief Executive will attend a meeting of the Overview and Scrutiny Committee each year to discuss issues and priorities for the Council in the year ahead prior to the scrutiny work programme for the year being agreed.

4. Conduct of Meetings.

The following principles set out how meetings should be conducted in support of the general principles above.

- I. Meetings of the Overview and Scrutiny Committee which are attended by Portfolio Holders are subject to the relevant provisions in the Council's Constitution. They will usually be held in public unless exempt or confidential information will be discussed and consideration needs to be given whether the public and press should be excluded.
- II. Portfolio Holders required to attend the Overview and Scrutiny Committee will be given at least 5 working days' notice in writing by the Democratic Services Officer, together with an indication of the issues being raised and the expected focus of questioning.
- III. Members of the Overview and Scrutiny Committee are asked to notify the Democratic Services Officer of any factual information required in advance of the meeting.

- IV. When a Portfolio Holder is required to attend a Committee they may be accompanied by the relevant officer(s) to assist with explaining complex information. They may also be accompanied by the relevant Policy Advisor.
- V. Attendance by Portfolio Holders at task and finish working groups is to inform debate, clarify matters and contribute to a specific topic rather than to be held to account in respect of matters relating to the Portfolio Holder's responsibilities.

5. Developing a work programme for the Overview and Scrutiny Committee

The work programme is a flexible plan which outlines the programme for the coming municipal year and is usually developed at the first meeting after the Annual Council. The programme is drawn together by the Chair and members of the Committee and can include issues put forward by members, topics that arise during discussion with Portfolio Holders and senior officers, concerns generated from the Corporate Complaints Policy, the Gedling Plan, results of the Gedling Conversation, performance data and potential issues arising from corporate priorities or the Forward Plan.

When selecting issues to be examined by a scrutiny working group the Committee will refer to the scrutiny review topic selection template to ensure it meets the criteria for selection.

The relevant Portfolio Holder and senior officer will be informed of any reviews undertaken that fall within their remit, and asked for observations on the final scoping document.

Executive members can suggest items for inclusion in the scrutiny work programme; however it is recognised that the Executive should not try to exercise control over the work of the Overview and Scrutiny Committee. It is ultimately for the Committee to determine whether to include such suggestions in the programme.

Once the work programme has been agreed the Overview and Scrutiny Committee will endeavour to deliver it, however it is recognised that the programme needs to be flexible enough to be able to accommodate urgent, short term issues or emerging priorities that may arise during the year. On occasion there may be good reason why an ongoing review is not concluded or planned review not commenced. This could be for a number of reasons including lack of capacity, insufficient evidence upon which to draft firm conclusions or decision by the Committee that it is no longer a priority. In such circumstances the relevant Portfolio Holder will be informed prior to the Committee deciding to remove the review from the work programme.

It is important that the work of the Overview and Scrutiny Committees receives broad publicity in order to ensure that residents and community groups are able to engage with the process. The Democratic Services Officer will work with the Council's Communications Team to publicise the work of the Committee.

6. Scrutiny Review Recommendations.

- I. Following the conclusion of a scrutiny review the final report and recommendations will be presented to the Overview and Scrutiny Committee and when agreed submitted to the Executive for consideration. The chair, or appropriate member if the chair is not available, of the working group, will present the report and recommendations to the next scheduled meeting of the Executive.
- II. The Executive will provide a written response to the recommendations from the responsible Portfolio Holder and this will be presented to the Overview and Scrutiny Committee within twenty eight days of the date the review was presented to the Executive.
- III. The response will identify those recommendations that have been accepted and will be implemented, along with reasons for those that will not be taken forward.
- IV. The Overview and Scrutiny Committee has a duty to monitor progress of implemented recommendations. Accepted recommendations will be tracked using the Pentenna performance management software. After six months the Portfolio Holder responsible will be invited to attend the Committee to explain to members the progress of the implementation of accepted recommendations.

7. Compliance with this Protocol

The Monitoring Officer is responsible for overseeing compliance with the protocol, and ensuring that it is used to support the wider aim of supporting and promoting a culture of scrutiny. Matters relating to the protocol's success will be reported to full Council through the scrutiny annual report. The role also includes promoting the role of the authority's scrutiny committee, providing support and guidance to members and officers relating to the functions of the scrutiny committee and providing a link between the Executive, the Overview and Scrutiny Committee and the Senior Leadership Team.

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Report to Cabinet

Subject: Forward Plan

Date: 19 March 2020

Author: Service Manager, Democratic Services

Wards Affected

Borough-wide.

Purpose

To present the Executive's draft Forward Plan for the next four month period.

Key Decision

This is not a Key Decision.

Recommendation(s)

It is recommended THAT Cabinet note the contents of the draft Forward Plan making comments where appropriate.

Background

- 1 The Council is required by law to give to give notice of key decisions that are scheduled to be taken by the Executive.

A key decision is one which is financially significant, in terms of spending or savings, for the service or function concerned (more than £500,000), or which will have a significant impact on communities, in two or more wards in the Borough.

In the interests of effective coordination and public transparency, the plan includes any item that is likely to require an Executive decision of the Council, Cabinet or Cabinet Member (whether a key decision or not). The Forward Plan covers the following 4 months and must be updated on a rolling monthly basis. All items have been discussed and approved by the Senior Leadership Team.

Proposal

- 2 The Forward Plan is ultimately the responsibility of the Leader and Cabinet as it contains Executive business due for decision. The Plan is therefore presented at this meeting to give Cabinet the opportunity to discuss, amend or delete any item that is listed.

Alternative Options

- 3.1 Cabinet could decide not agree with any of the items are suggested for inclusion in the plan. This would then be referred back to the Senior Leadership Team.
- 3.2 Cabinet could decide to move the date for consideration of any item.

Financial Implications

- 4 There are no financial implications directly arising from this report.

Appendices

- 5 Appendix 1 – Forward Plan

Background Papers

- 6 None identified.

Reasons for Recommendations

- 7 To promote the items that are due for decision by Gedling Borough Council's Executive over the following four month period.

Gedling

Borough Council



FORWARD PLAN

FOR THE FOUR MONTH PERIOD 1 APRIL 2020 TO 31 JULY 2020

This Forward Plan sets out the details of the key and non-key decisions which the Executive Cabinet, individual Executive Members or Officers expect to take during the next four month period.

The current members of the Executive Cabinet are:

Councillor John Clarke – Leader of the Council

Councillor Michael Payne – Deputy Leader and Portfolio Holder for Resources and Reputation

Councillor Peter Barnes – Portfolio Holder for Environment

Councillor David Ellis – Portfolio Holder for Public Protection

Councillor Gary Gregory – Portfolio Holder for Community Development

Councillor Jenny Hollingsworth – Portfolio Holder for Growth and Regeneration

Councillor Viv McCrossen – Portfolio Holder for Young People and Equalities

Councillor Henry Wheeler – Portfolio Holder for Health and Wellbeing.

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each key decision, within the time period indicated.

Description of the decision	Date decision is expected to be taken and who will take the decision?	Responsible Officer	Documents to be considered by the decision maker	Cabinet Portfolio	Open / Exempt (and reason if the decision is to be taken in private) Is this a Key Decision?
Budget Outturn and Budget Carry Forwards 2019-20 To report on the final budget outturn for the financial year.	20 May 2020 Cabinet	Tina Adams, Principal Finance Business Partner	Officer Report	Leader of the Council	Open Yes
Carlton Square Regeneration Scheme Report to agree the Carlton Square Regeneration Scheme and the permissions required to progress this. Working in partnership this will include the works to the car park and the Square.	May 2020 Cabinet	Jeffery Kenyon, Economic Growth Manager	Officer Report	Portfolio Holder for Growth and Regeneration	Part exempt Yes
Development of Calverton Business Units Agreement to pursue development of additional Calverton Business Units and required permissions	May 2020 Cabinet	Jeffery Kenyon, Economic Growth Manager	Officer Report	Portfolio Holder for Growth and Regeneration	Part exempt Yes