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To: Chair & Members of the Council

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Tuesday 2nd August 2022

Dear Councillor

COUNCIL

You are hereby summoned to attend a meeting of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Wednesday, 10th August, 2022 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on pages 2 and 3.

Yours faithfully

A handwritten signature in black ink, appearing to read "J. S. Fielden".

Solicitor to the Council & Monitoring Officer

The logo for Bolsover District Council, featuring the word "Bolsover" in a large, black, serif font, with "District Council" in a smaller, black, sans-serif font below it. A black swoosh underline is positioned beneath the text.

We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

COUNCIL

AGENDA

**Wednesday 10th August 2022 at 10:00 hours taking place in the Council Chamber,
The Arc, Clowne**

Item No.		Page No.(s)
1.	Apologies for Absence	
2.	Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of: a) any business on the agenda b) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
3.	Long Service Awards	
4.	Chair's Announcements To receive any announcements that the Chair of the Council may desire to lay before the meeting	
5.	Minutes To approve the Minutes of a Council meeting held on 15 th June 2022	4 - 8
6.	Change to a Member Appointment of a Scrutiny Committee <u>RECOMMENDED ITEMS:</u>	Verbal Report
7.	Recommendations from the Employment & Personnel Committee held on 6th July 2022 <u>REPORTS OF PORTFOLIO HOLDERS:</u> <u>REPORT OF THE PORTFOLIO HOLDER FOR FINANCE</u>	9 - 12
8.	Medium Term Financial Strategy <u>REPORT OF THE PORTFOLIO HOLDER FOR COMMUNITY SAFETY</u>	13 - 30
9.	CCTV Monitoring Trial	31 - 44

PART TWO - EXEMPT ITEMS

10. Exclusion of the Public

To move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006). *[The category of exempt information is stated below each item].*

- | | | |
|------------|--|---------|
| 11. | Loan Funding – Dragonfly
Exempt Paragraph 3 | 45 - 60 |
| 12. | Shirebrook Crematorium
Exempt Paragraph 3 | 61 - 68 |
| 13. | Chairman's Closing Remarks | |

BOLSOVER DISTRICT COUNCIL

Minutes of a meeting of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Wednesday 15th June 2022 at 1000 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Derek Adams, Allan Bailey, Rose Bowler, Tracey Cannon, Anne Clarke, Nick Clarke, Tricia Clough, Paul Cooper, Mary Dooley, David Downes, Stan Fox, Steve Fritchley, Donna Hales, Ray Heffer, Andrew Joesbury, Chris Kane, Tom Kirkham, Duncan McGregor, Evonne Parkin, Graham Parkin, Sandra Peake, Liz Smyth, Rita Turner, Ross Walker, Deborah Watson and Jen Wilson.

Officers:- Karen Hanson (Executive Director Resources), Grant Galloway (Executive Director Development), Pam Brown (Assistant Director Leader's Executive, Partnerships, Governance and Communications), Jim Fieldsend (Solicitor to the Council & Monitoring Officer), Theresa Fletcher (Treasurer) (to Minute No CL37-22/23), Ian Barber (Assistant Director of Property Services and Housing Repairs), Mark Seston (Community Safety Officer), Matt Liddy (Community Safety and Enforcement Manager), Ellie Bircumshaw (ASB Officer), Melanie Osborne (Parenting Practitioner) and Alison Bluff (Senior Governance Officer (acting)).

CL27-22/23. APOLOGIES

Apologies for absence were received on behalf of Councillors Jane Bryson, Dexter Bullock, David Dixon, Maxine Dixon, Natalie Hoy, Peter Roberts and Janet Tait.

CL28-22/23. DECLARATIONS OF INTEREST

There were no declarations of interest made.

CL29-22/23. CHAIR'S ANNOUNCEMENTS

The Chair had no announcements to make.

CL30-22/23. MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 18TH MAY 2022

Moved by Councillor Nick Clarke and seconded by Councillor Ray Heffer

RESOLVED that the Minutes of the Annual Council meeting held on 18th May 2022 be approved as a correct record.

BOLSOVER DISTRICT COUNCIL

CL31-22/23. MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 18TH MAY 2022

Moved by Councillor Rita Turner and seconded by Councillor Andrew Joesbury
RESOLVED that the Minutes of an ordinary Council meeting held on 18th May 2022 be approved as a correct record.

CL32-22/23. QUESTIONS FROM THE PUBLIC

No questions had been submitted from the public.

CL33-22/23. QUESTIONS FROM MEMBERS

No questions had been submitted from Members.

CL34-22/23. MOTIONS ON NOTICE

In accordance with Council Procedure Rule 10, Councillors were able to submit Motions on Notice for consideration at Council meetings.

The Chair noted that one motion had been submitted.

Motion submitted by Councillor Sandra Peake;

That Bolsover District Council fully supports the retention of Adult Social Care Day Centres in Bolsover District for the benefit of our most vulnerable residents, their carers and families and that the Leader of Bolsover District Council write to the Leader of Derbyshire County Council and the Cabinet Member for Adult Social Care for confirmation that the Day Centres at Shirebrook, Whitwell and Bolsover will remain open for service users and the most vulnerable in our communities."

Councillor Ray Heffer seconded Councillor Peake's motion.

Councillor Duncan McGregor supported Councillor Peake's motion and read out an email exchange which had taken place between Councillor Andrew Joesbury and Barry Lewis, the Leader of Derbyshire County Council (DCC), after Councillor Joesbury had written to him regarding the catastrophic effect that closing some day care centres in the District would have on vulnerable individuals and families. Councillor McGregor noted that the email response from the Leader of DCC to Councillor Joesbury had been neither pleasant nor professional and was an unjustified attack on Councillor Steve Fritchley, Leader of BDC.

Councillor Peake noted that DCC were using the Covid Pandemic as an excuse for the centres not re-opening. However, she was aware that the decision by DCC to close the centres had been made in 2019, pre Covid, so any public consultation they were proposing to carry out was meaningless.

BOLSOVER DISTRICT COUNCIL

All Members agreed that they fully supported Councillor Peake's motion and requested that the Leader write a strong letter to the Leader of DCC stating both the community's and Members' anger at the closure of the centres.

On being put to the vote, the motion was carried.

RESOLVED that (1) Bolsover District Council fully supports the retention of Adult Social Care Day Centres in Bolsover District for the benefit of our most vulnerable residents, their carers and families and,

(2) The Leader of Bolsover District Council writes to the Leader of Derbyshire County Council and the Cabinet Member for Adult Social Care for confirmation that the Day Centres at Shirebrook, Whitwell and Bolsover will remain open for service users and the most vulnerable in our communities.

(Head of Leader's Executive/Monitoring Officer)

CL35-22/23. PURCHASE OF SECTION 106 PROPERTIES FROM KEEPMOAT HOMES LTD, OFF MOORACRE LANE, BOLSOVER

Members considered a detailed report which sought Council's approval that the Authority purchase 6 properties for affordable rent from Keepmoat Homes Ltd at Mooracre Lane, Bolsover.

Keepmoat Homes Ltd were building 215 properties off Mooracre Lane, Bolsover, including 19 affordable properties as a S106 planning condition.

The Council had previously purchased 13 properties on this development and Keepmoat Homes Ltd had offered the Council the opportunity to purchase an additional 6 x 3 Bedroom Houses following preliminary discussions with Planning and Housing Management.

At its meeting held on 13th June 2022, Executive had resolved to purchase the properties subject to Council approving the budget. The report recommended that the scheme be added to the Council's Capital Programme utilising HRA borrowing.

A Member raised concern that although he was supportive of the Council purchasing the additional homes, he was also aware that some Council tenants already in properties on the site had raised issues in relation to smoke alarm sensors, boundary disputes and heating issues etc.

The Assistant Director of Property Services and Housing Repairs advised Members that he was aware of these issues which would be addressed, and added that during the building of the properties, technical officers visited the site to ensure that homes were being built to the Council's specification. He assured Members that he would look at the Council's processes to ensure that they met the required need for the properties.

In response to a Member's query, the Solicitor to the Council, advised that as part of the conveyancing process the title would be checked by Legal Services at the appropriate time.

BOLSOVER DISTRICT COUNCIL

Moved by Councillor Sandra Peake and seconded by Councillor Deborah Watson

RESOLVED that the purchase of 6 properties off Mooracre Lane, Bolsover from Keepmoat Homes Limited, for £770,000 subject to Stamp Duty Land Tax and 10% contingency to include fees to the Capital Programme utilising HRA borrowing to finance the purchase be approved.

CL36-22/23. PURCHASE OF SECTION 106 PROPERTIES FROM GLEESON HOMES LTD, OFF ALFRETON ROAD, PINXTON

Executive considered a detailed report which sought Members' approval to recommend that Council purchase 6 properties for affordable rent from Gleeson Homes Ltd.

Gleeson Homes Ltd were building 65 properties off Alfreton Road, Pinxton, including 6 affordable 2 bedroom semi-detached properties as a S106 planning condition. This presented an opportunity for the Council to purchase the properties from Gleeson Homes Ltd following preliminary discussions with Planning and Housing Management.

At its meeting held on 13th June 2022, Executive had resolved to purchase the properties subject to Council approving the budget. The report recommended that the scheme be added to the Council's Capital Programme utilising HRA borrowing. Councillor Mary Dooley noted that these homes would be well received for Pinxton.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley

RESOLVED that the purchase of 6 properties off Alfreton Road, Pinxton from Gleeson Homes Limited for £552,000 subject to Stamp Duty Land Tax and 10% contingency to include fees to the Capital Programme utilising HRA borrowing to finance the purchase be approved.

The Treasurer left the meeting at this point.

CL37-22/23. COMMUNITY SAFETY PARTNERSHIP TEAM – PRESENTATION

Council received presentations in turn from officers of the Community Safety Partnership Team.

The Community Safety Partnership Officer provided a presentation in relation to the Community Safety Partnership Plan 2022-2023.

The plan set out how the Council, Police, Derbyshire County Council, Probation Services, Derbyshire Fire and Rescue Service, Derby and Derbyshire Clinical Commissioning Group, together with voluntary and community sectors, worked together with the communities in the District to reduce crime, disorder, anti-social behaviour, substance misuse and re-offending. It also provided information regarding levels of recorded crime in the District, ASB, the Derbyshire Safer Communities Board Joint Risk Assessment, and the plan's priorities with an action plan covering 2020-2023.

The Community Safety and Enforcement Manager provided a presentation in relation to the Housing and Enforcement Team which included the Community Enforcement Rangers (previously known as the CAN Rangers) and the Anti-Social Behaviour Team.

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The Rangers regularly worked together or liaised with the Environmental Health Department on issues including flytipping, noise nuisance, dog fouling / Public Space Protection Orders (PSPOs) etc. They also undertook daytime and evening targeted patrols in relation to anti-social behaviour, joint enforcement activities with Police, the ASB Team, Fire Service and other partner agencies including crime prevention and reassurance, safe and secure, and re-assurance patrols.

The Anti-Social Behaviour Officer provided a presentation in relation to her role. Recent work included significant reduction in anti-social behaviour in Bolsover Town Centre, obtaining an Injunction and putting a support package in place around a vulnerable female, and several multi-agency projects following an increase in crime or major incident. Aims for the coming year were to continue to work with partners to reduce anti-social behaviour across the District and educate and raise awareness of anti-social behaviour through roadshows.

The Senior Parenting Practitioner provided a presentation in relation to her role. The Council had provided parenting services since 2006 and demand had been consistently high with over 1800 referrals to date and over 70 parenting courses delivered.

Due to the success of the service it was now offered in North East Derbyshire. Referrals to the service came from the ASB Team, Police, Social Care, IDVA, Schools, P4YP and Early Help Teams. A testimonial was read out to the meeting which had been received from a service user who had been particularly grateful for the service she had received.

In response to a Member's query, the Anti-Social Behaviour Officer advised that both she and the Senior Parenting Practitioner were keen to do more work in schools on a permanent basis and were looking at putting a package together in relation to this.

Members thanked the CSP team for their presentations and noted their appreciation for the work they carried out.

CL38-22/23. CHAIR'S CLOSING REMARKS

The Chair thanked Members and officers for their contributions to the meeting.

The meeting concluded at 1135 hours.

Bolsover District Council

Meeting of the Council on Wednesday 10th August 2022

Recommendations of the Employment and Personnel Committee held on 6th July 2022

Report of the Portfolio Holder for Corporate Governance

Classification	This report is Public
Report By	Grant Galloway, Executive Director of Strategy and Development
Contact Officer	Grant Galloway, Executive Director of Strategy and Development

PURPOSE/SUMMARY OF REPORT

For Council to give consideration to the proposals made and agreed at Employment and Personnel Committee on 6th July 2022 for changes to structures within the establishment. Council's role is to agree the budget implications following full scrutiny of the proposals put to the Employment and Personnel Committee.

REPORT DETAILS

1. Background

- 1.1 At its meeting held on 6th July 2022, the Employment and Personnel Committee considered four proposals for changes to the Council's establishment.
- 1.2 The remit of the Committee is to consider and deal with issues relating to the Council's establishment structure and employees, and to recommend to Council in relation to any growth in the establishment resulting in budgetary increase.
- 1.3 Three of the four proposals considered at the meeting met the criteria as set out in section 1.2 above. These were deliberated in detail at that meeting and now need to be considered by Council. These were:
 - a) Addition of an apprentice position within the Procurement Team.
 - b) An increase in the hours of the current Senior Urban Design Officer post from 0.4FTE to Full Time Equivalent (FTE).
 - c) A mini restructure of Legal Services and also a change to the arrangements with North East Derbyshire District Council for the provision of legal services.

- 1.4 The reports and Minutes of the meeting are not appended to this report but are available to Members through the Mod.gov app or on request from the Governance Team.

2. Details of Proposal or Information

- 2.1 The Employment and Personnel Committee examined the proposals put to the meeting, considering the rationale and value for each proposal and associated costs. The resolutions made, show that each proposal was agreed.

- 2.2 The proposals in summary are;

- a) To maintain the high level of service, build resilience and consider future work force planning within the Procurement team, it is proposed to add an apprenticeship position within the team. This would also enable further opportunities to sell procurement services. The cost of an apprentice to BDC was circa £10,663 per annum for 16 -18 years old or £15,114 per annum for 18 – 20 years old, and £21,685 per annum for 21 -24 years old. These costs included all on costs. The recently generated additional income of £2k from selling services to Gedling Borough Council (over and above the original contracted value of £18K), and the new annual income of £20K that the Council received from Amber Valley District Council, plus any Parish Council income, was sufficient to cover the cost of the apprenticeship post.
- b) The Senior Urban Design Officer post was a Full Time Equivalent (FTE) post currently shared with Chesterfield Borough Council (CBC). The post holder split his time between CBC - 0.6FTE (3 days) and 0.4FTE (2 days) at Bolsover District Council (BDC). However, CBC had indicated that they wished to dissolve the shared working arrangement and the post holder had also submitted his resignation to both councils. Options had therefore been considered regarding how much urban design resource the Council needed to meet current service requirements and whether there was already an excess in demand for how that resource was used. This had further been considered in the context of the Council's own growth ambitions (and whether the resource could feed into other departmental projects), and also the clear direction of national planning policy set out in the Planning White Paper September 2020 and the recent Levelling Up and Regeneration Bill 2022. There was a clear ambition for better design and a greater emphasis on a master plan or design code led policy framework to steer local development, and these remained at the core of the Government's White Paper reforms. Therefore, a dedicated local urban design resource appointed within the Council would place the Council at the forefront of reacting to these changes and delivering these ambitions.

The cost associated with a FTE post holder would be £57,030 per annum, which was an increase of £33,856 against the current established arrangement which would be an increase to the General Fund.

- c) To increase the resilience of the Legal Department, whose main priority and focus would once again be focussed on BDC work. In addition, it would enable it to provide external income generating services to other organisations. Staff would be wholly employed by BDC under the same

terms and conditions. The cost of the reorganisation is in the region of £65k and would be a cost to the General Fund.

3. Reasons for Recommendation

- 3.1 Each proposal has been fully considered in depth by the Employment and Personnel Committee.
- 3.2 The reasons and rationale for each proposal are outlined within each individual report which are available on the Mod.gov app or on request from the Governance Team.

4 Alternative Options and Reasons for Rejection

- 4.1 Members are asked to consider the financial implications only. They may choose to approve all, some or none of the requests for growth to the establishment.

RECOMMENDATION(S)

That Council approve the growth in salary budgets as set out in the report as recommended by the Employment and Personnel Committee on 6th July 2022.

Approved by Councillor Duncan McGregor, Portfolio Holder for Corporate Governance

IMPLICATIONS:

Finance and Risk: Yes ☒ No ☐

Details:

The total indicative annual increase to salary budgets would cost:

- a. £21,685 for a Procurement Apprentice.
- b. £33,856 to increase the Urban Planners hours to full time.
- c. £65,000 to restructure the Council's Legal Team

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐

Details:

All legal implications are contained within the individual reports to the Employment and Personnel Committee on 6th July 2022. There are no additional legal implications arising from this report.

On behalf of the Solicitor to the Council

Staffing: Yes ☒ No ☐

Details:

The staffing implications associated with recruitment and restructure are covered within the Council's HR policies and also detailed within the individual reports presented to the Employment and Personnel Committee on 6th July 2022.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Employment and Personnel Committee, Team Consultations have taken place.

Links to Council Ambition: Customers, Economy and Environment.

DOCUMENT INFORMATION	
Appendix No	Title

Background Papers <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
Paperwork submitted to Employment and Personnel Committee on 6 th July 2022

Bolsover District Council

Meeting of the Council on Wednesday 10th August 2022

Medium Term Financial Strategy

Report of the Portfolio Holder for Finance

Classification	This report is public
Report By	Assistant Director of Finance and Resources
Contact Officer	Assistant Director of Finance and Resources Theresa Fletcher 01246 242548 theresa.fletcher@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

To seek approval of the updated Medium Term Financial Strategy (MTFS) attached at Appendix 1, which was considered by Executive on 11th July 2022.

REPORT DETAILS

1. Background

- 1.1 The Medium Term Financial Strategy (MTFS) sets out the Council's strategic approach to the management of its finances and outlines the various factors and influences that may impact on us over the next few years.
- 1.2 This MTFS relates purely to the General Fund at present as the Housing Revenue Account (HRA) assumptions are based on the 30-year Business Plan. The decisions for Members around the HRA dwelling rents and service charges will be provided to Council in the MTFP in February.

2. Details of Proposal or Information

- 2.1 The Medium Term Financial Strategy 2023/24 – 2026/27 for the General Fund is attached at Appendix 1.
- 2.2 The MTFS is the starting point for developing a meaningful four year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then rely on this to inform future decisions. The Medium Term Financial Plan (MTFP) will be prepared using the approved MTFS assumptions.
- 2.3 The MTFS has been produced in a period where there remains a great deal of uncertainty regarding future funding of Local Government. Delays to Government

Reviews and a series of roll-over Spending Reviews for the last few years, mean predicting the likely outcome of the Spending Review for 2023/24 is very difficult.

- 2.4 The outcome of the Spending Review is critically important to the financial health and viability of local authorities across the country. Councils are looking to the review to give real-terms growth in funding that will underpin our finances over the next four years.
- 2.5 Early information received from external advisors is that the Spending Review for 2023/24 may well be another roll-over review and that there's potential for the 2024/25 Spending Review to be the same. The war in Ukraine and the 'cost of living crisis' mean the Government is running out of time to take any changes from the delayed reviews through the proper process, certainly for the 2023/24 review.
- 2.6 Once the details of the Spending Review are known the implications for Bolsover will be included in our updated MTFP which will be presented to Members in February 2023.

3. Reasons for Recommendation

- 3.1 To inform the MTFP process by providing strategic financial intention.

4 Alternative Options and Reasons for Rejection

- 4.1 Members could decide not to approve the MTFP. The MTFP would then be prepared on assumptions not agreed by Members and there could be a risk it would need to be amended in February if the assumptions used were not agreeable. By law, the MTFP must be approved prior to the beginning of the financial year to which the budget relates, 31st March 2023.

RECOMMENDATION(S)

- 1. That Members approve the Medium Term Financial Strategy at Appendix 1,
- 2. The Council continues to fund the General Fund revenue base budget from the full amount of New Homes Bonus (and related grants such as Lower Tier Services Grant) allocated by Government,
- 3. To set the strategic intention to continue to be a member of the Derbyshire Business Rates Pool while ever it is financially advantageous for the Council to do so,
- 4. To set the strategic intention to raise Council Tax by the maximum allowed in any given year, without triggering a Council Tax referendum, to endeavour to continue to deliver services. (The actual Council Tax for any given year will be decided by Council in the preceding March),
- 5. That the Council maintains a policy of a minimum level of Balances for the General Fund of £2m.

Approved by Councillor Clive Moesby, Portfolio Holder for Finance

IMPLICATIONS:**Finance and Risk:** Yes ☐ No ☒**Details:**

Financial implications are covered throughout this report and Appendix 1. The risk of not approving the MTFP before the statutory deadline might be greater without an approved MTFS.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒**Details:**

There are no legal or data protection issues arising directly from this report.

On behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒**Details:**

There are no human resource issues arising directly out of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Portfolio Holder for Finance
Links to Council Ambition: Customers, Economy and Environment.	

DOCUMENT INFORMATION	
Appendix No	Title
1	Medium Term Financial Strategy 2023/24 – 2026/27

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
None

Medium Term Financial Strategy 2023/24 – 2026/27

1 Introduction

- 1.1 The Medium Term Financial Strategy (MTFS) sets out the Council's strategic approach to the management of its finances and outlines the various factors and influences that may impact on us over the next few years.
- 1.2 The MTFS links our Council Ambition and priorities with forecasted resources and budgets. It is then used as a framework for the detailed budget setting process to ensure that resources are effectively managed and are able to deliver the Council's key objectives as set out in the Council's Ambition, over the medium term.
- 1.3 The Council's Ambition for 2020-2024 is:

“To become a dynamic, self-sufficient and flexible Council that delivers excellent services, whilst adapting to local aspirations and acting as the economic and environmental driver for Bolsover District.”
- 1.4 Within the Council's Ambition one of the strategic themes is Economy. To support this theme is the priority of 'Ensuring financial sustainability and increasing revenue streams'. This is the overall purpose of this MTFS.

2 Key Objectives of the Medium Term Financial Strategy (MTFS)

- 2.1 There is a legal requirement for the Council to produce a balanced and robust budget for the forthcoming year. In preparation for the annual budget, officers will review the MTFS to update Members on changes to budget assumptions and service issues. The MTFS will be updated when items are further known, such as results of Government consultations or Government funding settlements.
- 2.2 The Medium Term Financial Plan (MFTP) will then be presented to Members in February based on the MTFS strategic assumptions. The MFTP will contain the detailed revenue budgets for the general fund and housing revenue account resulting from the annual budget process for the next 4 years at service level, along with the proposed Capital Programme.
- 2.3 The MTFS will ensure financial sustainability and increase revenue streams by:
 - Ensuring that effective financial planning and management contributes to the Council achieving the priorities in the Council Ambition;
 - Maximising the income from Council Tax and Business Rates;

- Maximising income from commercial and regeneration opportunities within the District;
- Ensuring the Council's financial standing is prudent, robust, stable and sustainable.

2.4 The Council has a number of agreed principles as a basis for financial management and budget planning as follows:

- Emerging pressures are managed within existing overall budgets in the first instance;
- Spending is aligned to key priorities as set out in the Council's Ambition;
- Income is only included in the budget where it is supported by robust proposals and is deliverable;
- Commercial income will be maximised where possible to ensure that fee charging services break-even over time and are provided with a nil cost subsidy from the tax payer, or return a surplus where appropriate;
- Where possible, future liabilities are anticipated;
- Budgets are sustainable;
- Savings proposals are supported by project plans and the impact on service delivery is clear;
- Capital and revenue planning are integrated to ensure implications are fully anticipated;
- Borrowing costs will be incurred (on capital projects) only where the cost is covered by new income as part of a business case;
- The Council's reserves and balances are not used as a primary method to balance the ongoing pressures in the budget. Earmarked reserves are used for specific one-off purposes to support the delivery of corporate objectives, to mitigate risks or to allow savings to be made as an invest-to-save.

3 The Factors Effecting the Medium Term Financial Strategy (MTFS)

3.1 In compiling the MTFS a number of factors which effect the resources and expenditure for the Council have been considered. These have been reviewed to ensure the MTFS reflects the most up-to-date financial position for the Council.

3.2 Resources Available

The anticipated resources to be received by the Council are included in the MTFS. The resources forecasts are based on a number of assumptions which

are detailed in the following sections. The table below shows the resources that were included in the MTFP in February 2022 as we do not yet have the actual figures for 2023/24 onwards until the Spending Review 2022 is announced.

Table 1 – Estimated resources receivable by the Council (excluding fees and charges)

	2022/23 £	2023/24 £	2024/25 £	2025/26 £
Government Grants				
Revenue Support Grant	1,231,521	0	0	0
Business Rates S31 Grant	751,774	982,182	1,223,590	1,477,998
New Homes Bonus	703,263	0	0	0
Lower Tier Services Grant	131,270	0	0	0
2022/23 Services Grant	201,739	0	0	0
	3,019,567	982,182	1,223,590	1,477,998
Locally Generated Income				
Council Tax	7,969,064	7,994,630	8,163,209	8,275,372
Business Rates	4,573,740	2,643,818	2,671,010	2,602,402
	12,542,804	10,638,448	10,834,219	10,877,774
	15,562,371	11,620,630	12,057,809	12,355,772
% resources locally generated	81%	92%	90%	88%

3.3 The amount of income the Council receives from the Government has significantly reduced since 2009/10. The amount received for 2022/23 is estimated to be £5m lower than 2009/10 which is a reduction of 46%. The MTFP from February 2022, outlined the continued uncertainty surrounding local government funding and the significant assumptions that have to be made. These are given in more detail below.

Overdue Local Government Funding Reforms

3.4 There were multiple reforms scheduled for 2020/21 that were due to have a significant impact on local authority finances when complete. These were delayed understandably in 2020 due to the pandemic and it was expected some of these may not be implemented until 2023/24. Latest information is that these reforms are likely now to be delayed until at least 2024/25. As a reminder the areas being reformed are described below.

3.5 **The Fair Funding Review** will re-assess the relative needs and relative resources of local authorities. This will determine the methodology for the distribution of the funding allocated to local government to individual authorities.

3.6 **Baseline Reset** – the Business Rates retention system is due to be reset. The reset will establish new Baseline Funding Levels, Business Rates Baselines and Top-ups/Tariffs for each local authority.

Top-ups/Tariffs will be reset based on:

- The amount of funding to be distributed following the Spending Review.
- The new needs assessment resulting from the Fair Funding Review.
- Estimates of individual local authority's Business Rates income.

- 3.7 **Business Rates Retention** – the Government announced in the Autumn Budget 2017 that local authorities would move to a system of 75% Business Rates Retention from 2020/21. This was delayed and due to be in place from April 2022. However, in early November 2021 the government announced that plans to allow councils to retain 75% of Business Rates from April 2022 had been abandoned as it was said the policy would conflict with the government's levelling up agenda and that the government would now 'proceed with caution' on the issue.
- 3.8 **Council Tax** – the Government's future strategy for Council Tax increases will also be a key issue. The Government's policy on referendum limits from 2023/24 onwards is not yet known.

Local Government Finance Settlement 2022/23

- 3.9 2019/20 was the final year of the four year Local Government Finance Settlement. The Spending Review 2019 was originally planned to cover the three year period 2020/21 – 2022/23 but was delayed. This effectively resulted in a one year extension to the four year settlement.
- 3.10 The Spending Review 2020, was due to cover the years 2021/22 – 2024/25 and it was anticipated it would provide clarity on the Government reforms but this was delayed due to the pandemic. The Spending Review 2020 was therefore, another one-year extension.
- 3.11 It was hoped the Spending Review 2021 would provide an update on the Government reforms and cover the years 2022/23 – 2024/25 but again, a one-year settlement was announced for 2022/23 and there were no projected or indicative numbers for the remainder of the spending review period. Therefore, the Spending Review 2021 was again effectively a roll-over settlement.
- 3.12 As previously discussed many times, the early indicative results of the above reforms were all detrimental to us as a district Council who has seen much growth in recent years, both in business rates and New Homes Bonus grant. The removal of these funding streams will have a major effect on our financial position.
- 3.13 In his letter of 16th December the Secretary of State for Levelling Up, Housing and Communities (DLUHC) wrote, "**Government is committed to ensuring that funding allocations for councils are based on an up-to-date assessment of their needs and resources. The data used to assess this has not been updated in a number of years, dating from 2013/14 to a large degree, and even as far back as 2000. Over the coming months, we will work closely with the sector and other stakeholders to update this and to look at the challenges and opportunities facing the sector before consulting on any potential changes. As part of this, we will look at options to support local authorities through transitional protection.**"

- 3.14 The Spending Review 2022 is due to be announced around October 2022. Early predictions from commentators are that there will be a roll-over for 2023/24 and potentially 2024/25, although the increase in funding seen last year is unlikely to be repeated in either of these years. Once the implications of the Spending Review are known for Bolsover, they will be included in our updated MTFP.

New Homes Bonus

- 3.15 A number of times it has been announced by the Government that the current year represents the final year of New Homes Bonus funding. In 2023/24 there are currently no amounts of grant payable, the last payments are in 2022/23. These consist of £0.095m in legacy payments from 2019/20 and a new allocation of £0.608m for 2022/23. The future of New Homes Bonus has been consulted on by Government and we await the result.

Lower Tier Services Grant

- 3.16 This grant was introduced in 2021/22 to provide damping to authorities with cash-terms reductions in Core Spending Power. It provided additional funding to district Councils who are losing the most from the reduction in New Homes Bonus and gain the least from new grant increases and council tax increases. Bolsover received an allocation in 2021/22 and a further one in 2022/23 of £0.131m. There is every chance this grant will be provided to us in some form again in 2023/24 as a proxy for the New Homes Bonus that we are likely to lose.

2022/23 Services Grant

- 3.17 This was a new, one-off grant to support all services delivered by councils. This was distributed to every authority using the 2013/14 SFA. An amount of £0.202m was allocated for 2022/23. It is felt unlikely this grant will be paid out again.

Revenue Support Grant

- 3.18 It is expected there will be no grant received from 2023/24 onwards but again, it is expected this will be confirmed in the Spending Review 2022. For 2022/23 an amount of £1.232m was allocated to us.

Baseline Funding Level

- 3.19 The baseline is the amount of money the Government has assessed that the Council needs to keep to fund its services, based on a needs formula. The Local Government Finance Settlement updates the baseline every year, usually in line with inflation. Bolsover is able to keep 50% of any business rates growth above the baseline set by the Government, with the remainder payable to the Government (but see Retained Business Rates section for pool implications). The table below summarises the estimated Baseline Funding Level for the MTFS period and shows the current assumptions change in 2023/24, which was the original date for the introduction of the Business Rates Reset.

	Baseline Funding Level			Change %		
	Business Rates Baseline	Business Rates Tariff	Total	Business Rates Baseline	Business Rates Tariff	Total
	£	£	£			
2019/20	8,481,995	(5,602,995)	2,879,000			
2020/21	8,620,695	(5,694,286)	2,926,409	1.6%	1.6%	1.6%
2021/22	8,620,695	(5,694,286)	2,926,409	0.0%	0.0%	0.0%
2022/23	8,620,695	(5,694,286)	2,926,409	0.0%	0.0%	0.0%
2023/24	12,094,000	(9,109,000)	2,985,000	40.3%	60%	2.0%
2024/25	12,331,000	(9,287,000)	3,044,000	1.96%	1.95%	1.98%
2025/26	12,568,000	(9,466,000)	3,102,000	1.92%	1.93%	1.91%

Retained Business Rates

- 3.20 Our Business Rates tax base represents the value of Business Rates income we estimate will be collected from businesses. Each Business Rates tax payer account has a rateable valuation provided by the Valuation Office Agency, multiplied by a business rates multiplier which increases each year and is set by the Government.
- 3.21 In total Bolsover retains 40% of Business Rates collected during the year, after deductions for mandatory and discretionary reliefs, the cost of income collections, including losses, and for the cost of changes to rateable values as a result of appeals. The remaining amounts are paid on the basis of: 50% to central government, 9% to Derbyshire County Council and 1% to Derbyshire Fire Authority.
- 3.22 Bolsover's Retained Business Rates income (the 40%) is then subject to a tariff, which is increased annually by the retail price index and is paid to central government. This tariff payment funds other authorities where their Business Rates are considered to be disproportionately low. The level of the tariff is unique to each local authority and is announced as part of the Spending Review.
- 3.23 Since 1st April 2015, the Derbyshire Business Rates pool has been in operation. This consists of all eight Derbyshire district or borough Councils, Derbyshire County, Derby City and Derbyshire Fire Authority. Instead of each district or borough Council paying 50% of their growth above the baseline over to Government, it is kept within the pool and distributed amongst all the members on an agreed basis.
- 3.24 There are a number of risks that could affect the level of Business Rate income collected, and as such, reduce the anticipated amount of Retained Business Rates. The most significant risks are as follows:

- Unpredictable increases in exemptions and reliefs due to different property usage.
- Successful business rate appeals dating back to earlier years.
- Slower than anticipated local economic growth.
- Retail price index increases on the tariff, being higher than local economic growth.
- Uncollectable debts as a result of worsening economic conditions.

3.25 One of the largest financial risks that the Council is facing is around how the Government will re-set the Business Rates Baseline for the Council. The growth being encouraged by the Council within the business sector means we have the highest level of growth in the Derbyshire Business Rates pool.

3.26 In 2021/22 we were again £3m above our Business Rates Baseline so contributed £1.5m into the pool and were able to transfer £1.8m into our Business Rates Growth Protection Reserve as we planned in the MTFP.

3.27 The Business Rates income in the current MTFP has the worst case scenario for 2023/24 to 2025/26 and includes no smoothing from the Government of significant losses. This will be updated as soon as more information is known.

Council Tax

3.28 Council Tax is charged by local authorities on residential properties. The Valuation Office Agency decides the correct band based on the value of property at 1 April 1991. Local authorities set the charge based on a Band D property each year.

3.29 Council Tax is the main source of funding for the provision of general fund services. It is determined locally but the Government indicate what upper limit they consider acceptable on a yearly basis. The legislative requirement to hold a referendum is triggered if this limit is exceeded. For 2022/23, District Councils were permitted to increase their share of the Council Tax by the greater of 2% or £5, which was the same limits as in 2021/22. It is predicted that this will remain the same for 2023/24.

3.30 In calculating our recent funding settlements the Government has assumed that we will increase Council Tax by the maximum level allowed.

3.31 For 2022/23 we increased our share of the bill for a Band D property by £5 per annum which was 2.68% and equated to 10p per week. This raised £112,163 in revenue income. This same increase has been assumed for all years of the MTFP for exemplifying the financial position only.

3.32 The breakdown of the 2022/23 Council Tax bill over all the preceptors is as follows:

<i>Derbyshire County Council</i>		£1,275.40
<i>Derbyshire County Council – Adult Social Care element</i>		£149.16
Derbyshire County Council Total	67.5%	£1,424.56
Bolsover District Council	9.06%	£191.28
Police + Crime Commissioner	11.92%	£251.60
Derbyshire Fire + Rescue Service	3.82%	£80.84
Town + Parish Councils (average)	7.70%	£162.45
The total charge for the average Band D bill 2022/23	100%	£2,110.73

Council Tax Base

- 3.33 The Council Tax base for 2022/23 of 22,443.26 was determined by the Chief Financial Officer under delegated powers in December 2021. This represents the number of Band D equivalent properties that we collect Council Tax from. This is an increase on the 2021/22 Tax Base which was reduced from previous levels as the Covid pandemic affected individuals financially. The Tax Base for 2022/23 looks to be back on track to where it perhaps would've been if the pandemic had not occurred. The Tax base for 2023/24 is currently being determined.
- 3.34 The more Band D equivalent properties the Council has, allows the local authority to generate more income for the Council from Council Tax. Properties valued at Band A generate less income for the Council as the charge is 70% of the charge for a Band D property. The Council Tax base for Bolsover District Council is very low and this is a disadvantage for us. If another Council with a much higher Tax base increased their Council tax by the same percentage as us, they would receive far more income than us. This needs to be remembered when Council Tax is becoming one of the main ways the Government is allowing us to generate income.

Reserves and Balances

- 3.35 The Local Government Act 2003 (Section 25) requires the Council's Section 151 Officer to report to Council on the Robustness of Budget Estimates and Adequacy of Reserves, for consideration immediately prior to setting the Budget and Council Tax. This is subject to external audit review to assess value for money and a going concern opinion.

3.36 The Section 151 Officer must consider the level of reserves needed to meet estimated future expenditure when calculating the budget requirement. The Council keeps a level of reserves to protect against the risk of any uncertainties or unforeseen expenditure. Much like using savings to offset monthly household bills the use of financial reserves cannot solve a budget problem outright but allows for smoothing of impacts or allows the Council time to ride any short-term situations before returning to normal. Therefore, reserves are mainly used to:

- Manage the impact of funding reductions over a longer period.
- Invest in projects that allow services to be delivered cheaper.
- Take one-off hits for the council without the need to further reduce service budgets.
- Provide capacity to absorb any non-achievement of planned budget reductions in each year.
- Provide capacity to absorb non-achievement of potential income, planned to be included in the MTFP in each year.
- To temporarily roll over unused portions of grants that can legally be used later.
- To insure against major unexpected events.
- To protect against general risk.
- To guard against emerging specific risks, such as business rate appeals, Council Tax support funding cuts and welfare reform.

3.37 Best practice guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA), states that the General Fund balance may be between 5% and 100% of net expenditure. The Council's £2m minimum working balance represents 18% of total net expenditure.

3.38 In addition to the General Fund balance, the Council retains a number of earmarked reserves on the balance sheet. Some are required to be held for statutory reasons, some are needed to comply with proper accounting practice and others have been set up voluntarily to earmark resources for future spending plans or potential liabilities.

- 3.39 The Council has continued to develop its prudent financial management arrangements through the development of earmarked reserves to mitigate against potential future risks. As issues arise, the potential requirement for an earmarked reserve is considered. New earmarked reserves are formally considered as part of the detailed budget process to ensure that any new risks identified are adequately mitigated, and throughout the annual budget monitoring process as risks arise or become clearer.
- 3.40 The detailed budget process includes an assessment of risk, the adequacy of General Fund Reserves and a review of earmarked reserves, to both create and change earmarked reserve levels and to also release reserves which are no longer required.

The table below shows the level of general fund usable reserves and balances as at 1 April 2022.

General Fund	Balance at 01-Apr-22 £'000
Balances:	
General Fund Balance	(2,101)
Usable Reserves:	
Area Based Grant	(45)
Covid-19 - S31 Business Rate Relief Compensation Grant Reserve	(2,298)
General	(1,089)
NDR Growth Protection	(8,284)
Insurance - GF	(501)
IT and Office Equipment	(839)
Legal Costs	(811)
Local Development Scheme	(180)
Planning Fees	(169)
Transformation Reserve	(5,321)
Vehicle Repair and Renewal - GF	(1,271)
Total Reserves and Balances	(22,909)

4 **Budget Pressures**

- 4.1 The table below is from the quarter 1 Budget Monitoring report. It is the latest position of all years in the current MTFP before we have started the revised budget and MTFP process. These will be updated and presented to Council in December and February.
- 4.2 The table shows that the Council is currently not forecasting any budget shortfall in any year due to us including estimates of potential new income from current projects and plans known about by the Council. These income projections will be thoroughly reviewed over the next few months to ensure they are still achievable as any reductions in this income could create a budget shortfall.

	2022/23 Budget £000	2023/24 Budget £000	2024/25 Budget £000	2025/26 Budget £000
Budget Shortfall – MTFP Feb 2022	82	18	0	1,212
Pension costs to be funded by GF balance	(82)	(18)	0	0
Efficiencies identified to date (removed from budget)	(112)	(112)	(112)	(112)
Current Budget Shortfall	(112)	(112)	(112)	1,100
Efficiencies identified <u>not yet realised</u>	0	(110)	(220)	(330)
Potential New Income	(443)	(1,097)	(1,682)	(2,141)
Closing Budget Surplus	(555)	(1,319)	(2,014)	(1,371)

- 4.3 Once the details of the Spending Review are known the implications for Bolsover will be included in our updated MTFP and the figures for 2026/27 will be included in the plan for the first time.
- 4.4 Since 2011/12, Bolsover has delivered savings of over £5m. We have a good track record of finding efficiencies and new ways of working but new budget savings are becoming increasingly more difficult to identify and deliver now we have reduced service budgets to minimum levels. For this reason it is essential that the Council continues to identify areas where costs can be reduced or income increased to close any budget gaps.
- 4.5 A number of areas have already been identified around additional income as follows:

- Potential Council Tax increases and growth in the tax base from new properties or bringing empty properties back into use;
- Potential extra business rates from new units we are constructing;
- Rental income from new units;
- Income from a proposed crematorium;
- Income from providing funding for our own Development Company;
- Rental Income from properties in the Development Company;
- Income from a new 3G football pitch which has recently been constructed;
- Income from a new toning suite within the Go Active Leisure Centre.

Whilst some of this income is already being received, this was after the MTFP was produced so the income is not yet reflected in the current MTFP. All income known about at the time will be included in the refresh process.

5 CIPFA Financial Management Code

- 5.1 CIPFA has developed a Financial Management Code (FM Code) which is designed to support good practice in financial management and to assist local authorities in demonstrating their financial sustainability. The FM Code has been introduced because the exceptional financial circumstances faced by local authorities have revealed concerns about fundamental weaknesses in financial management, particularly in relation to a small number of high-profile failures across local government which threaten stakeholder's confidence in the sector as a whole.
- 5.2 Although the FM Code does not have legislative backing, it applies to all local authorities and it must be demonstrated that the requirements of the FM Code are being met. Demonstrating this compliance with the Code is a collective responsibility of Elected Members, the Section 151 Officer and the Corporate Leadership Team.
- 5.3 As a first step towards ensuring that this Council meets the FM Code, the Council's Internal Audit Consortium carried out an audit during September 2020. The audit concluded that the Council complied with the majority of the FM Code already. Three recommendations were raised which have been implemented during 2021/22 and continue into 2022/23.

- 5.4 To satisfy one of the recommendations, the Section 151 Officer subscribed to a benchmarking service for 2021/22. The service used our levels of reserves and balances for 2020/21 and compared us to other Local Authorities using their published accounts information. The resulting comment was that '*Bolsover has a healthy level of reserves and a positive direction of travel.*'
- 5.5 When the renewal notice for this benchmarking service arrived the price had increased considerably and it was felt we would not be getting good value for our money if we had continued the subscription. It has therefore been decided to look for other means by which we could meet this recommendation and part of the FM Code. This is currently ongoing but all recommendations are expected to be met by the end of the current year.



Bolsover District Council

Meeting of the Council on Wednesday 10th August 2022

CCTV Monitoring Trial

Report of the Portfolio Holder for Community Safety

Classification	This report is Public
Report By	Mark Seston Community Safety Officer 01246 593098 mark.seston@bolsover.gov.uk
Contact Officer	Karen Hanson Executive Director 01246 242224 Karen.hanson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

To seek approval from Council for the implementation of a central corporate CCTV monitoring suite (and associated budget) including the installation of CCTV cameras at the Council's six Independent Living Schemes, for a trial 12 month period (to be reviewed).

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council is committed and heavily invested in ensuring that our communities are kept safe and secure for residents, business and visitors.
- 1.2 Unfortunately, over the recent years the District has suffered from a number of high profile crime incidents and an increase in anti-social behaviour. This has resulted in extra security measures being implemented, for example added reassurance patrols by Council officers in the affected areas and the use of Public Space Protection Orders (PSPO).
- 1.3 In addition over the past twelve to eighteen months, nationally, there have been some high profile crimes where victims have been attacked, in easily accessible public locations. These locations should be safe for everyone to use freely without fear of being a victim of crime or anti-social behaviour. As a result of this there has been a drive from Government to create a safe environment for communities especially with reference to public open spaces.

- 1.4 The Council's Community Safety Team and Anti-Social Behaviour Team have been working together to consider how we address Community Safety and Crime Prevention across the District.
- 1.5 The Council continues to work efficiently and effectively with key statutory partners and stakeholders in addressing crime and disorder despite the challenges in recent years. However, the need to provide further reassurance that the Council is using all tools available to reduce the risk of being a victim of crime and anti-social behaviour is paramount.
- 1.6 Since the introduction of CCTV systems many years ago, technology has changed and massive advances have been made in both fixed permanent CCTV and re-deployable cameras including ease of installation, remote access, clarity of footage and its use in numerous fields of community safety, prevention and enforcement activities across a large number of agencies.
- 1.7 As a result of the increased public use of CCTV systems, further legislation has been created and the need to adhere and comply with the law relating to the use of Closed Circuit Television and the use of video surveillance to record and use personal DATA must be accounted for via the appropriate training and approval from the appropriate authorities. Further information in relation to this can be found at **Appendix 1**.

2. Details of Proposal or Information

- 2.1 The proposal is to purchase and introduce extra security provision across the District that will increase crime prevention reassurance to the public.
- 2.2 A central corporate CCTV monitoring suite will be installed and located at the Riverside Depot, Doe Lea. The CCTV control room will initially monitor three permanent CCTV cameras, six cameras located at the Independent Living Schemes, and six re-deployable cameras across the District. The locations of these deployable cameras will be determined by analysis of relevant crime data and a full community safety review across the District to determine crime and anti-social behaviour hotspots.
- 2.3 Parish and Town Councils will be invited to subscribe into the CCTV monitoring suite service and it is anticipated the technology will enable existing Parish and Town Council cameras to be linked in and monitored. Any Parish and Town Councils wishing to set up new CCTV systems will be provided with support to ensure compatibility for monitoring.
- 2.4 The control room will be staffed appropriately by a trained officer to monitor the cameras. In addition, members of the Council's Enforcement Team will have access to the system by the use of Wi-Fi technology available via a number of approved computer tablets.
- 2.5 The trial will include a full review in order to assess its impact and ongoing sustainability. Income from Parish and Town Councils will assist in securing the future of the monitoring suite. Bids for additional funding will be submitted including the Safer Streets Fund (if available) and Police and Crime Commissioner funding opportunities as they arise.

- 2.6 The initial 12 month trial costs are estimated as outlined in the table below. This can be funded through the Council's ICT Reserve and will not impact on general fund revenue budgets.

Project Costs

Deliverable	Estimated Cost
• CCTV Monitoring Suite	£30,000
• 3 x Fixed Cameras	£15,000
• 6 x CCTV Re-deployable Cameras (plus deployment cost)	£30,000
• Tablets	£2,000
• Independent Living CCTV camera's and Maintenance Contract	£30,000
• Staff costs for 12 month trial	£55,000
• Training / Set Up Costs	£8,000
• Compliance with ICO Code of Practice including accreditation	£10,000
• Contingency Costs	£20,000
• Total	£200,000

- 2.7 Following approval of the budget outlined above, work will commence immediately to procure the equipment, carry out the required adaptations to the room, recruit to staff and manage the process for the appropriate training, policies, procedures and accreditation to be in place.
- 2.8 Any ongoing budget requirements following the 12 month trial will be subject to a further report to Council.

3. Reasons for Recommendation

- 3.1 This proposal meets local needs and increases the community safety provision across the District.

4 Alternative Options and Reasons for Rejection

- 4.1 To not approve the budget would increase the possibility of residents, business and visitors to the District of becoming fearful of being a victim of crime or anti-social behaviour.

RECOMMENDATION(S)

That the council approve a budget totalling £200,000 to be funded from the ICT Reserve to purchase equipment and services to achieve the aims and objectives of the corporate CCTV Monitoring Scheme.

IMPLICATIONS:**Finance and Risk:** Yes ☒ No ☐**Details:**

The initial 12 month trial costs of £0.200m as estimated, can be met from the ICT reserve. Any further ongoing costs would be a cost to the general fund and subject to a new Council report.

The main risk to the Council is that after the trial the required adaptations and equipment purchased are no longer used if the scheme is not continued.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐**Details:**

Legal implications are contained within this report

On behalf of the Solicitor to the Council

Staffing: Yes ☒ No ☐**Details:**

Council policies and procedures will be followed for any recruitment to staff required.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/>	No
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	No

District Wards Significantly Affected	Bolsover Districts
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet / Executive <input checked="" type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Relevant officers, Cabinet Members, Leader and Deputy Leader have been consulted on this proposal

Links to Council Ambition: Customers, Economy and Environment
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Sustainable Community Strategy 2020 -2023

A Safer Better Community

Priority – Reducing and Managing Anti-Social Behaviour and Crime, Prevent Terrorism, Reducing and Preventing Acquisitive Crime. Building Confident and Cohesive Communities.
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DOCUMENT INFORMATION

Appendix No	Title
1	Surveillance Camera Code of Practice – A Guide for Councillors

Background Papers

<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers)</i>



Surveillance Camera Code of Practice

A Guide for Councillors

How well does your authority comply with the 12 guiding principles of the [surveillance camera code of practice](#)?

Executive Summary

The Protection of Freedoms Act 2012 introduced legislation governing the use of surveillance camera systems that monitor public space. This included:

- The Surveillance Camera Code of Practice (2013) and The Surveillance Camera Commissioner whose role it is to encourage compliance, review operations and provide advice about the code.
- Section 33(5) places Local Authorities on a list of 'relevant authorities' who MUST pay due regard to the code.

As a Councillor you will undoubtedly want to ensure your council is compliant with the code. The requirement to comply with the code applies to all surveillance camera systems (including CCTV, Body Worn Video and Automatic Number Plate Recognition) used by your authority, and not just those monitoring streets and town centres. It includes systems in libraries, leisure centres and town halls.

The code sets out 12 principles for the operation of surveillance camera systems. Each system should:

1. Have a defined purpose and legitimate aim
2. Not impinge on an individual's privacy or human rights
3. Be operated transparently so people know they are being monitored
4. Be operated with good governance
5. Have clear policies, rules and procedures in place
6. Store no more images/data than strictly required
7. Have safeguards in place in relation to who can view images/data
8. Meet relevant and approved standards
9. Ensure images/data are stored securely
10. Review systems regularly (at least annually)
11. Be effective in supporting law enforcement
12. Databases used for matching purposes should be accurate and up to date

This guide explains what you need to know about the surveillance camera code of practice and what it means for the camera systems your authority operates.

Furthermore, we have developed an easy to use self assessment tool which can be used to assess how closely your authority is complying with the code.

Background

The Protection of Freedoms Act 2012 introduced the regulation of public space surveillance cameras in England and Wales. As a result the surveillance camera code of practice was issued by the secretary of state under Section 30 of the Act to ensure that the use of cameras in public places is regulated and only used in pursuit of a specified purpose. The code, which came into force on 12 August 2013, seeks to balance the need for cameras in public places with individuals' right to privacy.

The code applies to the use of surveillance camera systems that operate in public places in England and Wales, regardless of whether or not there is any live viewing, or recording of images or information or associated data.

All relevant authorities must have regard to the code.

A relevant authority as defined by section 33(5) of the Protection of Freedoms Act 2012 includes all local authorities in England and Wales. This includes parish and town councils. Each council therefore has to ensure that it complies with the code when it operates any surveillance camera system that monitors public space.

Local authority use of surveillance camera

Over the last twenty-five years councils have made a considerable investment in surveillance camera systems. Often this has been due to local demand for the introduction of CCTV cameras to address concerns about crime and disorder. However some have been critical of the increasing use of CCTV and the impact this has on privacy. As time and technology have progressed the ways in which surveillance cameras can be used has diversified, with some councils looking to use CCTV to address alcohol related crime and disorder and increase the safety of passengers and drivers of taxis and private hire vehicles. Others have installed systems in council facilities to reassure users, with systems monitoring libraries and leisure centres as well as being installed in council offices and town halls.

All these systems need to be operated in compliance with the code. In order to ensure it is compliant, each council needs to understand what surveillance systems it is using including public space CCTV, Automatic Number Plate Recognition (ANPR), Body Worn Videos (BWV) and Unmanned Aerial Vehicles (Drones).

To understand what your authority is using surveillance systems for; it is essential that an operational requirement is completed for each system. This will help to identify and specify the desired capabilities of the system as well as provide a basis for determining the effectiveness and suitability of the system before it is deployed. If surveillance is considered the best option, then an operational requirement will also help your authority to document the process ensuring that the proposed system is fit for purpose, has sufficient funding and public approval as well as specifying the technical requirements and a review process.

In considering whether it is compliant with the code your authority also needs to consider the circumstances in which it advocates or requires the use of surveillance cameras. It is important to note that blanket licensing policies, such as for public houses and taxis are not acceptable and there must be a pressing need and legal justification for the use of surveillance.

Issues to be addressed

Your authority needs to be aware of the number of cameras it has deployed as well as how they are deployed. It is recommended that local authorities nominate a single point of contact to oversee all the surveillance systems in the local authority and ensure that all systems are compliant with the Code.

This is vital to avoid a number of scenarios of misuse such as:

- The use of body worn cameras without appropriate training and procedures
- Use of re-deployable cameras with no operational requirement or privacy impact assessment
- Cameras with inappropriate or no signage
- The use of cameras in library, leisure centre, schools, environmental areas and waste disposal vehicles that are not compliant with the code of practice and the Data Protection Act
- No single point of contact for all local authority public space surveillance

There are a number of principles guiding the use of surveillance systems that your authority needs to consider when dealing with requests for additional cameras or systems in your area.

The Surveillance Camera Code of Practice

The code of practice is made up of 12 guiding principles and it is important that these principles are considered when using a surveillance system within a public space as defined by the code.

These principles should be considered before installing a new camera or camera system and also be applied to surveillance systems that have already been set up. To monitor compliance, if your council is yet to do so, you should ask your officers whether they have reviewed all the surveillance systems in your area. This will help you to identify what systems your authority has and why it has them.

The office of the surveillance camera commissioner has produced a simple self assessment tool that will enable your council to assess its level of compliance to the twelve guiding principles. It is important that your council identifies all surveillance systems it uses and completes the self assessment tool for each system.

Adhering to the code of practice will ensure that the use of surveillance systems in your authority is legal and being used in response to a pressing need. It will also assist in ensuring that the public space surveillance is effective, proportionate and transparent. The self assessment tool can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/372082/Self_assessment_tool_v3_WEB.pdf

The principles

Principles you need to consider regarding the surveillance systems used in your jurisdiction

Principle one

Purpose: Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.

It is important that any surveillance systems in your council have clearly defined purposes, so please check to make sure that the purposes are legitimate and have been clearly written down.

Questions your officers should consider about any system include:

- What is the system for?
- Does it have clear objectives?
- Is the system reviewed frequently against its stated purpose?
- Has it been used for anything other than its original purpose?
- If yes, what was the justification?

Principle two

Privacy: The use of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.

The use of any form of surveillance will have an impact on individual's privacy and rights under the Human Rights Act. As a result it is essential that this is considered in detail before a system is installed. A privacy impact assessment should be conducted in order to consider any impact the surveillance system will have on individuals and groups in the society and this impact must be proportional and justifiable. When considering plans and proposals to install new systems you should ask your officers:

- Is surveillance the best solution for the problem they are seeking to address?
- Have they conducted a privacy impact assessment?
- If yes, has it been published?
- Have they taken necessary steps to reduce any impact on individual's privacy? (such as the use of privacy zones)

Principle three

Transparency: There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.

People in a public place should be made aware that they are being monitored therefore there must be signs in place informing them that they are in a surveillance zone. The sign should have basic information including contact details for the owner of the system.

In order to ensure transparency, as much information about the system as possible should be published, this could include the number of cameras, purpose, crime statistics and consultation outcomes. In summary:

- Does your council have adequate signage?
- Has your council adequately engaged with those affected by the cameras?
- Does your authority publish information regarding the cameras on its website?
- Does your council have a procedure for handling concerns and complaints about the use of the surveillance systems?
- Are the public aware of how to make a complaint?

Principle four

Responsibility and Accountability: There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.

There must be established governance arrangements for the surveillance systems in your council. If a system is jointly owned then the lines of responsibilities must be agreed and made known to all relevant parties. Questions to consider include:

- Who owns the system?
- Is the system jointly owned?
- Are there clear established lines of responsibilities
- Does the council have a designated individual responsible for the development and operation of the system?
- Are all staff aware of their responsibilities?
- Are all staff aware of the lines of responsibilities

Principle five

Rules, Policies and Procedures: Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.

The existence of clear policies and procedures are essential to meet any legal obligations regarding the use of the surveillance system such as compliance with the Data Protection Act. Once policies are in place they should be communicated to all staff and in particular to new staff at the induction stage.

You should find out whether your operators are required to have a Security Industry Authority (SIA) licence. Information on licensing requirements can be found on the SIA website at <http://www.sia.homeoffice.gov.uk/Pages/licensing.aspx>

Things to consider include:

- Does your council have clear policies in place?
- Have they been communicated to all staff and are they clearly accessible?
- Has your authority considered qualifications relevant to the role of the system users?
- Has your council considered the use of an SIA licence for its operators?

- How does your council ensure that its system users have the relevant skills and knowledge for the job?

Principle six

Storage: No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.

It is important that images and information from the surveillance camera systems are not kept for longer than is necessary to accomplish the original purpose for which they were installed. Things to consider include:

- How long are the images and information retained?
- Does your council have a policy on retention for law enforcement purposes?
- How does your council ensure that law enforcement agencies are aware of the retention policy?
- Is there an audit process to ensure that images and information are not stored for longer than necessary?

Principle seven

Access: Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.

It is essential to ensure that there is limited and restricted access to the stored information. As a result there should be clear rules on to whom and when access is allowed. An operator must have clear policies and guidelines to deal with any requests to view information.

As individuals are entitled to a copy of images of themselves, it is essential to have a policy on place to deal with subject access requests.

Things to ask should include:

- Does your council have a policy in place on who has access to the stored information?
- What is your council's policy on disclosure of information? Are all staff aware of these policies
- What checks are in place to ensure that these policies and procedures are followed?

Principle eight

Approved Standards: Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.

It is important to consider any approved standards for the installed system. This could be for the functioning, installation, operation and maintenance of the system. This is particularly important when there is a specific deployment requirement such as the use of body worn cameras.

A list of approved standards is available on the Surveillance Camera Commissioner's website at <https://www.gov.uk/recommended-standards-for-the-cctv-industry>

Things to consider include:

- What approved operational, technical and competency standards relevant to a surveillance system and its purpose does your council's system(s) meet?
- How does your council ensure that these standards are followed appropriately?
- What steps are in place to secure certification against the approved standards?
- Have your officers considered certification against the surveillance camera code of practice?

Principle nine

Security and Safeguards: Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.

It is essential to have effective safeguards to help ensure the integrity of the images and information particular if they are necessary as evidence in court proceedings. It is important to ask the following:

- What security safeguards does your council have in place to ensure the integrity of images and information?
- If the system is connected across an organisational network or intranet, do sufficient controls and safeguards exist?
- What is the specified purpose for which the information are being used and accessed and is this consistent with the stated purposes?
- Does your council have preventative measures in place to guard against misuse of information and images?
- Are your council's procedures and instructions and/or guidelines regarding the storage, use and access of surveillance system information documented?

Principle ten

Review and Audits: There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.

It is good practice to review the continued use of a surveillance camera system on a regular basis, at least annually, to ensure that it remains necessary, proportionate and effective in meeting its specified purpose.

- How frequently is the system reviewed? (recommended to be at least annually)
- Does your council have a review process that shows its system(s) still addresses the needs and delivers the benefits that justify its use?
- Has your council identified any cameras that do not remain justified in meeting the stated purpose(s)?
- Have your officers conducted an evaluation in order to compare alternative interventions to surveillance cameras?
- Is it cost effective to continue running your council's surveillance camera system?

Principle eleven

Support Law Enforcement: When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.

The effectiveness of your council's system is dependent on its ability to capture, process, analyse and store images and information. This is particularly important if the purpose of your authority's system includes the prevention, detection and investigation of crime. If this is the case your council's system should be capable of producing images and information that are suitable for the criminal judicial system. Things to consider include:

- Are the images and information produced by your authority's system of a suitable quality for the criminal justice system to use without enhancement?
- During the production of the operational requirement for your council's system, what stakeholder engagement was carried out or guidance followed to ensure exported data would meet the quality required for it to be used for evidential purposes?
- Does your council have safeguards in place to ensure the forensic integrity of the images and information including a complete audit trail?
- Does your council have a policy on data storage, security and deletion?
- Is the information stored in a format that is easily exportable?
- Does the storage ensure the integrity and quality of original recording and the meta data?

Principle twelve

Reference Database: Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

If your council uses specific technologies such as ANPR or facial recognition, you should satisfy yourself that the underlying data is accurate and fit for purpose. It is important to consider the following questions:

- Does your council use any specialist technology such as ANPR, facial recognition, Body Worn Video (BWV) or remotely operated vehicles (Drones)?
- Does your council have a policy in place to ensure that the information contained on its database is accurate and up to date?
- Does your council have a procedure for deciding when and whether an individual or vehicle should be included in a reference database?
- What policies are in place to determine how long information remains in the reference database?
- Are all staff aware of when surveillance becomes covert surveillance under the Regulation of Investigatory Powers Act (RIPA) 2000?

Agenda Item 11

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 12

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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