

AMENDED AMENDED AGENDA

COMMUNITY, LEISURE SERVICES AND ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE MEETING

Date: Tuesday 13 August 2013
Time: 6.30 pm
Venue: Town Hall, High Street, Maidstone

Membership:
Councillors: Ash, Beerling, Mrs Blackmore (Chairman), Brindle,
Mrs Gibson, Mrs Joy (Vice-Chairman),
Mrs Mannering, Munford and Yates



Overview and Scrutiny

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Continued Over/:

Issued on 12 August 2013

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

12. Part-night Streetlights Consultation - Urgent Item

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Kent Highways (Kent County Council) are seeking feedback on proposals to turn off some street lights for a number of hours over night, possibly between midnight and 5:30am. The consultation has county-wide relevance. The deadline for responses is Friday 23 August 2013. Full details of the consultation proposals are attached. Members are asked to consider forming a task and finish panel to meet week commencing 19th August to evaluate the ramifications of the proposals on Maidstone borough and formulate a response on behalf of the Committee.

13. Future Work Programme

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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 Orla Sweeney on 01622 602524**. To find out more about the work of the Overview and Scrutiny Committees, please visit www.maidstone.gov.uk/osc

MAIDSTONE BOROUGH COUNCIL

MINUTES OF THE COMMUNITY, LEISURE SERVICES AND ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE MEETING HELD ON TUESDAY 16 JULY 2013

PRESENT: Councillors Brindle, Mrs Gibson, Mrs Joy (Vice-Chairman), Mrs Mannering, D Mortimer, Newton and Yates

11. The Committee to consider whether all items on the agenda should be web-cast.

It was resolved that all items be web-cast.

12. Apologies.

Apologies were received from Councillors Ash, Beerling, Mrs Blackmore and Munford.

13. Notification of Visiting Members.

There were no Visiting Members.

14. Notification of Substitute Members.

Councillor Newton and Councillor D Mortimer attended as Substitute Members for Councillors Munford and Beerling respectively.

15. Disclosures by Members and Officers.

There were no disclosures.

16. To consider whether items on the agenda should be taken in private because of the possible disclosure of exempt information.

It was agreed that all items be taken in public as proposed.

17. Minutes of the meeting held on 11 June 2013.

It was resolved that the minutes of the meeting held on 11 June be agreed as a correct record and duly signed.

18. Cabinet Member for Community and Leisure Services - Priorities for the Municipal Year 2013/14

The Cabinet Member for Community and Leisure Services provided an overview of his priorities for the year (attached at **Appendix A**), highlighting five priority areas:

1. Young People;
2. Road Safety (Killed or seriously injured);
3. Health Inequalities (including families with 0-5 years);
4. Housing Services; and
5. Parks and Leisure Services.

The Committee questioned young people's involvement in the youth forum and whether or not this had increased. The Cabinet Member agreed to investigate this and provide Members with an update.

A Member of the Committee highlighted an issue with play facilities for young children near to Heather House in Park Wood being misused by young adults. The Committee requested an update on this, included information on alternative facilities available for older children/young adults in the area.

In relation to priority area 4, Housing Services, the Committee requested an update on the use of Bed & Breakfast accommodation by Maidstone Borough Council for temporary housing.

It was resolved that:

- a) Further information be provided to the Committee on the youth forum and whether or not there has been increased involvement;
- b) The Committee be updated on its concerns regarding the play facilities for young Children at Heather House and the alternative facilities available for young adults in the area who are currently using them; and
- c) An update on the use of Bed & Breakfast accommodation by Maidstone Borough Council for temporary housing be provided to the Committee.

19. Draft Report: Approval of a new Play Area Strategic Standard

The Cabinet Member for Community and Leisure Services provided an overview of the Play Areas review and the options going forward which had first come to Scrutiny in April 2013. It was at this meeting that the Committee had agreed for further work being undertaken on 'option 3' which would be reported back to Scrutiny.

Option 3 was the strategic standard for the provision of Play Areas in the borough. The criteria for which was to have a play area within 12 minute minutes walk for all residents across the borough. It was proposed that there would be an investment of £1.8 million to bring all Maidstone Borough Council (MBC) Strategically Important Play Areas to a Green Standard. It was estimated that 20 MBC Non Strategically Important Play Areas would not be invested in. Non Strategically Important Play Areas would be offered to Community Groups and Parish Councils and MBC would offer support to these groups.

Jason Taylor, Park and Leisure Manager provided a verbal update to the Committee's recommendations (Appendix B).

In response to Members questions it was clarified that play equipment would be removed from non- strategically important sites within 1 year and returned to an open space if not taken on by another body (i.e. a community group or Parish Council).

A Member raised concerns about play areas being returned to open spaces and possible issues with misuse by older teenagers. Amanda Scott, Play Facilities Development Officer explained that older teenagers tended to go to areas where they could sit. Therefore if a play area was to become a non-strategically important play area and returned to an open space, it would become less attractive. It would also be more visible from the roadside to Police and Police Community Support Officers (PCSOs).

The Chairman moved the recommendations in the report. Members agreed the recommendations as set out in paragraph 2 of the report with some additional wording.

It was resolved that the Committee agree the following recommendations, as set out in paragraph 2 of the draft report with some additional wording added which is highlighted in bold.

That the Cabinet Member agrees to:

- a) A new borough wide standard of play provision being "that most residents across the borough will live within 12 minutes walk of a good standard play area";
- b) Available funding in future is targeted at these Strategically Important Play Areas;
- c) That any non Strategically Important Play Areas be offered to the community **and added to the Community Right to Bid list of Assets**; and
- d) After one year any Non Strategically Important Play Areas that are not taken on by the public will have the equipment removed, but will be retained as open **space for perpetuity**.

20. Future Work Programme.

The Committee considered its Future Work Programme and the Committee's training needs. Members specified that they would like training in 'challenging' or questioning skills.

It was resolved that no changes be made to the Committee's work programme at present and training be organised on challenging and/or questioning skills.

21. Duration of Meeting.

6.30 p.m. to 7.40 p.m.

Overview and Scrutiny: 16 July 2013

Portfolio Holder Priority Statement

Councillor John A. Wilson, Cabinet Member for Community and Leisure Services

Introduction

The priorities held by Councillor John A. Wilson, Cabinet Member for Community and Leisure Services for 2013/14:

1. Young People
2. Road Safety (Killed or seriously injured)
3. Health Inequalities (including families with 0-5 years)
4. Housing Services
5. Parks and Leisure Services

Priority 1: Young People

Maidstone has approximately 18,700 young people aged 10 – 19 years.

The borough is made up of two thirds of young people living in the urban areas and one third of the young people living in the rural areas. Children and young people are being affected by deprivation in both rural and urban areas. Data demonstrates that Maidstone has a relatively high number of 16-18 year olds who are not in education, employment or training (NEET); with the unemployment figure in 2010 for under 24 years at 30.2%. The Borough has a high proportion of schools leaving achieving five or more A* - C grade GCSEs (87.3%). The year has seen many changes for how we achieve outcomes for young people. Savings have been made and innovative ways on how to continue valued projects achieving real outcomes for young people have been developed. Maidstone Youth Forum's online information service 'In the Stone' for young people, parents and professionals within the Maidstone Borough continues to be well used with an average of 10,000 hits every quarter.

Priority 2: Road Safety (Killed or seriously injured)

The costs and impact of road collisions (killed and seriously injured) are significant in both financial and human terms. Maidstone is a large district in size with the majority of crashes located in the town centre and arterial routes leading to and from the town. Maidstone has amongst the highest population (total) for any district in Kent. Maidstone had the highest number of casualties in all Kent roads in 2009 (705). The number of killed and seriously injured (KSI) was 64 in 2009. Although figures are decreasing, they are still amongst the highest in the county. Maidstone has recorded a high proportion of people travelling to work by car and this is reflected in the statistics, as the district again recorded the highest number of car user casualties in 2009 (510). Maidstone has also recorded the highest number of 17-24 year old casualties in the last 3 years and an increased number of child casualties over the same period. Crashes involving 17-24 year old casualties are spread throughout the district, when looking specifically at the 15 KSI crashes these are split evenly between the built up and no build up areas, 47% occurred on 30mph roads. Powered two wheeler crashes in Maidstone make up 10% of the county's total. Whilst there are a high number of P2W crashes in the Maidstone town centre, they are also located on the strategic routes into/out of the town centre, particularly the A20, A229 and A274.

Safety in Action is an annual, two-week programme designed to help Year 6 pupils develop their competence and confidence in responsible citizenship and safety skills. It is hoped the programme will help students deal with potential life-threatening situations and aid their transition period from Primary to Secondary School by making them more safety aware. The Road Safety team contributes to the event by providing a 'Road

Safety' scenario, focusing on pedestrian safety. 76% of children who attended Safety in Action said they learnt a lot at the event with teachers commenting "A fantastic rotation of real life activities designed to challenge the children's choice making"

3,359 pupils were seen by the Road Safety team through the Schools education programme. The programme includes RUSH, License to Kill and Car'nage and looks at the dangers to young people on the roads and provide them with strategies to help keep themselves and others safe.

Priority 3: Health Inequalities (including families with 0-5 years)

Relative deprivation impacts on a person's ability to participate in or have access to employment, occupation, education, recreation, family and social activities and relationships. People in deprived circumstances often do not present with major health problems until too late. Barriers to presentation include structural issues such as poor access to transport; language and literacy problems; poor knowledge; low expectation of health and health services; fear and denial and low self-esteem.

In Maidstone, the difference in life expectancy between the most deprived and most affluent wards in Maidstone is 8.9 years. Further analysis shows that the differences in life expectancy are directly linked with levels of deprivation, worklessness, access to healthy housing, attainment in education, good support networks and access to clean green spaces for recreation. By enabling young people to develop their life skills they will be more ready to achieve better whilst in education, become ready for employment and learn those skills and have positive aspirations to pass onto their children. The Marmot report identified that by age 6 the attainment of a child from a poor socio economic background with high cognitive skills will be overtaken by a child with poorer cognitive ability from a better off background.

50% of offenders leaving prison are unable to read and write – improving basic education attainment will reduce the cost of re-offending and crime.

Maidstone has a higher estimated percentage of obese adults than the England average – at 26.5 per cent (24.2% nationally). Reception year children classified as obese is similar to the England average, but school aged children spending at least 3 hours a week on physical activity at school is 11.3% below the national average. Kent has seen an overall reduction in teenage pregnancy of 18%, compared to a national reduction of 19%; however Maidstone figures have increased by 11%. However, rates in hotspots have significantly reduced.

Priority 1: Young People: 2013/14 Action Plan

Action	Description	Deadline	Assigned to
Support the Switch Youth Cafe in running Maidstone Youth Forum	Increase youth participation in the Forum and develop the Forum's link across initiatives key priorities including, alcohol and substance misuse, positive relationships and health and wellbeing	March 2014	Julia Fraser Sarah Shearsmith
Support the organisation of the Youth Sport Achievement Awards	Working in partnership with Active Maidstone to improve sports/club partnerships and deliver YSAA	February 2014	Sarah Shearsmith
Encourage youth engagement via our social media channels	Promote and develop In the Stone website and social media platforms e.g. Twitter and Facebook	December 2013	William Solly Sarah Shearsmith
Encouraging young people to take more of an active role in the council's democratic services process.	Working in partnership with Democratic Services during Local Democracy week to run a programme of activities for young people	March 2014	Julia Fraser Sarah Shearsmith

Priority 2: Road Safety (killed or seriously injured): 2013/14 Action Plan

Action	Description	Deadline	Assigned to
Support a town centre road safety poster campaign	Promote Maidstone Road User targeted messages through the town centre and Urban Blue bus.	December 2013	Duncan Bruce
Support a parishes road safety poster campaign	Work with Kent Road Safety team to promote their 'Drinking and Driving' poster in the parishes	March 2014	Duncan Bruce/Emma Fagg
Promote a road safety event where key stakeholders promote road safety issues to the public and businesses	Promote road safety campaigns at Safety in Action and Maidstone Mela, working with	March 2014	Duncan Bruce/Sarah Shearsmith

	KFRS		
Using the Borough Update as a means of publicising the road safety message	Promote road safety messages to residents, with input from Kent Police, Fire and Rescue Services and Kent and Medway Safety Camera Partnership;	December 2013	Duncan Bruce/William Solly
Ensure Police are consulted with regard to new large developments to identify potential road safety problems	Kent Police Crime Prevention Design Advisor advised by MBC Planning at pre-application stage of proposed large developments	Ongoing	John Grant/MBC Planning

Priority 3: Health Inequalities (incorporating 0-5 years)

Action	Description	Deadline	Assigned to
Develop the strategic direction and priorities for action to tackle health inequalities in Maidstone	Host a Health Inequalities Stakeholder event	July 2013	Katie Latchford
	Draft a Health Inequalities Action Plan for the Maidstone Borough	August 2013	Katie Latchford
Work with Maidstone partners, including the Kent Public Health, West Kent CCG, PPG and Healthwatch, to encourage better joint working and develop funding opportunities	Re-establish a Health and Wellbeing delivery group in Maidstone	September 2013	Sarah Robson
Work with Maidstone partners to develop a joint action plan to allow better joint working and pooling of resources and funding	Host a task and finish group to develop a 0-5 years Action Plan to support key areas including; literacy and reading, road safety, healthy weight and eating and practitioner training	September 2013	Katie Latchford

Priority 4: Housing Services

1. Homelessness Strategy

The council's current Homelessness Strategy was adopted in 2009 and runs until 2013 and a key piece for work this year will be to review the strategy and adopt a replacement.

Since 2009 Maidstone has seen levels of homelessness rise, with an increase in the number of households accepted as being homeless and in priority need from 7 households in 2009/10 compared with 198 households in 2012/13.

This sharp rise in homelessness has been driven by a range of factors that have influenced the local housing market and the wider economy. The range of welfare reforms introduced from April 2013 are also starting to impact negatively on homelessness and the replacement of Housing Benefit with Universal Credit presents a further negative pressure on homelessness.

2. Housing Strategy refresh

The council's Housing Strategy was adopted in 2011 and runs to 2014/15. Since the adoption of the strategy the local housing market across Maidstone has changed markedly. The strategy would benefit from a refresh to ensure that the action plans continue to meet our needs moving forward, however, we need to be mindful of the developing Local Strategic Plan and the Affordable Housing Supplementary Planning Document, as these should dovetail with the Housing Strategy.

3. Reducing homelessness

The number of homeless applicants accepted as being in priority need has averaged 193 for the two years 2010/11 and 2012/13. While this is a symptom of a range of external factors it is important that our service continues to respond to changing demands and that we make use of innovative approaches to reduce homelessness and its negative impact.

4. Reducing the number of empty homes across Maidstone

The council's Empty Homes Plan was agreed in February 2013 and sets out how the council intends to both reduce the number of empty homes and bring empty homes back into use. Across Maidstone there are around 1,420 empty homes in total (2.11% of the total housing stock) of which around 1,350 are in private ownership. Maidstone has the third lowest percentage of empty homes across Kent and Medway, and many of these are transactional empty homes (e.g. in the process of being sold) with only around 420 homes that have been empty for more than 6 months.

The council is currently engaged in an innovative lease repair scheme for long-term empty homes working in partnership with the Homes and Communities Agency (HCA) and the work that the council is delivering has attracted national media interest.

5. Improving private rented housing

The private rented sector continues to grow and now exceeds the subsidised housing sector in terms of the number of units of accommodation. In Maidstone, due to the limited supply of subsidised housing, particularly one and two bedroom properties, the private rented sector is key to providing a range of housing options to our residents.

To support this the Private Sector Housing Team enforce the statutory requirements for private rented accommodation to be free from severe health and safety hazards, as well as the mandatory licensing requirements for larger HMOs. To provide a robust response and to support the private rented sector as a sustainable long-term housing solution, we will deliver a proactive inspection programme targeting high-risk accommodation.

6. Delivering a new approach for temporary accommodation

Due to the large number of homeless applicants approaching the council for advice and assistance, the number of applicants to whom the council owes a duty to provide interim accommodation has also risen. This has resulted in emergency temporary accommodation costs escalating.

To help address this demand we are working as part of the Commercialism Project to purchase suitable properties to use as emergency temporary accommodation which will both reduce the financial impact and improve our service to homeless applicants who require emergency accommodation.

7. Reviewing the council's Allocation Scheme

The council's Allocation Scheme for nominating housing register applicants was replaced from April 2013 with a new scheme which replaced the previous points-based system with a banded scheme where applicants are given priority based on the date they joined the register.

The new scheme requires that applicants have a local connection to Maidstone, along with a housing need, and has resulted in a reduction in the number of housing register applicants from over 3,000 to just over 1,100.

As the new scheme introduces a series of radical changes it is important that we review both the operation of the scheme and the impact on our customers to ensure that the scheme meets our aspirations moving forward.

8. Maximising capacity in the private rented sector

As demand for limited amount of available subsidised housing continues to outstrip demand, the use of the growing private rented sector as a sustainable housing option becomes more important. In February, the council also adopted a policy for ending the council's housing duty to certain homeless applicants by making an offer of private rented accommodation in accordance with the relevant legislation and guidance.

For the council to make best use of the private rented sector, we are re-launching our Bond Scheme which provides an incentive to private landlords where they offer tenancies to homeless by setting up Maidstone Homefinders which will provide a service for private landlords to advertise their accommodation to housing register applicants. The scheme will

also provide a range of incentives to private landlords with the aim of increasing the number of properties that are available to homeless applicants.

9. Improving home energy efficiency

Sadly, compared with Kent and Medway, there continue to be a higher than average number of excess winter deaths across Maidstone - largely as a result of poor thermal performance of homes as well as the incidence of fuel poverty. We are working closely within the Kent and Medway green Deal Partnership to deliver a range of cross borough interventions to provide improved home energy efficiency. These will include no cost insulation and energy efficiency measures, the introduction of collective switching for energy bills, and the extension of oil purchasing clubs in rural areas.

10. New affordable housing

We remain on track to deliver just under 200 new affordable homes this year. We will continue to promote the Help to Buy equity loan scheme makes new build homes available to all home buyers (not just first time buyers) who wish buy a new home through developers participating in the scheme. The government has just announced that it will continue funding new affordable housing post 2015; the details have yet to be provided but it will be an extension of the current programme that has to date enabled us to provide nearly 600 homes for families.

SCRUTINY COMMITTEE RECOMMENDATION ACTION AND IMPLEMENTATION PLAN (SCRAIP)

Committee: COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Meeting Date: 22 April 2013

Minute N^o: 84

Topic: Play Areas Review

Recommendationⁱ	Cabinet Memberⁱⁱ	Responseⁱⁱⁱ	Timetable^{iv}	Lead Officer^v
<p>It was recommended that:</p> <p>The Committee agrees that the Cabinet Member for Community and Leisure Services continue to investigate Option 3 and report back to the Committee with further details which should include the following:</p> <ul style="list-style-type: none"> Detailed costings about the proposals including potential savings relating to the economies of scale that may be achieved; 	<p>Councillor John A Wilson</p>	<p>Costings Current situation</p> <p>There are currently 69 MBC Play areas across the borough. On average play areas need complete replacement at least every 15 years with the busier ones, such as Mote Park, needing major refurbishment every 7-8 years.</p> <p>Currently 51 of MBC's play areas will need work of varying degrees in the next 5 years to get to and maintain them at green standard.</p> <p>The current capital budget for replacement/ refurbishment of MBC play areas is £100,000 a year.</p> <p>To replace all of the MBC play areas would cost over £3m and with current budgets would take over 40 years. This takes no account for increases in costs of equipment or budgets.</p> <p>This demonstrates that maintaining the current number of play areas, with the current level of capital, is not a realistic</p>		<p>Jason Taylor</p>

		<p>option.</p> <p>Currently not all of our play areas are in a position where they need total refurbishment but 51 out of the 69 MBC play areas do need work of varying degrees to get them up to green standard. The longer it takes to get a proactive programme in place the greater the speed at which the quality of the councils play areas will decrease.</p> <p>Information on costings for proposed</p> <p>In the last meeting a number of options for managing MBC Play Areas in the future were discussed.</p> <p>The third option discussed at the meeting would mean instigating a new standard of play provision across the borough of "the majority of residents being a maximum of 12 minutes walk from an amber or green play area"</p> <p>In this option once a play area decreased to the amber standard it would then be targeted for improvement, before it dropped to red standard. These green, amber and red standards refer to the current standards detailed in the play area scoring matrix.</p> <p>The mapping exercise carried out identified that if the standard of "the majority of residents being a maximum of 12 minutes walk from an amber or green play area" were to be adopted then there would potentially be 20 MBC play areas</p>		
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		<p>that were not strategically important in achieving this standard. These non Strategically Important Play Areas (SIPA's) would be offered to the community to take over or closed in time.</p> <p>The cost to bring the SIPA's from their current to green standard would be approximately £1.8m as detailed in the presentation. There is a slight variation in whether this is done in 1 or 5 years.</p> <p>This £1.8m is based on the standard of all of the play areas when they were last scored at the beginning of 2013 and further deterioration will have an effect on the cost of getting them back to green standard.</p> <p>Information showing the standard of all of the play areas across the borough when they were inspected in January this year is enclosed with this response. Information detailing what is required to bring all MBC play areas to green standard is held by the Parks section.</p> <p>The current revenue budget for play area maintenance would also need to be increased as detailed in the presentation to scrutiny.</p> <p>The 12 minute standard refers to toddler and Junior play areas. Youths facilities such as Skate Parks and Multi Use Games areas were not included, as teenagers travel further to use the facilities that they want to use rather than the one which is local to them. However all existing youth facilities will be brought up to green standard as part of this proposal.</p>		
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<ul style="list-style-type: none"> Information on ownership and different ownership models for play areas, this should include Parish ownership and the support through the Parish Service Scheme; 		<p>Ownership</p> <p>Currently 40 play areas in the borough belong to parish councils, KCC and housing associations. A number of the SIPA's network will belong to the parishes and these other bodies. Currently if a parish council provides a play area in an area that MBC does not, a revenue payment is given to that Parish council, as they are effectively providing play on behalf of MBC.</p> <p>If in the future MBC were to no longer provide a play area and the Parish Play area became the SIPA then the Parish Council would receive a revenue payment from MBC through the parish services scheme</p> <p>Option three also proposes that a grant of £10,000 be available to Parish Councils that provide SIPA's to be used toward new equipment.</p> <p>Currently the parishes receive no contribution from MBC towards the improvement of their play areas.</p> <p>Non-SIPA's that are owned by MBC will be offered to community groups, such as parishes, Housing Association, Community Groups, Trusts, etc, to take on. MBC cannot offer financial support to these groups, as these play areas would not be strategically important, they would provide help and support to these groups in areas such as play area management, maintenance suppliers and sources of funding. It may also be possible to carry out safety inspections.</p>		
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<ul style="list-style-type: none"> Further information on the 12 minute standard for most residents; and Clarity on which payments are from the Capital Budget and which monies are from the Revenue Budget. 		<p>These non SIPA's could be taken on either by lease from MBC or the Freehold ownership could be passed on.</p> <p>Walking Distances</p> <p>GIS mapping of all play areas was carried out to establish walking distances between play areas and homes. This identified areas of over and under provision.</p> <p>Using an average walking speed of 3 miles an hour the following distances were tested as reasonable walking times from the play areas.</p> <ul style="list-style-type: none"> 804m = 10 minutes walking time 965m = 12 minutes walking time <p>When mapping this out boundaries such as the river, main roads and the railways were taken into account.</p> <p>GIS maps were built showing the walking distances from play areas and the overall provision of each play area.</p> <p>Capital and Revenue</p> <p>Revenue is used for repairs of play equipment or safety surfacing</p> <p>Capital is used to refurbish, replace or renew play equipment, safety surfacing, supplementary items or whole play areas.</p>		
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Notes on the completion of SCRAIP

ⁱ Report recommendations are listed as found in the report.

ⁱⁱ Insert in this box the Cabinet Member whose portfolio the recommendation falls within.

ⁱⁱⁱ The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box either the acceptance or rejection of the recommendation.

If the recommendation is rejected an explanation for its rejection should be provided. The 'timetable' and 'lead officer' boxes can be left blank

If the recommendation is accepted an explanation of the action to be taken to implement the recommendation should be recorded in this box. Please also complete the 'timetable' and 'lead officer' boxes.

^{iv} The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box when the action in indicated in the previous box will be implemented.

^v The Officer/Cabinet Member responsible for responding to the recommendation should indicate in this box the Officer responsible for the implementation of the action highlighted in the 'response' box.

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR COMMUNITY & LEISURE SERVICES

JULY 2013

REPORT OF THE HEAD OF HOUSING AND COMMUNITY SERVICES

Report prepared by Sarah Robson

Date Issued: 5 July 2013

1. Maidstone Closed Circuit Television (CCTV) Operational Protocol

1.1 Key Issue for Decision

1.1.1 The purpose of this report is to present to the Cabinet Member the Maidstone Borough Council Closed Circuit Television (CCTV) Protocol 2013 – 2017. A CCTV review undertaken in 2012 has resulted in the development of new protocols for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.2 Recommendation of the Head of Housing and Community Services

1.2.1 That the Cabinet Member agrees the Maidstone Borough Council Closed Circuit Television (CCTV) Protocol 2013 – 2017 for immediate use.

1.3 Reasons for Recommendation

National Strategic Objectives for CCTV

Maidstone Borough Council operates its CCTV camera systems in compliance with the 3 purposes set out in the Information Commissioners CCTV Code of Practice. This states that CCTV camera use must be necessary to address one of the following pressing needs: Crime Prevention (including antisocial behaviour), Public Safety and/or National Security.

1.3.1 CCTV is recognised both nationally and locally as an important tool within any crime reduction approach.

1.3.2 The Protection of Freedoms Act (PFA) was introduced in May 2012 which seeks to balance the positive benefits of CCTV whilst minimising collateral intrusion, and promoting transparency and proportionality.

1.3.3 The Act, in seeking to maintain an appropriate balance between crime prevention and protecting individual rights to privacy, amongst other things, introduces the new role of 'Surveillance Camera Commissioner'

to oversee the use nationally of local CCTV systems operated by Statutory Authorities.

- 1.3.4 Following the introduction of the Act, the Surveillance Camera Commissioner's draft revised guidelines for the use of CCTV came into effect on 1 April 2013. These guidelines make it clear that Crime Prevention, Public Safety and National Security will remain the only legitimate uses for CCTV, under the PFA (2012).
- 1.3.5 This new draft guidance along with the recommendations from the local CCTV review undertaken during 2012 has resulted in the development of this protocol for the disclosure of images, and for the commissioning and decommissioning of cameras across the Maidstone Borough.
- 1.3.6 The Council uses CCTV cameras to improve public safety and to assist in the prevention and detection of crime and disorder. The Council operates both fixed (static) location visible cameras and a small number of mobile visible cameras.
- 1.3.7 Generally non covert cameras are used by the Council to cover; public spaces, the outside of council buildings, (car parks/public areas/perimeters) and/or the public areas of council buildings. (receptions/interview rooms)
- 1.3.8 A number of mobile visible cameras are used by the Council to provide short term CCTV coverage of public spaces identified as hotspot locations for crime or disorder and/or to assist Council Departments in carrying out their regulatory, investigatory and enforcement duties.
- 1.3.9 Maidstone's CCTV system consists of 104 cameras operating across the Maidstone borough, providing a 24-hour live feed into the main Control Centre for the CCTV Partnership located at Medway Council and are monitored under a Partnership Agreement.

Local Strategic Objectives for Maidstone Borough Council CCTV

- 1.3.10 Under Section 6 of the Crime and Disorder Act 1998 all Local Authorities have a statutory obligation to bring together named 'Responsible Authorities' to work in partnership to develop and implement strategies to protect the local community from crime and disorder related issues including; anti-social behaviour, drug or alcohol misuse and reoffending. In Maidstone this statutory partnership is known as the Safer Maidstone Partnership and includes representatives from Maidstone Borough Council, Kent Police, the Police and Crime Commissioner, Kent Fire and Rescue Service, West Kent Clinical Commissioning Group and Kent Probation (the 'responsible authorities'). CCTV is employed for the following reasons:

- To support delivery of the Safer Maidstone Partnership Community Safety Plan and objectives by assisting in the prevention and detection of crime and anti-social behaviour.
- To ensure that Maidstone Borough Council's CCTV systems are operated in accordance with regulatory requirements in a transparent and cost efficient manner, taking account of appropriate technological developments.
- To assist in the protection of Maidstone Borough Council clients, staff, assets and public areas.
- To assist Maidstone Borough Council, Kent Police and other statutory and enforcement agencies in carrying out their regulatory, investigatory and enforcement duties in Maidstone.

1.4 Alternative Action and why not Recommended

- 1.4.1 The Council could choose not to have a Protocol. However, by not having a Protocol, the Council would not have a formal and consistent approach for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.5 Impact on Corporate Objectives

- 1.5.1 The recommendations in the report contribute towards the Council's statutory requirement to reduce crime under Section 17 Crime and Disorder Act by providing a more robust CCTV service across the borough.
- 1.5.2 Through the Community Safety Partnership Plan (previously known as the Crime and Disorder Strategy), the Safer Maidstone Partnership has overseen projects which support a 'decent place to live' and have resulted in significant reductions in crime and anti-social behaviour in Maidstone. A CCTV service helps to make people feel safe in their environment and contributes towards the council's priority objectives of providing a 'decent place to live' and 'excellent corporate and customer service'.

1.6 Risk Management

- 1.6.1 The use of CCTV has proven beneficial in helping to meet the Council's aims. There are understandable concerns about the level of surveillance, but nonetheless a satisfactory balance with civil liberties can be achieved through adhering to controls and data protection procedures. For the public, there is a need to ensure there is democratic scrutiny of the uses of CCTV and to avoid the temptation of relying on CCTV enforcement of traffic and parking regulations as a means of raising revenue rather than encouraging safety and

compliance, but this risk can be mitigated if the reports recommendations are implemented.

1.7 Other Implications

1.7.1

1.	Financial	
2.	Staffing	
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	x
7.	Human Rights Act	
8.	Procurement	
9.	Asset Management	

1.7.2 Community Safety – the Protocol provides the Council with a formal and consistent approach for the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.8 Conclusions

1.8.1 The report makes proposals to ensure a more efficient, effective and consistent service is in place, including the disclosure of images, and for the commissioning and decommissioning of cameras by Maidstone Borough Council.

1.9 Relevant Documents

1.9.1 Appendices

Attachment 1 – CCTV Operational Protocol

Attachment 2 – Request for Deployment of Maidstone CCTV System

1.9.2 Background Documents

None

IS THIS A KEY DECISION REPORT?

Yes No

If yes, when did it first appear in the Forward Plan?
.....

This is a Key Decision because:
.....

Wards/Parishes affected: ...Wards/Parishes highlighted in the report.
.....

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr John A Wilson Cabinet Member for Community Services
Telephone: 01622 602242
E-mail: johnawilson@maidstone.gov.uk

Sarah Robson Community Partnerships Manager
Telephone: 01622 602827
E-mail: sarahrobson@maidstone.gov.uk

Attachment 1:

**DRAFT Maidstone Borough Council
Closed Circuit Television (CCTV)
Operational Protocol
2013 – 2017**

CCTV Objectives

National Strategic Objectives for CCTV

Maidstone Borough Council operates its CCTV camera systems in compliance with the 3 purposes set out in the Information Commissioners CCTV Code of Practice.

This states that CCTV camera use must be necessary to address one of the following pressing needs:

- Crime Prevention (including antisocial behaviour)
- Public Safety
- National Security

Local Strategic Objectives for Maidstone Borough Council

CCTV Under Section 6 of the Crime and Disorder Act 1998 all Local Authorities have a statutory obligation to bring together named 'Responsible Authorities' to work in partnership to develop and implement strategies to protect the local community from crime and disorder related issues including; anti-social behaviour, drug or alcohol misuse and reoffending. In Maidstone this statutory partnership is known as the Safer Maidstone Partnership and includes representatives from Maidstone Borough Council, Kent Police, the Police and Crime Commissioner, Kent Fire and Rescue Service, West Kent Clinical Commissioning Group and Kent Probation (the 'responsible authorities'). CCTV is employed for the following reasons:

- To support delivery of the Safer Maidstone Partnership Community Safety Plan and objectives by assisting in the prevention and detection of crime and anti-social behaviour.
- To ensure that Maidstone Borough Council's CCTV systems are operated in accordance with regulatory requirements in a transparent and cost efficient manner, taking account of appropriate technological developments.
- To assist in the protection of Maidstone Borough Council clients, staff, assets and public areas.
- To assist Maidstone Borough Council, Kent Police and other statutory and enforcement agencies in carrying out their regulatory, investigatory and enforcement duties in Maidstone.

Overview

Maidstone Borough Council (referred to as 'The Council') is responsible for the management of a number of public realm Closed Circuit Television Camera (CCTV) systems which it operates in the Maidstone Borough.

The Council uses CCTV cameras to improve public safety and to assist in the prevention and detection of crime and disorder.

The Council operates both fixed (static) location visible cameras and a small number of mobile visible cameras.

Generally non covert cameras are used by the Council to cover:

- public spaces
- the outside of council buildings, (car parks/public areas/perimeters)
- the public areas of council buildings. (receptions/interview rooms)

A number of mobile visible cameras are used by the Council to provide short term CCTV coverage of public spaces identified as hotspot locations for crime or disorder and/or to assist Council Departments in carrying out their regulatory, investigatory and enforcement duties.

Maidstone Borough Council is a member of the CCTV Partnership. The four partners of the CCTV Partnership are; Medway Council, Maidstone Borough Council, Gravesham Borough Council and Swale Borough Council. The CCTV Partnership was established by Medway Council, who also act as host council for the Partnership and are responsible for the delivery of the service including the employment of staff, provision of a principal office, the procurement of goods and services and other responsibilities.

Static CCTV cameras

112 static CCTV cameras operate across the Maidstone borough, providing a 24-hour live feed into the main Control Centre for the CCTV Partnership located at Medway Council in Strood, Kent. The cameras are currently maintained through a partnership maintenance contract overseen by Medway Council.

Maidstone Borough Council: Current Static CCTV locations in the Maidstone borough (as at June 2013 and updated bi-annually)

Camera Number	Camera Location
Camera No 1	St Peter's Bridge
Camera No 2	High Street / Bridge
Camera No 3	High Street / Mill Street
Camera No 4	King's Street
Camera No 5	Wheeler Street / Brewer Street
Camera No 6	Week Street / Earl Street

Camera Number	Camera Location
Camera No 7	Week Street / High Street
Camera No 8	Gabriel's Hill
Camera No 9	Lower Stone Street / Palace Avenue
Camera No 10	Week Street / Station Road
Camera No 11	Baker Road / The Broadway
Camera No 12	Maidstone West Station
Camera No 13	Mill Street / Palace Avenue
Camera No 14	Knightrider Street / College Road
Camera No 15	St Faith's Street
Camera No 16	Week Street / Brewer Street
Camera No 17	High Street / Pudding Lane
Camera No 18	Lower Stone Street / Mote Road
Camera No 19	Mill Street Car Park
Camera No 20	Union Street / Church Street
Camera No 21	Queen Anne Car Park
Camera No 22	Vinters Road Car Park
Camera No 23	The Foyer
Camera No 24	Rose Yard
Camera No 25	Rose Yard / Earl Street
Camera No 26	Market Buildings
Camera No 27	High Level Bridge
Camera No 28	High Level Bridge
Camera No 29	High Level Bridge
Camera No 30	Maidstone East Station
Camera No 31	Wat Tyler Way
Camera No 32	Bank Street
Camera No 33	College Road / Hayle Road
Camera No 34	Sheals Crescent / Hayle Road
Camera No 35	Courtney Road / Armstrong Road
Camera No 36	Courtney Road / Brenchley Road
Camera No 37	Forest Road / Courtney Road
Camera No 38	Courtney Road / Coombe Road
Camera No 39	Tovil Road / Coombe Road
Camera No 40	Coombe Road
Camera No 41	Coombe Road / Brenchley Road
Camera No 42	Quarry Road
Camera No 43	Lock Meadow
Camera No 44	Hart Street
Camera No 45	Brenchley Gardens
Camera No 46	The Amphitheatre
Camera No 47	Cobtree Manor
Camera No 48	Spare
Camera No 49	KCC Car Park
Camera No 51	KCC Main Entrance
Camera No 52	Millennium Playground

Camera Number	Camera Location
Camera No 53	Mote Park
Camera No 54	Millennium River Walk
Camera No 55	County Hall Rear
Camera No 56	County Hall Front
Camera No 57	Albert Street Car Park
Camera No 58	London Road Park & Ride
Camera No 61	Maidstone Hospital Rear Car Park
Camera No 62	Maidstone Hospital Rear Car Park
Camera No 63	Maidstone Hospital Rear Foot Path
Camera No 64	Maidstone Hospital Front Car Park
Camera No 65	Spare
Camera No 66	Leisure Centre Front Car Park
Camera No 67	Leisure Centre Side Car Park
Camera No 68	Leisure Centre Rear (Roof)
Camera No 73	Sutton Road
Camera No 74	Bircholt Road / Cuxton Road
Camera No 75	Bircholt Road / Heron Road
Camera No 76	Bircholt Road / Coldred Road
Camera No 77	Bircholt Road (End)
Camera No 78	Cuxton Road / Bicknor Road
Camera No 79	Mangravet Road / Sutton Road
Camera No 80	Mangravet Road / Camp Way
Camera No 81	Shepway Shops (Rear)
Camera No 82	Northumberland Road
Camera No 83	Cumberland Avenue / Suffolk Road
Camera No 84	Cumberland Avenue / Norfolk Road
Camera No 85	Parkwood Shops (Rear)
Camera No 86	Parkwood Shops (Front)
Camera No 87	Wood Wallace
Camera No 88	King Edward Road / Old Tovil Road
Camera No 89	Campway / Grove Road
Camera No 90	Sutton Road / Grove Road
Camera No 91	Oak Tree Avenue
Camera No 92	Woodside Road
Camera No 94	Stryker Mobile 1
Camera No 95	Stryker Mobile 2
Camera No 96	Stryker Mobile 3
Camera No 97	Spare
Camera No 98	London Road Park & Ride
Camera No 99	Sittingbourne Park & Ride
Camera No 100	Willington Street Park & Ride
Camera No 101	Eye Hospital
Camera No 102	Eye Hospital / Trinity Park
Camera No 103	Spare
Camera No 104	Spare

Camera Number	Camera Location
Camera No 105	Spare
Camera No 106	Spare
Camera No 107	Spare
Camera No 108	Spare
Camera No 109	Spare
Camera No 110	Spare
Camera No 111	Spare
Camera No 112	Spare

Mobile visible CCTV Cameras

Maidstone Community Safety Unit own and manage 33 mobile visible (overt) CCTV cameras. These cameras are used to provide short term CCTV coverage for hotspot locations of crime or disorder.

8 cameras were originally purchased and maintained by Maidstone Borough Council and Kent Police. However, Kent Police withdrew its funding for the purchase and maintenance of the cameras in 2009.

Each mobile camera system is contained within a box which is fixed onto an existing street lighting column with a bracket, with camera electrical power being taken from the lighting column.

Each of these camera units contains 1 or 4 CCTV cameras (a Polecat camera has 4 cameras in one unit) which records footage onsite to a hard drive located within the camera unit (approximately 15+ days recording depending on set up and size of inbuilt hard drive). Footage from all camera units is downloaded wirelessly to a laptop retained by the Police Community Safety Officer (PCSO) located within Maidstone's Community Safety Unit.

These 33 cameras are classified as mobile CCTV cameras. As such they will typically be deployed at a hot spot location for up to 6 months. (Where exceptional circumstances apply they may be deployed for an absolute maximum of 12 months at a hot spot location. Where Parish Council owned, the CCTV cameras will have default positions and remain in situ indefinitely).

Exceptional circumstances are defined as documented evidence which shows that a location is continuing to experience serious, frequent, ongoing anti-social / criminal behaviour which is negatively impacting on a local community and which continues despite ongoing actions by Safer Maidstone Partnership agencies to reduce/resolve the problem.

Included within the 33 cameras, the Community Safety Unit owns and manages 6 mobile CCTV cameras purchased through Section 106

contributions, which are dedicated to set locations as recommended by Kent Police's Crime Prevention Design Advisor.

Mobile CCTV support service

The Community Safety Unit provides a support service including advice, deployment and footage download for Borough Council departments, e.g. Parks and Leisure Services, parish councils and housing associations.

There are an additional 5 cameras managed by other internal Council departments, which includes 4 owned by Parks and Leisure Services and 1 camera owned by Environmental Enforcement.

There are an additional 7 Parish Councils within the Maidstone borough which have purchased 9 mobile cameras in total (as at May 2013). Parish Councils agreed to purchase mobile CCTV to enable them to take ownership of their CCTV requirements within their community and have great flexibility for moving and re-deploying a camera if the need arises. If the local PCSO/PCs or local authority identifies a community safety concern in the parish location, they can now liaise in partnership with the parish council to deploy their camera to ensure the optimum CCTV coverage is provided and achieved.

2 further cameras are owned by Golding Homes and Sanctuary Housing associations. In 2013, the Borough Council replaced 8 cameras, which required upgrading due to their age and increased maintenance costs.

The PCSO located within the Community Safety Unit is the main contact for these cameras and will work in partnership with the above, conducting the relevant ongoing service checks and deployment/set up of these camera units. Access to the recordings or views of the cameras is only via the Community Safety Unit PCSO to ensure no unauthorised persons having access to the footage and software/hardware.

Camera Deployment of mobile visible (Overt) CCTV Cameras

1. A Request for Deployment of the Maidstone Mobile CCTV System form will need to be completed and submitted to the Maidstone Community Safety Unit. The Request form will be used to evidence and justify the reasons for mobile CCTV camera deployment. This is to ensure compliance with the Information Commissioners Code of Practice for CCTV, the Surveillance Camera Commissioners Code of Practice for Surveillance Camera Systems (once published) should the camera location be subject to legal challenge by the Information Commissioner, the Surveillance Camera Commissioner, members of the public, the media, or others.

Mobile CCTV camera deployment will only occur where:

(a) There is evidence available to the Maidstone Community Safety Unit during the previous 6 months which shows that:

- The location in question experienced, serious, frequent anti-social / criminal behaviour which has negatively impacted on the wider community and which continued despite actions by Maidstone Community Safety Unit and other agencies to reduce/resolve the problem;

OR

- The area is, or will shortly be, experiencing significant physical redevelopment. A crime prevention survey has shown that it is likely that this will lead to an increased risk of crime or disorder in the area and in the opinion of the Crime Prevention Design Adviser this risk cannot be prevented or significantly reduced using other crime prevention methods.

OR

- It will assist in the detection of anti-social behaviour or crime and/or the identification, apprehension or prosecution of offenders.

(b) Temporary CCTV coverage of an area, which is covered by a permanent public space CCTV camera, is required while the permanent camera undergoes repair.

Where mobile CCTV camera deployment is requested past 6 months (for a further 6 months maximum) a further analytical document must be produced to evidence/justify the reasons for this continued camera deployment. This is to ensure compliance with the Information Commissioners Code of Practice for CCTV, the Surveillance Camera Commissioners Code of Practice for Surveillance Camera Systems should the camera location be subject to legal challenge by the Information Commissioner, the Surveillance Camera Commissioner, members of the public, the media or others.

If it is identified that a location where a mobile CCTV camera is deployed requires CCTV camera surveillance for longer than 12 months then before the end of the 12 month camera deployment period, it will be discussed at the Maidstone Community Safety Unit Weekly Tasking group meeting, a joint working partnership discussing individual cases and actions for crime and disorder, to determine whether a permanent CCTV camera is appropriate for the location. Based on the recommendations of the Tasking Group, the final decision will be made by the Head of Housing and Community Services.

Dummy CCTV Cameras

Maidstone Borough Council does not use any dummy cameras.

Recording and Monitoring Methods

There are 2 methods the Council uses to record and monitor its camera systems:

- Images recorded and monitored by a CCTV operator at Medway Council Control Centre, (112 cameras)
- Images recorded on site at the camera location with staff able to view and provide images to approved personnel after an incident has occurred. (i.e. Police or Council Enforcement Officers)

Control Centre

This is a secure facility operated by Medway Council Control Centre on behalf of Maidstone Borough Council staffed by CCTV operators responsible for providing 24 hour, 365 day monitoring of certain CCTV cameras:

- 112 CCTV cameras covering public space around Maidstone which are owned and managed by Maidstone Borough Council.

Images from cameras connected to the Medway Council Control Centre are recorded onto a secure encrypted digital storage system either at the Control Centre, or in the case of a small number of dial up cameras, onsite at the camera location. Unless required for legal proceedings, police investigations, or crime detection, CCTV images are kept for 28 days after which they are automatically overwritten.

CCTV operators monitor cameras to identify incidents by camera scanning, local knowledge, intelligence and tasking requests from authorised partners. The Medway Council Control Centre also works with Maidstone Town Centre Management to support the MaidSafe radio system. This allows CCTV operators to be able to work closely with Maidstone Police, MaidSafe members and other partners to assist in the co-ordination of ongoing incidents and to ensure that CCTV footage is obtained as evidence for later use by Police Officers. All CCTV operators are employed by Medway Council Control Centre and hold enhanced Criminal Record Bureau (CRB) certificates and are regulated and licensed by the Security Industry Authority. Access to the Medway Council Control Centre is restricted to authorised personnel and approved lay monitors only with personnel required to sign in and out of the centre.

Requesting Disclosure of CCTV Images

Contact the Maidstone Community Safety Unit to check if the Council holds images which you wish to obtain. Tel. 01622 602000 E-mail: communitysafety@maidstone.gov.uk

Where CCTV images are requested, they will be held by Maidstone Borough Council for 28 days after which they are automatically overwritten.

Commissioning and Decommissioning CCTV Cameras

1. Requests for CCTV – Commissioning a CCTV camera

All requests for the installation of a CCTV camera by the Council should be directed to the Maidstone Community Safety Unit for review.

The following criteria will be used to determine whether the installation of a CCTV camera is appropriate, proportionate, necessary and justified.

2. Purpose of Camera – CCTV Code of Practice and Evidential Basis

Is the reason that the camera has been requested compliant with the CCTV Code of Practices? A CCTV camera can be installed for the following reasons:

Crime Prevention and/or Public Safety

Is there statistical evidence available to the Maidstone Community Safety Unit during the previous 6 months which shows that:

- The area experienced, serious, frequent anti-social / criminal behaviour which can be shown to have negatively impacted on the wider community and which continued despite actions by Safer Maidstone Partnership agencies to reduce/resolve the problem, OR
- The area is, or will shortly be, experiencing significant physical redevelopment. A crime prevention survey has shown that it is likely that this will lead to an increased risk of crime or disorder in the area and in the opinion of the Crime Prevention Officer this risk cannot be prevented or significantly reduced using other crime prevention methods. OR
- To assist in the detection of anti-social behaviour or crime and/or the identification, apprehension or prosecution of offenders. OR

- To support public realm safety issues e.g. to assist in crowd control at large, organised public events.

A request for a CCTV camera will be rejected where:

- the Maidstone Community Safety Unit is not able to identify an area as a hotspot location experiencing serious, frequent anti-social / criminal behaviour within the last 6 months and which cannot be shown to have had a negative impact on the wider community, AND/OR
- significant physical development is not occurring and/or where it is judged not likely to lead to an increased risk of crime or disorder in the area and/or the risk can be prevented or significantly reduced using other crime prevention methods.

3. Crime Prevention Review

Has a crime prevention report been obtained?

Is it the opinion of the Crime Prevention Officer that other possible crime prevention solutions are unlikely or unable to provide improved security for the area?

A request for a CCTV camera will be rejected where a crime prevention report has not been obtained and/or where other crime prevention solutions judged appropriate by the Crime Prevention Officer for dealing with the problem have not been first attempted.

CCTV Monitoring Capacity

A request for a CCTV camera may be rejected where Medway Council Control Centre Manager and Maidstone Community Safety Unit believes that there is insufficient CCTV operator capacity to monitor the additional camera.

However, if the request is deemed a priority, the Council may negotiate additional resources via Medway Council if sufficient funds are identified or by redistributing the existing resources.

Funding

Requests for new cameras will have to identify the funding source to cover the following costs:

- planning application costs
- purchase, (camera, camera bracket, camera column - where appropriate)
- installation
- connection to the Medway Council Contact Centre, or
- purchase of alternative viewing and recording equipment
- ongoing running costs, (connection and electricity, annual inspection and maintenance, insurance, and mid-life refurbishment costs)

Where CCTV cameras are requested for shopping parades and industrial estates the development of a Service Level Agreement between the Council and local businesses should be considered, with a service charge levied on local businesses to cover the installation and operating costs of the requested camera(s).

In order to ensure the financial viability of the CCTV service a request for a CCTV camera may be rejected where the above costs covering a 10 year period have not been identified, committed or deemed critical.

Review of CCTV – Decommissioning/Relocating a camera

The Information Commissioner's Code of Practice for CCTV 2008 states that the use of CCTV should be regularly reviewed to ensure that its use continues to be justified.

Due to this Maidstone Borough Council CCTV cameras will be reviewed on frequent basis to ensure compliance with the Code of Practice and in turn to ensure compliance with the Data Protection Act 1998. CCTV cameras will be reviewed annually using evidence available to the Medway Council Control Centre and Maidstone's Community Safety Unit.

The following information will be used to consider whether a CCTV camera location continues to be justified under the Code of Practice for CCTV:

- Contributes to public realm reassurance (e.g. lost children)
- Original reason for the camera being installed, (i.e. building security)
- Crime figures, anti-social behaviour incidents and intelligence logs
- Medway Council Control Centre incident logs and performance indicator information regarding a camera, (where appropriate)
- Medway Council Control Centre operator capacity, (where connected)
- Age of the camera
- Annual cost of the camera, (connection/power and repair costs)

Where the evidence can be found to show that a CCTV camera location continues to be justified under the Code of Practice for CCTV the camera will remain.

Where evidence, gathered over a 6 month period, cannot be found to show that a CCTV camera location continues to be justified under the Code of Practice for CCTV the camera will be:

Removed and placed at another location known to be experiencing serious, frequent anti-social / criminal behaviour which can be shown to be negatively impacting on the wider community and which continues despite actions by Safer Maidstone Partnership agencies to reduce/resolve the problem, OR

Removed with the camera placed in storage or dismantled for spare parts and the camera site decommissioned (where no current crime or disorder hotspots have been identified justifying the installation of a camera or where insufficient funding is available to relocate the camera).

Based on the recommendations submitted by Medway Council Control Centre, the final decision will be made by the Borough Council's Head of Housing and Community Services.

Maintenance

Maintenance Responsibilities

Medway Council Control Centre through the Partnership Agreement is responsible for the maintenance of Maidstone Borough Council static CCTV systems and uses a private CCTV contractor to carry out CCTV work on behalf of the Council.

Maidstone Borough Council is responsible for the maintenance of its mobile shared partnership CCTV systems and currently uses a private CCTV contractor to carry out CCTV work on behalf of the Council.

Camera Life Expectancy

The average projected life span of an external CCTV camera is estimated at between 6 to 8 years. This is dependent on; the type of camera and camera mount, the exposure of the camera site; the camera receiving regular maintenance over its life span; and on the camera being subject to a mid life span refurbishment programme.

CCTV Working and Support Groups

Borough Council CCTV camera systems

- a working group of representatives from the CCTV Partnership (Medway Council, Maidstone Borough Council, Gravesham Borough Council and Swale Borough Council) meet bi-monthly to review CCTV operational issues and CCTV management and performance.
- a stakeholder group of representatives from Maidstone Borough Council, Medway Council Control Centre, Maidstone Town Centre Management, CCTV lay-monitors and local town centre retailers and businesses meets annually to review CCTV operational issues and performance information.
- a group of local independent representatives, appointed by representatives from the CCTV Partnership and stakeholder group, provide a lay-monitor service acting as a critical friend for the operational of Borough Council CCTV camera systems.

Complaints

Any complaints regarding a CCTV camera should be made to the Head of Housing and Community Services who will investigate the matter and will aim to provide a full written response within 10 working days.

If after this a complainant is still dissatisfied with the way their complaint has been dealt with they should submit a Formal Complaint via Maidstone Borough Council's Corporate Complaints Procedure.

CCTV Contacts - Responsible Officers

- 1. Please contact the Maidstone Community Safety Unit for further information regarding Maidstone Borough Council CCTV cameras.**

John Littlemore
Head of Housing and Community Services
Maidstone Borough Council
Maidstone Community Safety Unit
Maidstone House
King Street
Maidstone
Kent ME15 6JQ

Email: johnlittlemore@maidstone.gov.uk
www.maidstone.gov.uk

Appendix 1: Information Commissioners Code of Practice for CCTV: Deciding whether to use CCTV or to continue using CCTV

Using CCTV can be privacy intrusive, as it is capable of putting a lot of law-abiding people under surveillance and recording their movements as they go about their day to day activities.

You should carefully consider whether to use it; the fact that it is possible, affordable or has public support should not be the primary motivating factor.

You should take into account what benefits can be gained, whether better solutions exist, and what effect it may have on individuals.

Example: Cars in a car park are frequently damaged and broken into at night. Consider whether improved lighting would reduce the problem more effectively than CCTV.

You should consider these matters objectively as part of an assessment of the scheme's impact on people's privacy. This does not have to be an extensive or time-consuming process in all cases. The extent of assessment necessary will depend on the size of the proposed scheme and the level of impact it is likely to have on people's privacy¹.

You should use the results of the impact assessment to determine whether CCTV is justified in all the circumstances and if so how it should be operated in practice.

The things to cover in any impact assessment include:

1. What organisation will be using the CCTV images? Who will take legal responsibility under the Data Protection Act (DPA)?²
2. What is the organisation's purpose for using CCTV? What are the problems it is meant to address?
3. What are the benefits to be gained from its use?
4. Can CCTV technology realistically deliver these benefits? Can less privacy-intrusive solutions, such as improved lighting, achieve the same objectives?

¹ If you are establishing a large system, or considering a use of CCTV which could give rise to significant privacy concerns, you may wish to consider using the ICO's Privacy impact assessment handbook.

² If CCTV is used by a business or organisation, then it is the body that is legally responsible under the DPA (the "data controller"), not an individual member of staff.

5. Do you need images of identifiable individuals, or could the scheme use other images not capable of identifying the individual?
6. Will the particular equipment/system of work being considered deliver the desired benefits now and remain suitable in the future?
7. What future demands may arise for wider use of images and how will you address these?
8. What are the views of those who will be under surveillance?
9. What could you do to minimise intrusion for those that may be monitored, particularly if specific concerns have been expressed?

Where the system will be operated by or on behalf of a public authority, the authority will also need to consider wider human rights issues and in particular the implications of the European Convention on Human Rights, Article 8 (the right to respect for private and family life). This will include:

1. Is the proposed system established on a proper legal basis and operated in accordance with the law?
2. Is it necessary to address a pressing need, such as public safety, crime prevention or national security?
3. Is it justified in the circumstances?
4. Is it proportionate to the problem that it is designed to deal with?

If this is not the case then it would not be appropriate to use CCTV.

Appendix 2: Regulation of CCTV

Non covert CCTV Regulation

On 1 May 2012 the Protection of Freedoms Act 2012 received Royal Assent. This new Act creates the role of a Surveillance Camera Commissioner who is responsible for the oversight of statutory authorities CCTV camera systems through the introduction of a new mandatory Code of Practice for CCTV. The Surveillance Camera Commissioner replaces the Information Commissioner's Office who was previously responsible for regulating the use of non covert CCTV cameras operated by the Council under the Data Protection Act 1998 and the Freedom of Information Act 2000 and the CCTV Code of Practice which the Council follows to ensure its CCTV camera systems are managed in line with national best practice and that their use is compliant with the Data Protection Act 1998.

Covert CCTV Regulation: Changes to local authority use of RIPA

The Office of Surveillance Commissioners is responsible for regulating the use of covert CCTV cameras operated by the Council under the Regulation of Investigatory Powers Act (RIPA) 2000.

RIPA is the law governing the use of covert techniques by public authorities. It requires that when public authorities, such as the police or government departments, need to use covert techniques to obtain private information about someone, they do it in a way that is necessary, proportionate, and compatible with human rights. RIPA's guidelines and codes apply to actions such as:

- intercepting communications, such as the content of telephone calls, emails or letters
- acquiring communications data: the 'who, when and where' of communications, such as a telephone billing or subscriber details
- conducting covert surveillance, either in private premises or vehicles (intrusive surveillance) or in public places (directed surveillance)
- the use of covert human intelligence sources, such as informants or undercover officers
- access to electronic data protected by encryption or passwords

RIPA applies to a wide-range of investigations in which private information might be obtained. Cases in which it applies include:

- terrorism
- crime
- public safety
- emergency services

From 1 November 2012 new [guidance on local authority use of RIPA](#), means local authorities are required to obtain judicial approval prior to

using covert techniques. This order requires any covert surveillance authorised under the Regulation of Investigatory Powers Act to be further authorised by a court order from a Magistrates' Court.

Additionally, from this date local authority use of directed surveillance under RIPA will be limited to the investigation of crimes which attract a 6 month or more custodial sentence, with the exception of offences relating to the underage sale of alcohol and tobacco.

Other Legislation Impacting on CCTV

In addition to the above legislation and regulation CCTV cameras are used by the Council in accordance with the criminal and civil law and

Criminal Justice and Public Order Act 1994

Section 163 of the Act allows local authorities to provide CCTV cameras to promote the prevention of crime or the welfare of victims of crime and requires that the local authority consult the police over these cameras.

Criminal Procedures and Investigations Act 1996

This Act creates a statutory framework for the disclosure to defendants of material which the prosecution does not intend to use in the presentation of its own case – known as unused material. This may include, where in existence, CCTV camera images.

Human Rights Act 1998

Article 8 - The Right to Respect for Private and Family Life.

Crime and Disorder Act 1998

Section 17 of the Act requires a local authority to consider the impact of everything it does on crime and disorder e.g. what impact does the operation of a service, policy, procedure, working practice, service level agreement etc. have on community safety.

Private Security Industry Act 2001

Under the Act a Security Industry Authority (SIA) licence is required for personnel who carry out public space surveillance – i.e. CCTV operators.

Appendix 3: Disclosure of CCTV Images

Surveillance Camera Commissioner

The Surveillance Camera Commissioner was created within the Protection of Freedoms Act 2012 to meet the Coalition agreement to further regulate CCTV. The act commits the Secretary of State to produce a code of practice about surveillance camera systems which sets out new guidelines for CCTV and automatic number plate recognition. The role of the Commissioner is to encourage compliance with the code, review how the code is working and to provide advice to ministers on whether or not the code needs amending. The Surveillance Camera Commissioner Office website provides advice and guidance regarding the use of CCTV.

The Council's use of CCTV cameras is covered by the Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000 and the Protection of Freedoms Act 2012.

The Council uses clearly visible and readable signs to inform people that it is using non covert CCTV cameras in an area. These signs also contain the contact details of the Council.

Under the Data Protection Act 1998 people have the right to see CCTV images of them held by the Council and to ask for a copy of them. This is called a Subject Access Request. Under the Act the Council must deal with a Subject Access Request within 40 calendar days.

The person making a request will need to provide the Council with proof of their identity to show they are the person in the images requested and of the date and time period involved to help the Council to find any images of the subject on the CCTV system involved.

Unless required for legal proceedings, police investigations, or detection of crime, images from CCTV cameras connected to the Medway Council Control Centre are kept for 28 days after which they are overwritten. (Images from dial up cameras connected are kept for 14 days after which they are overwritten)

The Council is not allowed to disclose images of identifiable people to the media or to put them on the internet for entertainment. Images from Council CCTV systems can however be released to help identify a person or for legal reasons, for example crime detection. CCTV images may also be released due to a court order. Such images will generally be disclosed by the police.

Police Officers, Statutory Agencies, Enforcement Agencies and Council Departments are permitted to request and remove copies of CCTV images from Council CCTV systems when investigating criminal or civil offences

or where court proceedings or other enforcement action may occur - subject to the rules of evidence.

Where the Council itself discloses CCTV images (separate from the above reasons) this will only occur after authorisation from the Legal Services Team. Depending on the circumstances of the disclosure consultation may also be appropriate with the Communications Team.

Once the Council gives CCTV images to another organisation, then that organisation is also responsible for ensuring that its handling of the images is compliant with the Data Protection Act.

The CCTV cameras managed by the Council are also subject to the Freedom of Information Act 2000. This Act allows people to request official information (i.e. regarding CCTV) held by the Council which is requires a response within 20 working days.

Where CCTV images are requested under the Freedom of Information Act by a person within the images requested, the request will be handled under the Data Protection Act as a Subject Access Request. If, however, other people are identifiable in the CCTV images requested, then the images would be considered personal information and it is likely they would be exempt from the Freedom of Information Act.

Attachment 2:

<p>REQUEST FOR DEPLOYMENT OF THE MAIDSTONE CCTV SYSTEM</p>

Applicant's Name	
Organisation Name and Address	
Tel. No.	
Email Address/Fax No.	

I request the deployment of the Maidstone CCTV Mobile System as follows:

<p>1. Purpose and Objectives <i>(please specify the nature of the problem, what you hope to achieve and how the equipment will assist)</i></p>	
---	--

2. Surveillance Area/Location

Please provide details of the location of the problem/area to be observed (not where the camera is going to be situated). Please attach a map if appropriate.

3. Evidence of the Need for Deployment

Please provide details of why the deployment of a camera is necessary and what will happen top any footage that is recorded onto tape (attach additional pages if necessary)

Signed..... Print Name.....

Date.....

This form should be returned to:

Maidstone Community Safety Unit, Maidstone Borough Council

Email: stuartmoaby@maidstone.gov.uk

FEASIBILITY STUDY AND RISK ASSESMENT

Site visited by:	(Block capitals)
Date of visit:	

Type of Location (Tick all that apply)

Residential area		Shops/Retail/Commercial	
Highway		Industrial Site	
Rural area		Urban Area	
Public/communal space		Other	

If 'Other', please specify:

Availability of Camera Mounting Positions

Building/Property		Street Furniture	
Vehicle		Other	

If 'Other', please specify:

Any potential problems with the camera mounting position? (Please specify)

NB: If a lighting column is to be used as a camera mounting, please note it's number and check it's suitability with Kent Highways (01622 602 377)

Signage

Number of signs that will be required:	
--	--

Safety Considerations

Each of the following should be considered. Please tick any safety considerations that may be of concern.

Height of camera location		Soft ground/verges	
Road traffic		Electrical supply	
Overhead power cables		Likelihood of harassment	
Uneven ground		Security – mounting position	
Is there natural surveillance?		Is there multi-camera surveillance?	

Are there any other safety considerations? If so, please specify:

I certify that I have visited the site stated and confirm the findings as stated above:

Signed..... Position.....

DECLARATION FORM

To be completed by each person providing their consent for Mobile CCTV (MBC) to be sited at their property as an observation point.

I have been informed about the use of Maidstone Mobile CCTV System, for which my property can provide an Observation Point. The possible consequences of using my property as an Observation Point have been explained to me. I agree to give my consent for my property (details as provided below) to be used for this purpose.

I indemnify, release and discharge the Council/Contractor from and against any expense, liability, claim or proceedings whatsoever in respect of any property or any personal injury to the land owner, their tenants, invitees or any other residents of the property arising out of the carrying out of the service. I shall give the Council/Contractor or a representative of the Council/Contractor access to the property to perform the service.

Name	Address (and home address if different)	Signature	Date

**MAIDSTONE MOBILE CCTV SYSTEM
COMMUNITY SAFETY UNIT SURVEILLANCE AUTHORITY**

A request for Mobile CCTV Deployment has been received and considered by the Community Safety Unit in accordance with the procedures described within this Protocol.

Applicant's Name	
Surveillance Area/Location	

We, the undersigned, hereby authorise/refuse authority* for the deployment of the Maidstone Mobile CCTV System as requested by the applicant above.

*delete as appropriate

Community Partnerships Manager (or delegated deputy, Community Development Team Leader)	Name
	Signature
	Date

Sergeant, Maidstone Community Safety Unit (or delegated deputy)	Name
	Signature
	Date

PCSO (CCTV), Community Safety Unit (Maidstone)	Name
	Signature
	Date

Where the authorisation is granted

The deployment period will be:

Start date	
End date*	

*Not more than three calendar months.

Scheduled review date:	
------------------------	--

Agenda Item 9

MAIDSTONE BOROUGH COUNCIL

COMMUNITY, LEISURE SERVICES AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE REPORT OF HEAD OF HOUSING & COMMUNITY SERVICES

Report prepared by Helen Miller
Date Issued: 05/08/13

1. ECO PILOT

1.1 Key Issue for Decision

To consider whether to the Council implement a Warm Homes ECO Pilot, a scheme to retrofit insulation to homes in all tenures, initially targeting the High Street, Park Wood, Shepway North and Shepway South wards.

1.2 Recommendation of the Head of Housing and Community Services

1.2.1 That the overview and scrutiny committee recommends that the Cabinet Member for Community and Leisure Services agrees that the Council implements a Warm Homes ECO pilot, initially in the wards of High Street, Park Wood, Shepway North and Shepway South.

1.2.1 That the overview and scrutiny committee recommends that the Cabinet Member for Community and Leisure Services agrees that the Council should enter into a contract with Enterprise Utility Services to deliver the Warm Homes ECO pilot.

1.3 Reasons for Recommendation

1.3.1 The council is a partner in the Kent and Medway Green Deal Partnership (KM GDP) which was set up to maximize the amount of Energy Company Obligation (ECO) funding levered into Kent. It brings key partners together to deliver a home insulation retrofit programme.

1.3.2 ECO funding was introduced nationally in January 2013 to reduce the UK's energy consumption and support people living in fuel poverty. It does this by requiring large energy companies to provide significant funding for home energy efficiency improvements every year. The funding for this project is provided by Npower and can be used to retrofit existing homes with loft insulation, draught proofing, cavity wall insulation and solid wall insulation. The government requires that the money be targeted in three ways; at households living in the lower super output areas with the highest 15% deprivation as

measured on the index of multiple deprivation; at households receiving certain means tested benefits and at homes that are hard to treat being either unconventional cavity walls or solid walls.

- 1.3.3 Many homes in the borough would benefit from cavity wall insulation, loft insulation or solid wall insulation to increase the thermal efficiency of the home. Improved insulation can help the home hold its warmth, so reducing fuel bills, reducing fuel poverty, increasing affordable warmth and reducing carbon emissions.
- 1.3.4 Our research suggests that the wards of High Street, Park Wood, Shepway North and Shepway South have high levels of deprivation and high levels of benefit take up thus attracting relevant funding streams and tackling areas of higher need. (see Appendices 2 and 3). It is anticipated that a minimum of 200 homes in the target wards will have insulation measures installed.
- 1.3.5 The surveys, materials and installation would be free of charge to the householder and the Council and could represent a substantial investment in the existing local housing.

1.4 Alternative Action and why not Recommended

- 1.4.1 The Council could decide not to implement the pilot scheme. This would result in missing the opportunity to access a higher level of funding from working in the Kent and Medway Green Deal Partnership.

1.5 Impact on Corporate Objectives

- 1.5.1 Living in a well insulated home is likely to help householders spend less on fuel, live in a warmer and so potentially drier home and help them feel Maidstone is a decent place to live.

1.6 Risk Management

- 1.6.1 Maidstone Borough Council may suffer a loss of reputation if the pilot scheme associated with them is run poorly. Kent County Council has carried out a robust procurement process to ensure an appropriate provider was chosen. The Housing Services Manager will liaise with the scheme provider, Enterprise Utility Services, to ensure the scheme is run well locally and matters arising are addressed promptly. Partners may withdraw from the partnership yet the partnership will meet regularly to help resolve any matters.

1.7 Other Implications

- 1. Financial
- 2. Staffing

X

- 3. Legal
- 4. Equality Impact Needs Assessment
- 5. Environmental/Sustainable Development
- 6. Community Safety
- 7. Human Rights Act
- 8. Procurement
- 9. Asset Management

x
x
x

- 1.7.1 Staffing. Staffing time will come from within existing resources and relate to officer time in partnership working, call centre time and engaging with community groups.
- 1.7.2 Legal. A legal contract will be entered into to protect the interested of the Council and members of the public.
- 1.7.3 Equality Needs Impact Assessment – see Appendix 1
- 1.7.4 Environmental/Sustainable Development. It is likely that the occupants of an insulated house will use less fuel to keep it warm so houses that have been retrofitted will give rise to lower carbon emissions.

1.8 Relevant Documents

1.8.1 Appendices

1.8.2 Appendix 1 – Equality Needs Impact assessment

1.8.3 Appendix 2 – Map to highlight the lower super output areas in the borough that are in the lowest 15% index of multiple deprivation

1.8.4 Appendix 3 – Map to show the number of housing benefit claimants in each lower super output area

1.8.5 Background Documents

1.8.6 None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, this is a Key Decision because: It impacts on more than one ward

Wards/Parishes affected: High Street, Park Wood, Shepway North and Shepway South

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr John A Wilson

Cabinet Member for Community and Leisure Services

Telephone: 01622 720989

E-mail: JohnAWilson@maidstone.gov.uk

Neil Coles

Housing Services Manager

Telephone: 01622 602103

E-mail: Neilcoles@maidstone.gov.uk

Stage 1: Equality Impact Assessment

1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?
The ECO pilot will retrofit insulation to homes of all tenures with no cost to the occupants in the Park Wood, High Street, Shepway North and Shepway South wards.
2. How do these aims affect our duty to: <ul style="list-style-type: none">• Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.• Advance equality of opportunity between people who share a protected characteristic and those who do not.• Foster good relations between people who share a protected characteristic and those who do not.
It will enable all residents to have the thermal efficiency of their home increased, where needed, helping them have a warmer home with lower fuel bills. Older people and people with physical disabilities may have greater than average need to keep them home warm.
3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?
The proposed plan should not contribute to inequality.
4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?
The scheme will enable households to have insulation fitted to their home at no cost. This will help their home hold its warmth and so stay warm for longer, reducing the amount of energy needed to stay warm and so may reduce heating bills. This would benefit every type of occupant but may benefit older people and those with physical disabilities more as they may have a greater need to be warm at home.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

Stage 2: Equality Impact Assessment

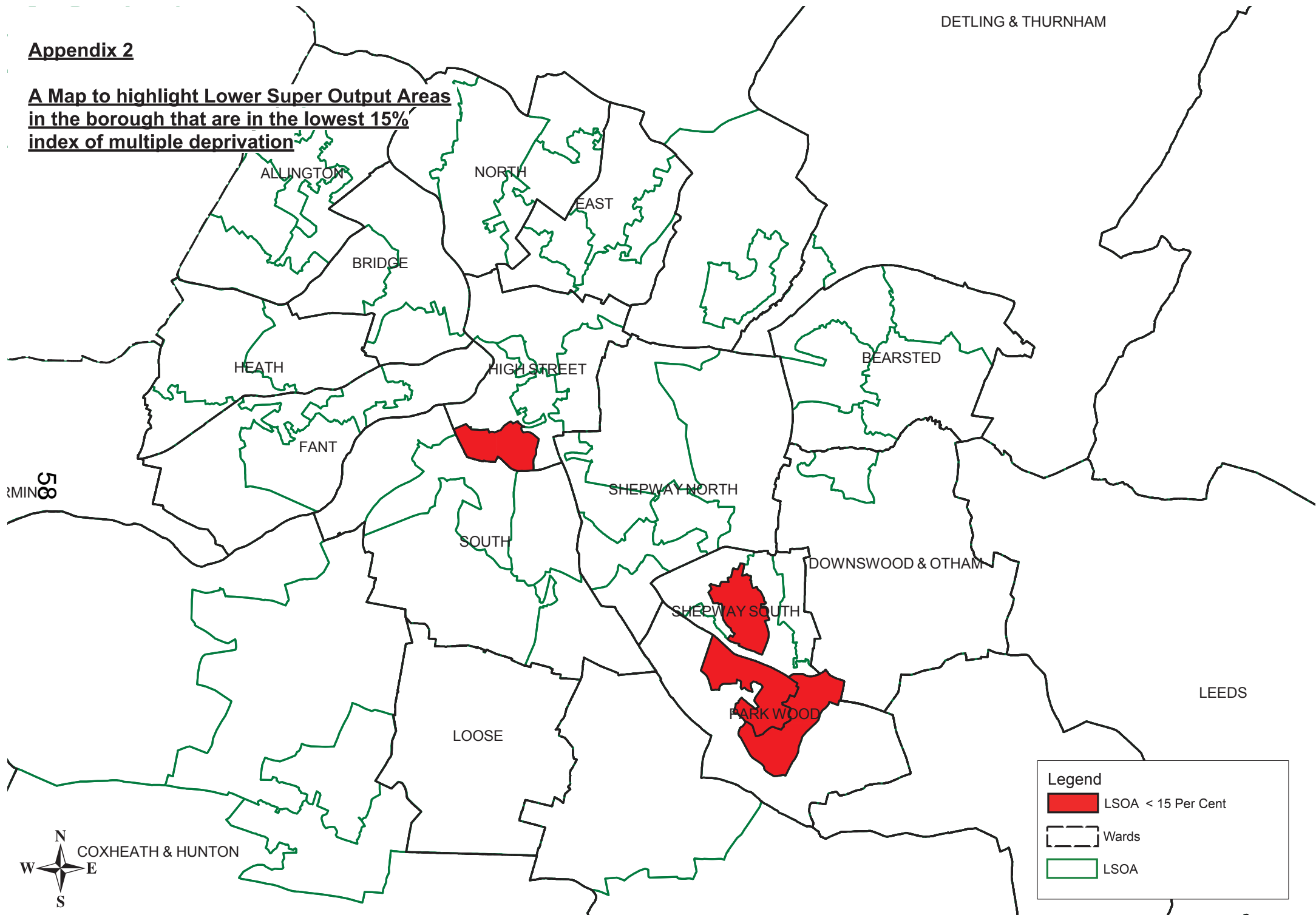
Name of Policy/Service/Function
ECO pilot
Purpose
What are you trying to achieve with the policy / service / function?
To work with partners to provide a home insulation retrofitting scheme to residents in the Park Wood, High Street, Shepway North and Shepway South wards.
Who defines and manages it?
There is no statutory obligation on the Council to provide a scheme helping households access Energy Company Obligation (ECO) funding. However, the government requires that major energy companies do make ECO funds available for measures to be installed to reduce carbon emissions. The Kent and Medway Green Deal Partnership have worked with partners to provide this scheme to access ECO funding and provide a scheme to householders to have their home insulated free.
Who do you intend to benefit from it and how?
All residents living in the Park Wood, High Street, Shepway North and Shepway South wards will be offered the scheme. A survey will identify the insulation works that could be carried out in their home to improve the thermal performance. Those households that choose to accept the offer will benefit from work being carried out to provide loft and/or wall insulation. The insulation will reduce the amount of energy needed to heat the home and so should result in lower fuel bills.
What could prevent people from getting the most out of the policy / service / function?
It is possible that some landlords may not consent to insulation work being carried out in their property. It is possible that householders may view the scheme as a potential scam and not allow the surveyor to enter their property. Some homes will already be fully insulated and not be able to benefit from additional insulation. Some homes may be listed buildings which may restrict the works that could be carried out on them.
How will you get your customers involved in the analysis and how will you tell people about it?

The scheme provider will analyse and report on their performance and this will be used to inform how the service is carried out in future.
Evidence
How will you know if the policy delivers its intended outcome / benefits?
The scheme provider will provide regular reports showing the households that have been surveyed and the insulation measures installed at postcode level.
How satisfied are your customers and how do you know?
This is a new scheme so no feedback is available. However, previous schemes providing free insulation were well used.
What existing data do you have on the people that use the service and the wider population?
As this is a new scheme there is no existing data on people that use the service.
What other information would it be useful to have? How could you get this?
NA
Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?
The data collected will relate to homes and insulation and not the occupier so data will not be reviewed in respect of equality groups.
Are you using partners, stakeholders, and councillors to get information and feedback?
The service provider will provide feedback. Informal feedback will also be sought from community groups and councillors.
Impact
Are some people benefiting more – or less - than others? If so, why might this be?
As the service will be provided in the Park Wood, High Street, Shepway North and Shepway South wards the householders in these wards will benefit . These wards were selected to be targeted first as they best met the criteria for accessing the ECO funding. Within these wards the people occupying the most poorly insulated homes could

gain the most benefit whereas those in the well insulated homes may find no improvements can be offered and they gain no benefit.
Actions
If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?
The people in the homes with the poorest insulation can benefit the most but this would only bring them up to the standard of homes built since 1991. No group is disadvantaged by the service.
Is it discriminatory in any way?
This plan is not discriminatory as it focuses on improving home insulation and it is tenure neutral. It does not focus on individuals or their characteristics.
Is there a possible impact in relationships or perceptions between different parts of the community?
No.
What measures can you put in place to reduce disadvantages?
We will inform landlords of the scheme to reduce the likelihood that they do not give permission for improvements to be carried out in their properties.
Do you need to consult further?
No.
Have you identified any potential improvements to customer service?
No.
Who should you tell about the outcomes of this analysis?
N/A
Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?
No
When will this assessment need to be repeated?
N/A

Appendix 2

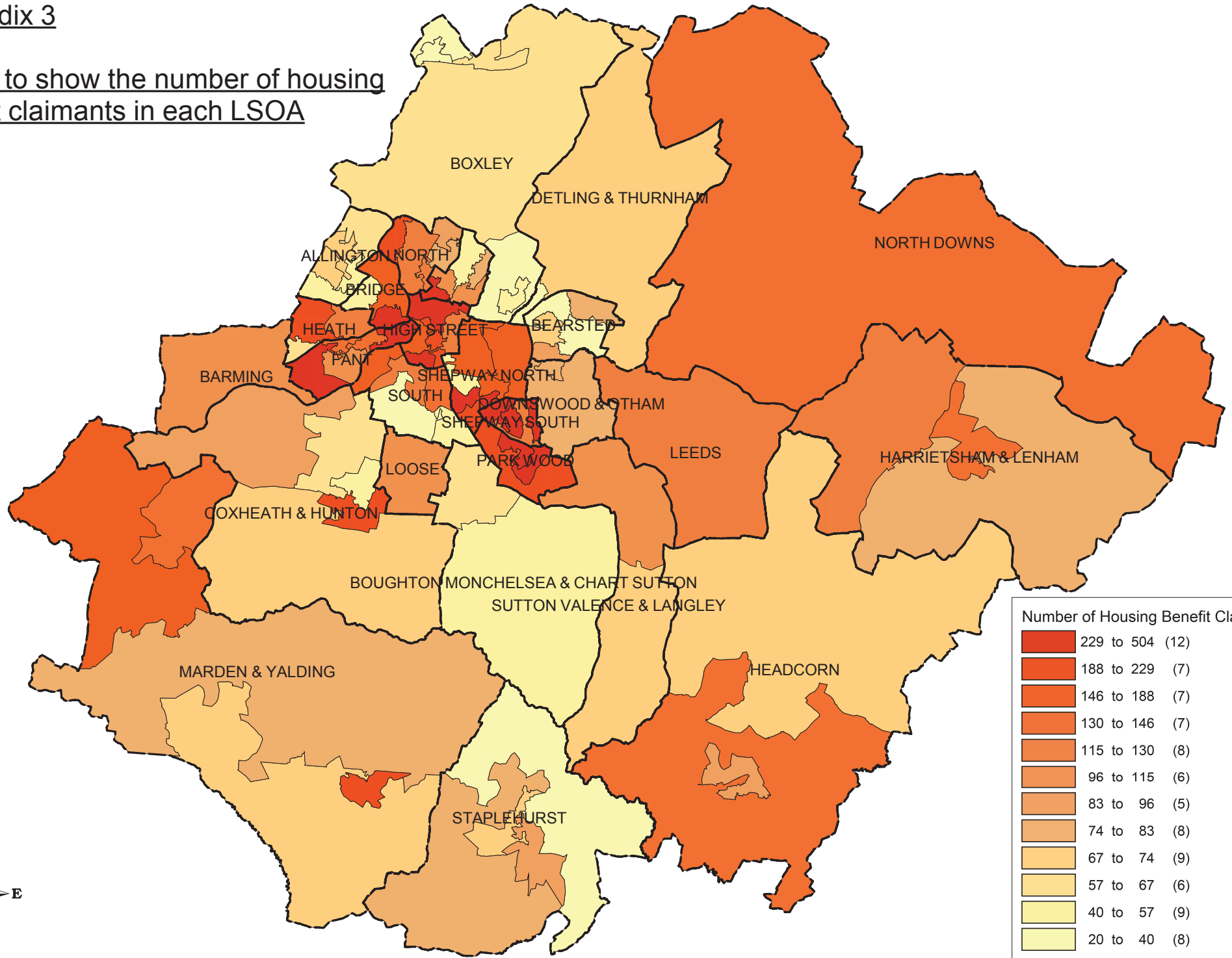
A Map to highlight Lower Super Output Areas in the borough that are in the lowest 15% index of multiple deprivation



Appendix 3

A map to show the number of housing benefit claimants in each LSOA

59



Agenda Item 10

MAIDSTONE BOROUGH COUNCIL

COMMUNITY, LEISURE SERVICES AND ENVIRONMENT **OVERVIEW AND SCRUTINY COMMITTEE** **REPORT OF HEAD OF HOUSING & COMMUNITY SERVICES**

Report prepared by Helen Miller

Date Issued: 05/08/13

1. COLLECTIVE SWITCHING OF ENERGY SUPPLIER SCHEME FOR HOUSEHOLDERS

1.1 Key Issue for Decision

1.1.1 To consider whether the Council will promote a collective switching scheme, provided by a third party, for householders to seek a competitive price for their electricity and/or gas supply.

1.2 Recommendation of the Head of Housing and Community Services

1.2.1 That the Overview and Scrutiny Committee recommends that the Cabinet Member for Community and Leisure Services agrees the Council enters into an agreement with a collective switching provider and promotes collective switching to households in all tenures across the borough.

1.3 Reasons for Recommendation

1.3.1 The majority of householders do not switch their electricity and /or gas provider or tariff. According to Ofgem, only 15% of households switched gas supplier and 17% switched electricity supplier in 2011. Ofgem also assert that the number of households switching is declining over time.

1.3.2 The government recognises that fuel bills have continued to increase in the last decade and have increased 30% on average over the last 5 years. As fuel bills have increased the number of households struggling to pay fuel bills has increased.

1.3.3 The government's new definition of fuel poverty covers those living on a lower income in a home that cannot be kept warm at a reasonable cost. Although the level of fuel poverty in Maidstone is lower than the national average it remains a significant problem.

1.3.4 Households that have never switched energy providers are most likely to gain a lower price from switching. These households are unlikely to

compare the market without support. Collective switching provides a no cost, no hassle, and no obligation way to compare the market and potentially get cheaper fuel bills.

1.4 Alternative Action and why not Recommended

1.4.1 The Council does not promote a collective switching service. Without support to switch many households will not compare the energy market and some will continue to pay higher bills than necessary and may become fuel poor as a result.

1.5 Impact on Corporate Objectives

1.5.1 Accessing lower fuel bills will increase affordability and contribute to Maidstone being a decent place to live. In addition the scheme will contribute towards tackling disadvantaged residents because of where they live and reducing the level of deprivation across the borough.

1.5.2

1.6 Risk Management

1.6.1 Maidstone Borough Council may suffer loss of reputation if a collective switching scheme associated with them is run poorly. A robust procurement process will ensure that an appropriate service provider is chosen and mitigate this risk.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	X
4.	Equality Impact Needs Assessment	X
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	X
9.	Asset Management	

1.7.2 Financial. Service providers receive a referral fee for each fuel a household chooses to switch and a small portion of this fee is given to the Council for marketing the service. The level of contribution will be determined through the procurement process.

1.7.3 Staffing. Staff time will come from within existing resources and relate to officer time in procurement, marketing, partnership working and call centre time.

1.7.4 Legal. Following procurement advice a legal contract will be entered into to protect the interests of the Council and the members of the public.

1.7.5 Equality Impact Needs Assessment – attached at Appendix A

1.7.6 Procurement. The service provider will be chosen through a robust procurement process set against an outcome-based service specification.

1.7.7 Appendices

Appendix A - Equality Impact Needs Assessment

1.7.8 Background Documents None

IS THIS A KEY DECISION REPORT?

Yes

No

If yes, this is a Key Decision because: Collective Switching would be a borough wide service

Wards/Parishes affected: All

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

Cllr John A Wilson

Cabinet Member for Community and Leisure Services

Telephone: 01622 720989

E-mail: JohnAWilson@maidstone.gov.uk

Neil Coles

Housing Services Manager

Telephone: 01622 602103

E-mail: Neilcoles@maidstone.gov.uk

Stage 1: Equality Impact Assessment Collective Switching

1. What are the main aims purpose and outcomes of the Policy and how do these fit with the wider aims of the organization?

The purpose is to help the households who do not switch their electricity and/or gas supplier to ascertain whether they could save money by switching and to support the switching process. We hope collective switching will help households have lower fuel costs, that it may help reduce fuel poverty and supports the Council's priority for Maidstone to be a decent place to live.

2. How do these aims affect our duty to:

- **Eliminate unlawful discrimination, harassment and victimization and other conduct prohibited by the act.**
- **Advance equality of opportunity between people who share a protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

This scheme is open to all however those who experience barriers to comparing the market, which may include people without access to the internet, people lacking literacy or numeracy skills, and people with learning disabilities may benefit from it more than those who do not experience these barriers.

Some people with disabilities and older people may have a greater need to keep their home warm. This scheme may help them reduce the costs of the energy to heat their homes so making warmth more affordable.

3. What aspects of the policy including how it is delivered or accessed could contribute to inequality?

The proposed plan will not contribute to inequality.

4. Will the policy have an impact (positive or negative) upon the lives of people, including particular communities and groups who have protected characteristics ? What evidence do you have for this?

This scheme could help people of all communities access lower energy bills. However, it will be marketed so the message reaches people without access to the internet and will use the call centre and Gateway to allow people to register for the service by phone and in person. By providing this additional support we will be helping people without access to the internet or lacking numeracy, literacy and with learning disabilities to compare the market, and switch to a cheaper supplier, which they

may not be able to do without assistance.

If the answer to the second question has identified potential impacts and you have answered yes to any of the remaining questions then you should carry out a full EQIA set out as stage 2 below.

Stage 2: Equality Impact Assessment

Name of Policy/Service/Function
Collective Switching
Purpose
What are you trying to achieve with the policy / service / function?
<p>The purpose is to help the households who do not compare the energy market and switch their electricity and/or gas supplier to ascertain whether they could save money by switching and support the switching process.</p> <p>To compare the market householders generally use the internet, or it is possible by phone but this is a very time consuming process, be numerate and literate, and be able to understand their fuel bills.</p> <p>We hope this will help households have lower fuel costs and may help reduce fuel poverty.</p>
Who defines and manages it?
<p>There is no statutory obligation on the Council to provide or signpost to a collective switching scheme. However, the Council has made a commitment to reducing fuel poverty and reducing fuel costs is a way to tackling fuel poverty.</p> <p>The scheme will be provided by a third party following a robust procurement process. They will project manage the project and report to the Council on a monthly basis.</p> <p>The Council will run the marketing for the scheme and so can target vulnerable groups in an aim to encourage vulnerable households to participate. The Council will support the registration service for people that phone or visit and do paper registration for those unable to use the internet.</p>
Who do you intend to benefit from it and how?
All householders can benefit from using the scheme to compare the energy market. We expect that households who already compare the market and switch

are less likely to be made an offer that saves them money and that households that have never switched are most likely to be made an offer that would save them money.

Households who experience barriers to switching, which may include people without access to the internet, people lacking literacy or numeracy skills and people with learning disabilities will benefit from the supported switching services.

People who need to keep their home warmer, including some older people of people with disabilities, may benefit more from lower fuel bills.

What could prevent people from getting the most out of the policy / service / function?

Some people may struggle to provide the information required to register for collective switching due to lack of literacy, numeracy or difficulty in understanding their energy bill.

Some people may not regard energy prices as important and may not wish to compare the market.

How will you get your customers involved in the analysis and how will you tell people about it?

The scheme provider will carry out an evaluation after each registration period so learning can be applied to the subsequent round.

Evidence

How will you know if the policy delivers its intended outcome / benefits?

The scheme provider will provide data on the number and characteristics of householders that register and then choose to switch.

How satisfied are your customers and how do you know?

We have not begun this scheme yet and do not have a current customer base.

What existing data do you have on the people that use the service and the wider population?

None. Our only data source is general, not local. OFGEM state that less than 20% of the population switched energy supplier in 2011 and then proportion of households that switch supplier has slowly declined since the energy market was

opened to competition.

Collective Switching is relatively new in the UK and so there is little data to show what the scheme take up would be.

What other information would it be useful to have? How could you get this?

A list of community groups to liaise with and promote the scheme. I will ask colleagues to gain local information.

Are you breaking down data by equality groups where relevant (such as by gender, age, disability, ethnicity, sexual orientation, marital status, religion and belief, pregnancy and maternity)?

No. We do not propose to ask people registering for the scheme for data regarding equality groups.

Are you using partners, stakeholders, and councillors to get information and feedback?

Not at present but we will be seeking feedback from these sources as well and the quantitative feedback from the scheme provider once the first round of switching is completed to inform the subsequent round.

Impact

Are some people benefiting more – or less - than others? If so, why might this be?

People with access to the internet are more likely to register as it is easiest for them to do so. People with no access to the internet will be invited to telephone or visit to register for the scheme. Without collective switching people without access to the internet have very limited opportunity to compare the market to inform switching their supplier.

People who have never switched before are more likely to be offered a new tariff that saves them money. People who have switched before are more likely to be on a competitive tariff already and so less likely to be offered a new tariff that will save them money.

Actions

If the evidence suggests that the policy / service / function benefits a particular group – or disadvantages another - is there a justifiable reason for this and if so, what is it?

This scheme is open to all but the people most likely to benefit are those who have not switched before. OFGEM state that one reason that people do not

compare the market and switch is lack of access to the internet so it is likely that people without access to the internet may benefit more from this scheme than people who do have access to the internet.

This scheme will also benefit those who have not approached switching before due to lack of literacy, numeracy or learning disabilities as both the Council and the scheme provider will provide support in the way that a purely internet based comparison website cannot.

Is it discriminatory in any way?

This scheme is not available to people using domestic fuel oil. This may disadvantage people living in rural areas of the gas network. It is not discriminatory to any groups of people with protected characteristics.

Is there a possible impact in relationships or perceptions between different parts of the community?

The scheme is open to all households so it should not impact on relationships or perceptions in the community. There may be some feelings of a lack of fairness that the scheme is not available for domestic fuel oil. The Council is carrying out work to identify ways to help households using fuel oil as a separate project.

What measures can you put in place to reduce disadvantages?

Ensuring the scheme is available to all by procuring a scheme that is available to those who do not use the internet and using our call centre and Gateway services to actively support those who wish to register by phone or in person.

Do you need to consult further?

No

Have you identified any potential improvements to customer service?

No, but we will evaluate after the first switching round to search for ways to improve the scheme.

Who should you tell about the outcomes of this analysis?

Corporate Leaders Team, Cabinet member.

Have you built the actions into your Service Plan or Policy Implementation Plan with a clear timescale?

No. The service provider will provide a project plan.

When will this assessment need to be repeated?

NA

Maidstone Borough Council

Communities, Leisure Services and Environment Overview & Scrutiny Committee

Tuesday 13 August 2013

Scoping Report for developing a Health Inequalities Action Plan for Maidstone

Report of: John Littlemore, Head of Housing and Community Services

1. Introduction

- 1.1 The Communities Overview and Scrutiny Committee have within its terms of reference responsibility for the scrutiny of Health and Wellbeing and Health Inequalities.
- 1.2 The Committee's Chairman and Vice-Chairman were advised that a health inequalities action plan for Maidstone was being drafted and felt it important that the Committee took the opportunity to be involved in agreeing the approach and key priorities for action.
- 1.3 Following the Corporate Governance Review and the decision of Council to develop an enhanced scrutiny model, Councillor John A Wilson, Cabinet Member for Communities and Leisure felt that the development of the action plan would provide an excellent opportunity to involve scrutiny at an early stage. The Committee's involvement is at a pre decision stage, in a strategic action plan, looking at the borough as a whole.
- 1.4 The Chairman and Vice Chairman felt it appropriate to receive a presentation from the Cabinet Member for Community and Leisure Services and John Littlemore, Head of Housing and Community Services on the findings from a recent health inequalities stakeholder event and the approach being proposed to develop a health inequalities action plan for Maidstone. The presentation will include:
 - An overview of the recommendations from a commissioned report into health inequalities in Maidstone; and
 - Details of the approach to be taken in developing an action plan.

2. Recommendation

- 2.1 The Committee should consider the information presented and seek to recommend an approach for the Health Inequalities Action Plan for Maidstone.

3. Maidstone Health Overview

- 3.1 Measures of health inequality are not primarily about health but of socio-economic status which has an impact on health and can lead to disease. Relative deprivation impacts on a person's ability to participate in or have access to employment, occupation, education, recreation, family and social activities and relationships which are commonly experienced by the mainstream. People in deprived circumstances often do not present with major health problems until too late. Barriers to presentation include structural issues such as poor access and transport; language and literacy problems; poor knowledge; low expectation of health and health services; fear and denial and low self-esteem.
- 3.2 The main causes of death in the Borough are;
- Circulatory Disease (mainly coronary heart disease and strokes)
 - Cancer
 - Respiratory Disease
- 3.3 Health profiles of Maidstone show general levels of health and wellbeing are good being largely above national and regional averages. Deprivation in the Borough is lower than the England average. Unemployment is low, average wages are higher than most other Districts in the County. Maidstone residents as a whole have a life expectancy at birth which is higher than the national average, and correspondingly have lower than average mortality rates. However, this position hides some pockets of deprivation. Our priority areas with significantly greater Health Inequalities in the borough have been identified as:
- Park Wood
 - High Street
 - Shepway North
 - Shepway South
- 3.4 The four wards identified above are already the focus of the Borough Council's Community Development Strategy 2012-2016. These areas have higher levels of disease and poor health, worse adult health and lifestyles, and poorer levels children's and young people's health compared to the rest of the borough. The main areas for action are;
- Increasing physically active children
 - Reducing adult obesity
 - High incidence of malignant melanoma
 - Reducing hospital stays for self-harm
- 3.5 Consideration needs to be given in relation to the behaviours people adopt, and the actions they take which will put them at risk, and adversely affect their health. In particular, levels of physical activity in children and adults seem poor, and related to this, there is an

issue with rates of obesity in adults. Otherwise, the measure that is relatively poor in Maidstone is malignant melanoma, a skin cancer usually associated with excessive exposure to sunlight and sunburn both home and abroad (or by use of sunbeds). Finally, relatively high levels of self-harm indicate mental health stress often in teenagers. Again, these are averages for the Borough as a whole, and are likely to hide pockets of high risk in the most deprived areas. It would be predicted that this would be the case for smoking, high risk drinking and teenage pregnancy, for example.

3.6 There are a number of factors which impact upon the prevalence of these issues, including:

- The overall environment
- Lifestyles
- Access to services

The overall environment includes issues such as air quality, housing, anti-social behaviour and worklessness. Lifestyles can include issues such as smoking, obesity, substance misuse and sexual health. Finally access issues can include physical access, the suitability of services and funding.

4. What an Action Plan will do to tackle Health Inequalities in the Maidstone borough

4.1 We aim to reduce health inequalities in Maidstone by reducing the gap in health status between our richest and poorest communities. The Maidstone Health Inequalities Action Plan will set out how all of the partners who contribute to improving health and reducing health inequalities in the area will deliver a series of actions to improve the areas highlighted above. Most importantly we will improve health and wellbeing for everyone in Maidstone but we will "Improve the health of the poorest fastest" so that more people will live longer in better health and the difference in life expectancy within and between communities in Maidstone will reduce. Furthermore, an action plan will contribute to the wider Kent Health Inequalities Action Plan – Mind the Gap *'Building bridges to better health for all'*

5. Who will do what?

5.1 The proposed Action Plan will provide a framework and tools to identify, analyse and evaluate actions that can contribute to reducing health inequalities in the Maidstone Borough.

From April 2013 Kent County Council is taking on new responsibilities for Public Health and for tackling the social determinants of health inequalities. To succeed in improving public health and reducing health inequalities all local authorities and partners across Kent need to be engaged and committed to reducing health inequalities in their areas.

As the new commissioners for health services locally; West Kent Clinical Commissioning Group are also a key partner in reducing health inequalities in the Borough.

Maidstone Borough Council recognises the importance of reducing health inequalities. Health and Wellbeing is a key theme in the Council's Strategic Plan, which sets out a strategic objective of reducing overall health inequalities in the Borough, along with a series of targets. An Action Plan will contribute to the Health and Wellbeing objective of the Council's Strategic Plan as well as the Kent-wide Health Inequalities Action Plan.

The Council also realises health inequalities cannot be reduced by one or two organisations alone and needs the support of a wide range of local partners, therefore in partnership with Kent County Council, a Maidstone Borough Health Inequalities Workshop was delivered in July 2013. The workshop enabled partners to learn more about health inequalities in the borough and also how their organisation and services could contribute to the local action plan. The outcome of the workshop is the actions that will be included in the proposed Action Plan.

The delivery of this action plan will only be successful if delivered in partnership; crucial to this is the development of the locality Health and Wellbeing Board which will have the responsibility to oversee the delivery of this plan and report progress back to the Kent Health and Wellbeing Board.

Appendix 1: Health Inequalities overview

Background

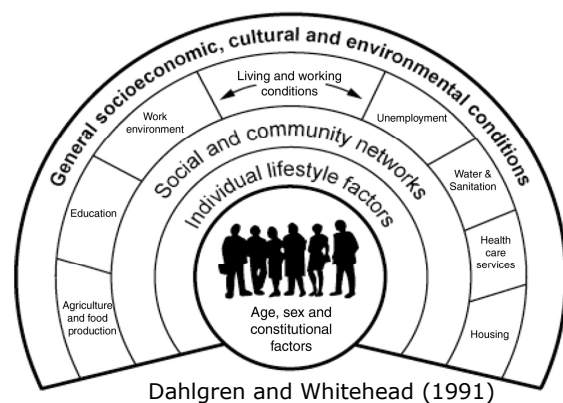
Health Inequalities are the result of a set of complex interactions, including:

- The long-term effects of a disadvantaged social position
- Differences in access to information, services and resources
- Differences in exposure to risk
- Lack of control over one's circumstances
- A health system that may reinforce social and economic inequalities.

These factors all affect a person's ability to withstand the stressors – biological, social, psychological and economic – that can trigger ill health. They also affect the capacity to change behaviour. Measures of health inequality are not primarily about health, but of socio-economic status which has an impact on health and can lead to disease.

Relative deprivation impacts on a person's ability to participate in or have access to employment, occupation, education, recreation, family and social activities and relationships. People in deprived circumstances often do not present with major health problems until too late.

Barriers to presentation include structural issues such as poor access to transport; language and literacy problems; poor knowledge; low expectation of health and health services; fear and denial and low self-esteem.



Dahlgren and Whitehead's model (above) highlights some of the main factors determining the health of our regional and local populations.

Age, sex and genetic make-up undoubtedly influence people's health potential, but are fixed. Other factors in the surrounding layers of the model can potentially be modified to achieve a positive impact on population health:

- individual lifestyle factors such as smoking habits, diet and physical activity have the potential to promote or damage health;
- interactions with friends, relatives and mutual support within a community can sustain people's health;
- wider influences on health include living and working conditions, food supplies, access to essential goods and services, and the overall economic, cultural and environmental conditions prevalent in society as a whole.

National

In November 2008, Professor Sir Michael Marmot was asked by the then Secretary of State for Health to chair an independent review to propose the most effective evidence based strategies for reducing health inequalities from 2010.

The final report. 'Fair Society Healthy Lives' was published in February 2010, and concluded that reducing health inequalities would require action on six policy objectives:

- Give every child the best start in life
- Enable all children, young people and adults to maximize their capabilities and have control over their lives
- Create fair employment and good work for all
- Ensure a healthy standard of living for all
- Create and develop healthy and sustainable places and communities
- Strengthen the role and impact of ill-health prevention

County

In 2012 Kent County Council published Mind the Gap: Building bridges to better health for us all 2012/15. The strategy is broadly based on the policy objectives set out in the Marmot report, and lists six key priorities for achievement by 2015:

- Increase breast-feeding and initiation rates and prevalence at 6-8 weeks in all parts of Kent
- Roll out Total Child Pilot to schools to help schools identify health and wellbeing issues for pupils
- Increase proportion the of Young People (16-18) and (18-24) in full time education or employment
- Reduction in the levels of inequalities for Life Expectancy for Males and Females
- Reduce homelessness and the negative impact for those living in temporary accommodation
- Reduce the rate of deaths attributable to smoking in all persons

Impact on Corporate Objectives

By August 2013 Maidstone Borough Council will produce a health inequalities strategy and action plan. There are clear links with the proposed health inequalities action plan and the 3 strategic priorities and 7 key outcomes set out in the Strategic Plan 2011-15.

Priorities	Outcomes
1. For Maidstone to have a growing economy	<ul style="list-style-type: none">• A transport network that supports the local economy• A growing economy with rising employment, catering for a range of skill sets to meet the demands of the local economy
2. For Maidstone to be a decent place to live	<ul style="list-style-type: none">• Decent, affordable housing in the right places across a range of tenures• Continues to be a clean and attractive environment for people who live in and visit to Borough• Residents are not disadvantaged because of where they live or who they are, vulnerable people are assisted and the level of deprivation is reduced
3. Corporate and Customer Excellence	<ul style="list-style-type: none">• Services are customer focused and residents are satisfied with them• Effective, cost efficient services are delivered across the borough

The Community Development Strategy 2012-2016 sets out 3 priorities for delivery, all of which has the potential to impact on health inequalities and improve the lives of our most deprived groups and communities. These are:

- Tackling Disadvantage
- Reducing Worklessness
- Building Stronger Communities

Much of the work we undertake as a local authority directly or indirectly affects the health and wellbeing of our communities. With that in mind, other strategies and departmental service plans that will contribute to work to reduce health inequalities include:

- Community Development
- Community Safety
- Economic Development
- Environmental Enforcement
- Environmental Health
- Housing
- Parks and Leisure
- Planning and Development
- Revenues and Benefits
- Street Scene and Street Cleansing

Agenda Item 12

Maidstone Borough Council

Communities, Leisure Services and Environment Overview & Scrutiny Committee

Tuesday 13 August 2013

Urgent Item: Part-night Streetlights Consultation

Report of: Orla Sweeney, Overview & Scrutiny Officer

1. Introduction

1.1 Urgent Item – In accordance with Access to Information Procedure Rule 16 it has been agreed with the Chairman to take this item as an urgent item as the call for evidence has to be responded to by the 23 August 2013.

1.2 Kent Highways (Kent County Council) are seeking feedback on proposals to turn off some street lights for a number of hours over night, possibly between midnight and 5:30am. The consultation has county-wide relevance. The deadline for responses is Friday 23 August 2013. Full details of the consultation proposals are attached. Members are asked to consider forming a task and finish panel to meet week commencing 19th August to evaluate the ramifications of the proposals on Maidstone borough and formulate a response on behalf of the Committee.

2. Recommendation

2.1 The Committee should consider appointing a task and finish panel to respond to the consultation.

2.2. The Committee should also consider which relevant officers it should consult with in formulating its response.

3. Kent Highways – Part-night Streetlights consultation

3.1 Full details of the consultation are available on the Kent County Council Website:
http://www.kent.gov.uk/roads_and_transport/highway_maintenance/street_lights/sensible_street_lighting.aspx including the report 'A Common Sense Plan for Safe and Sensible Street Lighting.'

3.2 The following information which outlines, in brief, the consultation proposals has been taken from the website.

3.3 "The energy used to light Kent's streets next year will cost £6.4 million and will produce 29,000 tonnes of carbon emissions.

Over the past 2 years we have implemented a number of initiatives to reduce energy consumption, we have:

- replaced 3,441 failing lamps with energy efficient ones
- set lights to come on later and go off earlier
- dimmed lights at predetermined times

3.4 These initiatives have reduced energy charges by £130,000 annually but we need to do a lot more to combat the rising cost of energy and reduce pollution.

3.5 We are taking further action in two phases:

- **Phase 1 - trial the switch off of unnecessary lights**

3.6 Where current design standards would not recommend street lighting and there would be no adverse effect on the local area, we are switching off selected lights on a trial basis for a year. Find out which lights are affected by viewing our [interactive map](#) or [PDF plans of each district](#). This phase is currently underway.

- **Phase 2 - part-night lighting**

3.7 On selected roads, we propose that some lights would be turned off for a number of hours over night, possibly between midnight and 5:30am.

3.8 Our approach is similar to other local authorities. Lights will be considered suitable for part-night lighting unless they meet one or more of the exclusion criteria listed below:

- Main routes and locations with a significant night-time traffic record between 12 midnight and 5:30am (1am and 6:30am during British Summer Time).
- Town centres.
- Areas identified by the Police as having an existing record of crime or having the potential for increased crime levels if the street lighting is changed.
- Areas with sheltered housing and other residences accommodating vulnerable people.
- Areas with operational emergency services site including hospitals and nursing homes.
- Formal pedestrian crossings, subways and enclosed footpaths and alleyways where one end links to a road that is lit all night.
- Where road safety measures are in place on the highway, such as roundabouts, central carriageways islands, chicanes, speed humps, etc.
- Roads that have local authority CCTV or Police surveillance equipment.
- Sites with existing or with potential road safety concerns.

3.9 We're keen to hear your views about the hours of switch off and our exclusion criteria. To give your feedback please complete our [online form](#) before **23 August**. For alternative formats, please call 0300 3335539. Further engagement will take place with targeted areas as they are identified.

3.10 These proposals will:

- significantly reduce street lighting carbon emissions by around 5,000 tonnes
- save Kent taxpayers around £1 million a year in electricity costs.”

3.11 The information available on the Kent County Council website also includes Frequently Asked Questions, attached at **Appendix A**.

4. Impact on Corporate Objectives

4.1 The Committee will consider reports that deliver against the following Council priorities:

- ‘For Maidstone to be a decent place to live.’

4.2 The Strategic Plan sets the Council’s key objectives for the medium term and has a range of objectives which support the delivery of the Council’s priorities.

Frequently Asked Questions

Why is street lighting being switched off?

Approximately 3100 street lights have been identified where lighting is considered unnecessary. If these schemes were being designed today these lights would not be installed. Switching off these lights will save taxpayers around £150,000 and reduce our carbon emission by about 1000 tonnes every year.

We plan to switch these lights off for a trial period of 12 months. Crime level and road safety will be monitored throughout the trial period and lighting columns on any sites being adversely affected will be switched back on. Lighting columns on unaffected sites will be reviewed at the end of the trial period to determine whether further action needs to be taken.

What is part-night lighting?

Part-night lighting is the term we use for a light that switches off for part of the night. The affected lights will switch on at dusk (as usual) but switch off between midnight and 5.30am. This means that they will be off between 1am and 6.30am during British Summer Time. During Summer it is likely to be full daylight before 6am, therefore the lighting would not switch back on in the morning. This is called part-night lighting.

What savings are being made?

Up to £1 million pounds per year will be saved, the carbon emission savings will be around 5000 tonnes a year.

What are the costs of the works required?

We estimate the work will cost about £4.2 million pounds. This means the costs will be recovered within five years.

What other benefits are there?

As well as making savings we will reduce our CO2 emissions by around 5000 tonnes. The annual carbon emissions for street lighting energy in Kent totals around 29,000 tonnes. These emissions savings will help us to meet both the national and local emissions reduction targets. As well as the money and carbon savings, light pollution will be significantly reduced, allowing for a better environment and viewing of the night sky.

Will all lights be affected?

No. Approximately 3100 lights will be switched off on a trial basis and a further 70,000 of the 120,000 lights will have part-night lighting. We will not be removing or operating part-night lighting in the following places:

- sites of potential road safety concerns
- on some main traffic routes
- in town centres
- locations with a significant night-time traffic record between 12.00 midnight and 5.30am
- areas identified by the police as having an above average record of crime
- areas provided with local authority or police CCTV surveillance equipment
- areas with sheltered housing and other residences accommodating vulnerable people
- areas with a 24hour operational emergency services site including hospitals and nursing homes
- formal pedestrian crossings, subways and enclosed footpaths and alleyways where one end links to a road that is lit all night
- where road safety measures are in place on the highway such as roundabouts, central carriageway islands, chicanes, speed humps and so on
- street lighting that is owned by district, town and parish council's. It is understood that many of these may also implement their own measures in conjunction with the County Council's proposals.

How many lights will be affected?

It is difficult to say exactly how many lights will be operated on a part-night basis until we have carried out assessments. However, we are looking at operating approximately 60% of KCC-owned lights on a part-night basis throughout Kent - about 70,000 lights.

Can the council legally turn off the lights?

Yes. There is no statutory requirement on local authorities in the UK to light the highway. The law states that:

Appendix A

- the Highways Act empowers local authorities to light roads but does not place a duty to do so
- the council has a duty of care to road users and has an obligation to light permanent obstructions on the highway, such as speed humps and central refuges.

Will any lighting be switched back on?

We will work with the police to monitor traffic accidents and crime levels. If there is a significant increase, which could be put down to the part-night lighting, the area will be reviewed and lights may be turned back to all-night.

Have lights been switched off in other parts of the country?

Yes. Part-night lighting has been introduced in Buckinghamshire, Devon, Dorset, Essex, Gloucestershire, Leicestershire, Powys and Oxfordshire. There are many other councils who are now implementing or considering part-night lighting.

I live in a rural village will my light be affected?

Only lighting owned and maintained by us will be affected. Some villages and small towns own and maintain the lighting. It is understood that many of these may also implement their own measures in conjunction with the our proposals.

Will 30mph speed limits be affected if lights are switched off?

No. A 30mph speed limit automatically applies in any road containing a system of street lights not more than 200 yards apart, unless signposted with a different speed limit. There is currently no law stating that these lights have to be switched on all night for the speed limit to be applicable. Therefore motorists are advised that the usual 30mph speed limit will be in place regardless of whether the lights are switched on or not.

Can't you just dim lights instead of switching them off?

Not all types of light can be dimmed and those that could be dimmed require additional equipment which is very expensive to buy and fit meaning savings take many years to achieve. In future we will be looking at dimming new installations where the necessary dimming equipment is installed by the manufacturer at the factory, which reduces the cost.

Why can't you switch off every other light?

The design of street lighting does not allow switching off every other light as they are generally installed in a circuit where all lamps on that circuit are either on or off.

Can't you just fit lower power bulbs?

No. The lamps are controlled by specific gear within the lantern. To change the lamp to a lower energy type would require replacing the control gear, which would not be cost effective. Where we are replacing or upgrading the lighting in an area we do always look at using lower energy equipment but this will still be operated on a part night basis to achieve the required savings.

Can I choose the times the light outside my house operates?

No. All lighting will be treated the same throughout Kent and following the consultation affected lights may be switched off between midnight and 5.30am.

Maidstone Borough Council

Community, Leisure Services and Environment Overview and Scrutiny Committee

Tuesday 13 August 2013

Future Work Programme

Report of: Orla Sweeney, Overview & Scrutiny Officer

1. Introduction

- 1.1 To consider the Committee's future work programme.
- 1.2 To consider the information update given by the Overview and Scrutiny Officer.

2. Recommendation

- 2.1 That the Committee considers the draft future work programme, attached at **Appendix A**, to ensure that it is appropriate and covers all issues Members currently wish to consider within the Committee's remit. Any items on the draft future work programme, highlighted in bold, are provisional items for the Committee to approve.
- 2.2 That the Committee considers its continuous professional development needs and recommends possible training or development sessions it would like to undertake.
- 2.3 That the Committee put forward two Members for an informal Joint Health Overview and Scrutiny Committee meeting on 29 August 2013 to consider the Maidstone and Tunbridge Wells NHS Trust's Quality Accounts 2012-13.

3 Future Work Programme

- 3.1 Throughout the course of the municipal year the Committee is asked to put forward work programme suggestions. These suggestions are planned into its annual work programme. Members are asked to consider the work programme at each meeting to ensure that it remains appropriate and covers all issues Members currently wish to consider within the Committee's remit.
- 3.2 The Committee is reminded that the Constitution states under Overview and Scrutiny Procedure Rules number 9: Agenda items that 'Any Member shall be entitled to give notice to the proper officer that he wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the proper officer will ensure that it

is included on the next available agenda, the Member must attend the meeting and speak on the item put forward.'

4 List of Forthcoming Decisions

- 4.1 The List of Forthcoming Decisions (**Appendix B**) is a live document containing all key and non-key decisions.
- 4.2 Due to the nature of the List of Forthcoming Decisions, and to ensure the information provided to the Committee is up to date, a verbal update will be given at the meeting by the Scrutiny Officer. The Committee can view the live document online at:
<http://meetings.maidstone.gov.uk/mgListPlans.aspx?RPIId=443&RD=0>

5. Impact on Corporate Objectives

- 5.1 The Committee will consider reports that deliver against the following Council priority:
 - 'For Maidstone to be a decent place to live.'
- 5.2 The Strategic Plan sets the Council's key objectives for the medium term and has a range of objectives which support the delivery of the Council's priorities.

Community, Leisure Services & Environment Overview and Scrutiny Committee Work Programme 2013-14

Meeting Date	Agenda Items	Details and desired outcome
11 June 2013	<ul style="list-style-type: none"> • Appointment of Chairman and Vice-Chairman • Work programming workshop • Leader & Cabinet Member Priorities for 2013/14 Municipal Year 	<ul style="list-style-type: none"> • Appoint Chairman and Vice-Chairman for 2013-14 • Ascertain work plan for the year and strategic direction for the Council & Select and develop review topics focusing on achievable outcomes.
16 July 2013	<ul style="list-style-type: none"> • Cabinet Member Priorities for 2013/14 Municipal Year • Draft report: Approval of a new Play Area Strategic Standard 	
13 August 2013	<ul style="list-style-type: none"> • CCTV Protocol • Collective Switching of Energy Supplier Service for Householders • Eco Pilot • Draft Health Inequalities Action Plan 	
10 September 2013	<ul style="list-style-type: none"> • Health Inequalities (Mental Health) Review 	
8 October 2013	<ul style="list-style-type: none"> • Acting as the Crime & Disorder Overview and Scrutiny Committee (Ann Barnes scheduled to attend on 28 October, meeting date to be revised). 	
12 November 2013		
10 December 2013		
14 January 2014		
11 February 2014	<ul style="list-style-type: none"> • Acting as the Crime & Disorder Overview and Scrutiny Committee 	
11 March 2014		

8 April 2014	<ul style="list-style-type: none">• Evaluations of Cabinet Member Priorities for 2013/14 Municipal Year	
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LIST OF FORTHCOMING DECISIONS

List of Forthcoming Decisions

INTRODUCTION

This document sets out the decisions to be taken by the Executive and various Committees of Maidstone Borough Council on a rolling basis. This document will be published as updated with new decisions required to be made.

KEY DECISIONS

A key decision is an executive decision which is likely to:

- Result in the Maidstone Borough Council incurring expenditure or making savings which is equal to the value of £250,000 or more; or
- Have significant effect on communities living or working in an area comprising one or more wards in Maidstone.

At Maidstone Borough Council, decisions which we regard as “Key Decisions” because they are likely to have a “significant” effect either in financial terms or on the community include:

- (1) Decisions about expenditure or savings which equal or are more than £250,000.
- (2) Budget reports.
- (3) Policy framework reports.
- (4) Adoption of new policies plans, strategies or changes to established policies, plans or strategies.
- (5) Approval of portfolio plans.
- (6) Decisions that involve significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether Borough-wide or in a particular locality.
- (7) Changes in fees and charges.
- (8) Proposals relating to changes in staff structure affecting more than one section.

Each entry identifies, for that “key decision” –

- the decision maker
- the date on which the decision is due to be taken
- the subject matter of the decision and a brief summary
- the reason it is a key decision
- to whom representations (about the decision) can be made

List of Forthcoming Decisions

- whether the decision will be taken in public or private
- what reports/papers are, or will be, available for public inspection

EXECUTIVE DECISIONS

The Cabinet collectively makes its decisions at a meeting and individual portfolio holders make decisions independently. In addition, Officers can make key decisions and an entry for each of these will be included in this list.

DECISIONS WHICH THE CABINET INTENDS TO MAKE IN PRIVATE

The Cabinet hereby gives notice that it intends to meet in private after its public meeting to consider reports and/or appendices which contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended). The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

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Reports and/or appendices to decisions which the Cabinet will take at its private meeting are indicated in the list below, with the reasons for the decision being made in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations, please email janetbarnes@maidstone.gov.uk. You will then be sent a response in reply to your representations. Both your representations and the Executive's response will be published on the Council's website at least 5 working days before the Cabinet meeting.

ACCESS TO CABINET REPORTS

Reports to be considered at the Cabinet's public meeting will be available on the Council's website (www.maidstone.gov.uk) a minimum of 5 working days before the meeting.

HOW CAN I CONTRIBUTE TO THE DECISION-MAKING PROCESS?

The Council actively encourages people to express their views on decisions it plans to make. This can be done by writing directly to the appropriate Officer or Cabinet Member (details of whom are shown in the list below).

Alternatively, the Cabinet are contactable via our website (www.maidstone.gov.uk) where you can submit a question to the Leader of the Council. There is also the opportunity to invite the Leader of the Council to speak at a function you may be organising.

List of Forthcoming Decisions

WHO ARE THE CABINET?



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List of Forthcoming Decisions

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary:	Key Decision and reason (if applicable):	Contact Officer:	Public or Private (if Private the reason why)	Documents to be submitted (other relevant documents may be submitted)
<p>Cabinet Member for Economic and Commercial Development</p> <p>Due Date: Before 2 Aug 2013</p>	<p>Town Centre Management Nomination</p> <p>To nominate a new officer representative for the Town Centre Management Board</p>		<p>Alison Broom, Chief Executive, alisonbroom@maidstone.gov.uk</p>	<p>Public</p>	<p>Town Centre Management Nomination</p>
<p>Council</p> <p>Due Date: 24 Jul 2013</p>	<p>Members' Broadband Allowance</p> <p>To consider increasing the Basic Allowance for Members to incorporate an allowance for broadband</p>		<p>Janet Barnes janetbarnes@maidstone.gov.uk</p>	<p>Public</p>	<p>Members' Broadband Allowance</p>
<p>Cabinet Member for Corporate Services</p> <p>Due Date: 31 Jul 2013</p>	<p>Lease of Giddyhorn Lane Tennis Courts</p> <p>Lease renewal to Maidstone Lawn Tennis Club of the tennis courts at Giddyhorn Lane Playing Fields</p>		<p>Lucy Stroud lucystroud@maidstone.gov.uk</p>	<p>Private because of commercially sensitive information.</p>	<p>Lease of Giddyhorn Lane Tennis Courts</p>

Forthcoming Decisions
July 2013 - May 2014

Decision Maker and Date of When Decision is Due to be Made:	Title of Report and Brief Summary	Key Decision and reason (if applicable)	Contact Officer:	Public or Private <i>if Private the reason why</i>	Documents to be submitted <i>(other relevant documents may be submitted)</i>
Leader of the Council Due Date: 2 Aug 2013	Residents Survey 2013 Bi-annual residents consultation		Angela Woodhouse, Head of Policy and Communications angelawoodhouse@maidstone.gov.uk	Public	Residents Survey 2013 Enc. 2 for Residents Survey 2013 Enc. 3 for Residents Survey 2013
Cabinet Member for Environment Due Date: Before 2 Aug 2013 92	Review of Fees and Charges - Waste Services Review of garden waste and bulky charges to consolidate charges across the Mid Kent Waste Partnership area.	KEY Reason: Fees & Charges	Jennifer Shepherd jennifershepherd@maidstone.gov.uk	Public	Waste and Recycling Strategy 2010-2015 Review of Fees and Charges - Waste Services Appendix A: Risk Management Strategy
Leader of the Council Due Date: 2 Aug 2013	Use of 2012 13 Revenue Underspend This report presents proposals for uses of the net revenue underspend.	KEY Reason: Expenditure > £250,000	Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Use of 2012 13 Revenue Underspend

Forthcoming Decisions
July 2013 - May 2014

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Cabinet Member for Corporate Services Due Date: 2 Aug 2013	Discretionary Housing Payment Future policy for the award of discretionary housing payments.		Stephen McGinnes stephenmcginnes@maidstone.gov.uk	Public	Discretionary Housing Payment
Cabinet Due Date: 14 Aug 2013	Budget Strategy 2014 15 Onwards To give initial consideration to a Budget Strategy for 2014 15 and beyond	KEY Reason: Budget Reports	Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Budget Strategy 2014 15 Onwards
Cabinet Due Date: 14 Aug 2013	Budget Monitoring - First Quarter 2013/14 Budget Monitoring - First Quarter 2013/14		Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Budget Monitoring - First Quarter 2013/14
Cabinet Due Date: 14 Aug 2013	Corporate Planning Timetable Report to determine the timetable for refreshing the Strategic Plan for 2013/14		Angela Woodhouse, Head of Policy and Communications angelawoodhouse@maidstone.gov.uk	Public	Corporate Planning Timetable

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Cabinet Due Date: 14 Aug 2013	Quarter 1 Performance Report 2013/14 Quarterly performance monitoring		Clare Wood clarewood@maidstone.gov.uk	Public	Quarter 1 Performance Report 2013/14
Cabinet Due Date: 14 Aug 2013 94	Annual Governance Statement To agree the Annual Governance Statement for 2012 13	KEY Reason: Policy Framework Document	Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Annual Governance Statement
Cabinet Due Date: 14 Aug 2013	Local Code of Corporate Governance To consider and approve an amended Local Code of Corporate Governance		Paul Riley, Head of Finance & Resources paulriley@maidstone.gov.uk	Public	Local Code of Corporate Governance

Forthcoming Decisions
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Cabinet Member for Community and Leisure Services Due Date: 16 Aug 2013	CCTV Operational Protocol Operational Protocol for Maidstone Borough Council owned CCTV.		John Littlemore, Head of Housing & Community Services johnlittlemore@maidstone.gov.uk	Public	CCTV Operational Protocol
Cabinet Member for Community and Leisure Services Due Date: 30 Aug 2013	Review of the Housing Assistance Policy To review and update the council's Policy for providing housing assistance.	KEY Reason: Affects more than 1 ward	John Littlemore, Head of Housing & Community Services johnlittlemore@maidstone.gov.uk	Public	Review of the Housing Assistance Policy
Cabinet Member for Corporate Services Due Date: 30 Aug 2013	Commissioning & Procurement Strategy 2013-16 To consider the Council's Commissioning	KEY Reason: Policies, Plans, Strategies	David Tibbit davidtibbit@maidstone.gov.uk	Public	Commissioning & Procurement Strategy 2013-16 Enc. 1 for Commissioning & Procurement Strategy 2013-16

Forthcoming Decisions
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Licensing Act 2003 Committee Due Date: 4 Sep 2013	Delegation of Functions To recommend to Council a minor amendment to the delegations to the Committee		Lorraine Neale lorraineneale@maids-tone.gov.uk	public	Delegation of Functions
Licensing Committee Due Date: 4 Sep 2013 06	Street Trading Consent - Mr Ian Young To extend Mr Youngs provisional 6 month consent		Lorraine Neale lorraineneale@maids-tone.gov.uk	public	Street Trading Consent - Mr Ian Young
Licensing Committee Due Date: 4 Sep 2013	Hackney Carriage Licence - Unmet Demand Survey To consider the outcomes of the Unmet Demand Survey into the numbers of Hackney Carriage Licences		Lorraine Neale lorraineneale@maids-tone.gov.uk	Public	Hackney Carriage Licence - Unmet Demand Survey

Forthcoming Decisions
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<p>Cabinet Member for Planning, Transport and Development</p> <p>Due Date: 6 Sep 2013</p> <p>97</p>	<p>Public Consultation Approach for the Maidstone Borough Local Plan</p> <p>The report considers the council's approach to public consultation on the draft Maidstone Borough Local Plan.</p>		<p>Sue Whiteside suewhiteside@maidstone.gov.uk</p>	<p>Public</p>	<p>Public Consultation Approach for the Maidstone Borough Local Plan</p>
<p>Cabinet</p> <p>Due Date: 11 Sep 2013</p>	<p>Regeneration and Economic Development Plan Consultation</p> <p>To consider the draft Regeneration and Economic Development Plan for the Borough and agree its release for public consultation.</p>	<p>KEY Reason: Affects more than 1 ward</p>	<p>John Foster, johnfoster@maidstone.gov.uk</p>	<p>Public</p>	<p>Regeneration and Economic Development Plan Consultation</p>

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Cabinet Due Date: 11 Sep 2013 86	Maidstone Enterprise Hub To allocate £500,000 from the Capital Fund as match funding to support the Council's bid to Kent County Council for Regeneration Funding to establish an Enterprise Hub in Maidstone town centre.	KEY Reason: Expenditure > £250,000	Karen Franek, karenfrank@maidstone.gov.uk	Public	Maidstone Enterprise Hub