



Public Document Pack Housing and Community Overview and Scrutiny Agenda

Scrutiny making a positive difference: Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum

Wednesday 27 January 2016 at 7.30 pm

DBC Bulbourne Room - Civic Centre

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Mahmood (Chairman)	Councillor Imarni
Councillor McLean (Vice-Chairman)	Councillor Silwal
Councillor S Adshead	Councillor Timmis
Councillor Banks	Councillor W Wyatt-Lowe
Councillor Mrs Bassadone	Councillor Fethney
Councillor Conway	Councillor Link
Councillor P Hearn	

Co-Opted Members: M Cook, J Howard, A Horn

Substitute Members:
Councillors Howard, D Collins, Clark, Ransley and Tindall

For further information, please contact: Kayley Johnston – Member Support Officer - Ext: 2226

AGENDA

- 1. MINUTES** (Pages 4 - 7)
To confirm the minutes from the previous meeting
- 2. APOLOGIES FOR ABSENCE**
To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation

5. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN

6. CCTV CODE OF PRACTICE (Pages 8 - 36)

7. UPDATE FROM TENANCY SUSTAINMENT TEAM (Pages 37 - 42)

8. HOUSING DEVELOPMENT UPDATE (Pages 43 - 52)

9. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms: That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded during the items in Part II of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that if members of the public were present during these items there would be disclosure to them of exempt information relating to:

10. WORK PROGRAMME - HOUSING (Pages 53 - 54)

Agenda Item 1

MINUTES

JOINT OVERVIEW AND SCRUTINY COMMITTEE HOUSING AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

TUESDAY 8 DECEMBER 2015

Present:

Councillors:

S Adeleke	Mahmood (Chairman)
Banks	Timmis
Mrs Bassadone	W Wyatt-Lowe
Conway	
P Hearn	

Co-Opted TLC Members: J Howard and A Horn.

Councillor Griffiths (Portfolio Holder for Housing).

Officers:

Chris Troy	Group Manager, Regulatory Services
Julie Still	Group Manager, Housing Development.
Mark Gaynor	Director of Housing & Regeneration.
Fiona Williamson	Group Manager Property and place
Elliott Brooks	Assistant Director - Housing
Natasha Brathwaite	Group Manager, Strategic Housing
Julia Hedger	Group Manager, Housing Development
Kayley Johnston	Member Support Officer (Minutes)

The meeting began at: 8:20pm after the Joint Budget Presentation presented by James Dean.

OS/292/15 MINUTES

The minutes of the Housing and Community OSC meeting on 11 November 2015 were agreed by members and signed by the Chair.

OS/293/15 APOLOGIES FOR ABSENCE

Apologies received from Cllr Mclean, Cllr Link and Cllr Imarni.

OS/294/15 DECLARATIONS OF INTEREST

There was no declaration of interest.

OS/295/15 JOINT BUDGET OSC 2015-2016

Cllr W Wyatt-Lowe referred to page 5 you quote a large sum has this had any risk implications, has a risk assessment been done, and page 6 the provision is there a reason why it's done a year in advance.

J Still said it's not really counted 16/17 but 17/18 there is provision expected at this time – Relates to the reduction in funding for the Tour of Britain event which has been removed for 16/17 but there is an expectation that Dacorum will host a stage in 17/18 and the budget will be reinstated.

M Gaynor added to that saying there is assurance for the ability to change this.

Cllr Mahmood referred to page 5 and the consumption Fund Services, it appears in every appendix.

R Baker said it's a general day to day analysis.

Cllr Bassadone referred to page 6 and asked if the 1% rent reductions and the proposed increase in rent for those tenants earning in excess of £30k were linked

E Brooks said that the two policies were not directly linked and that it is possible some tenants could see a 1% decrease followed by a significant increase. E Brooks also confirmed that the move to 'target rent' for those tenants not already there is likely to end

Cllr Mahmood questioned page 6 cost of moves.

M Gaynor said it will kick in in 16/17 they do not relate pacifically to the HRA.

Cllr W Wyatt-Lowe referred to page 9, do we get money from the Police Election. All officers confirmed that this was correct.

Cllr Mahmood made comments on page 10.

N Brathwaite said that the B&B spend figures may change because there has been an increase on the need for B&B's.

Cllr Mahmood referred to page 13, increased garage rent.

M Gaynor said they are not restricted on rent increases. They are not 100% sure what the rent increases will be.

Cllr Griffiths added to that by saying it's a bit deceptive being under Andy Vincent's heading as its actually a Finance and Resources general fund, housing just administer it.

Cllr Mahmood put forward a question to C Troy regarding page 20 the H&S 100% increase.

C Troy confirmed that a second person had been put in place and the increase was also due to training costs.

Cllr W Wyatt-Lowe asked if the figures could be in percentages.

R Baker confirmed there are details on all of these on the report.

Cllr Mahmood refereed to page 24 there was a saving of 68% why did Julia have an increase.

J Hedger said it's to do with the homelessness prevention grant, the last few years they have got grants from different organisations. The monies been sitting in another pot waiting for us to decide how to use it, it's now being brought into the 16/17 budget. This is linked to Cabinet decision received in October to draw down funds.

E Brooks added to that an explained that Strategic Housing had a fix term post, and a growth bid had been submitted to make this a permanent member of staff. Growth bid was included in the draft budget papers.

Cllr W Wyatt-Lowe asked if he needs to be worried about the Adventure Playground facilities/services.

J Still said no it has nothing to do with the service and that the reduction was due to less work being required on the buildings (major work during 15/16) and there is nothing to worry about there is no reduction in service.

Cllr Griffith referred to page 25 the original CCTV budget was 184 thousand than expenditure and the forecast is 156 thousand and the draft is 120 thousand which is quite a substantial drop?

J Still said there is an increase in the work load being delivered by the service and the subsequent recharges and income.

Cllr Griffith said basically we are covering more areas and J Still agreed. Cllr Griffith was happy and said this is a positive story.

Cllr Wyatt-Lowe said apart from the TV screen in the Town Centre how are we going to make more of an income.

M Gaynor said we are getting more business from the TV screen and selling more Licenses for Marketing within the Town Centre.

A Horn referred to page 35 there has been an increase in tenant service charge. Referred to in the summary because of new sheltered scheme, does the funding not stop?

A Vincent said it ended April 2015, Evelyn Sharpe and places like that have funding because of the service provided.

Cllr Bassadone referred to page 39, how much does it roughly cost per section for verge hardening.

J Still said it depends on the construction needed but it's around £2,000 per plot. If the figure goes too high then it's not viable, there are areas on the list that will not meet the criteria due to high costs.

Cllr Mahmood referred to 191 page 39 The Elms Hostel, can this be explained.

N Brathwaite said it's the overspend from the Elms due to amendments of the build and to provide furnishing. J Hedger confirmed that this money had come from S106.

Cllr Mahmood asked about the home improvement grant and the affordable housing grants on page 41 is that money we are not going to spend or should have spent.

R Baker said it's going to come from a different source of fund.

Cllr Mahmood refereed to page 45, Hyde Barn is that the last spend
M Gaynor said yes they hope it's the case.

Action: None

Outcome: The report was noted.

OS/296/15 APPENDIX A – WORK PROGRAMME 2015/2016

The work programme was agreed by Members and E Brooks will look at other reports that need to come to the Committee. It is possible that the New Build Update will come to the Committee in January 2016.

Action: None

Outcome: The report was noted.

The meeting closed at 9:13pm

Agenda Item 6



Agenda item: 6

Summary

Report for:	HOUSING AND COMMUNITY Overview and Scrutiny Committee
Date of meeting:	27th January 2016
Part:	1
If Part II, reason:	

Title of report:	Dacorum Borough Council CCTV Code of Practice
Contact:	Councillor Neil Harden, Portfolio Holder for Resident Services and Corporate Services. Author/Responsible Officer Jim Guiton Community Control Centre/CCTV Team Leader, Julie Still, Group Manager Resident Services and David Austin, Assistant Director Neighbourhood Delivery
Purpose of report:	<ol style="list-style-type: none"> 1. To inform the Committee of the content of the proposed Dacorum Borough Council Code of Practice which sets out the principles that should apply to all surveillance camera systems in public places. 2. To seek comments and feedback from the Committee
Recommendations	1. That members note the content of the Code of Practice
Corporate objectives:	Clean and Safe Environment Dacorum Delivers
Implications:	<u>Financial</u> Within existing budgets. <u>Value for money</u>
'Value for money' implications	N/A.
Risk implications	By implementing this Code of Practice we reducing the risk of the inappropriate use of CCTV in public spaces in the

	Borough.
Community Impact Assessment	Community Impact Assessment carried out as an integral part of the Code of Practice
Health and safety Implications	N/A
Consultees:	James Deane, Corporate Director, Finance & Operations Dave Austin, Assistant Director, Neighbourhood Delivery Legal services Environmental Health Housing
Background papers:	Surveillance Camera Commissioners Code of Practice. Information Commissioners CCTV Code of Practice.
Historical background <i>(please give a brief background to this report to enable it to be considered in the right context).</i>	<p>The Protection of Freedoms Act 2012 brought with it the first specific legislation relating to the use of CCTV systems by Public Bodies. The Bill introduces the requirement for a mandatory code of practice for surveillance camera systems and a new regulator the Surveillance Camera Commissioner.</p> <p>The Surveillance Camera Commissioners code of practice sets out 12 guiding principles which strike a balance between protecting the public and upholding civil liberties.</p> <p>The principles provide a coherent and comprehensive structure to enable good and transparent decision-making that will reassure the public that surveillance cameras are used to protect and support communities rather than spy on them.</p> <p>The Surveillance Camera Commissioners Code of Practice requires The Council to publish its own Code of Practice on the use of its CCTV system to enable it to comply with the 12 guiding principles.</p>
Glossary of acronyms and any other abbreviations used in this report:	CCTV – Closed Circuit Television

Background

1. The Protection of Freedoms Act 2012 brought with it the first specific legislation relating to the use of CCTV systems by Public Bodies. The Bill introduces a mandatory code of practice for surveillance camera systems and a new regulator the Surveillance Camera Commissioner.
2. The Surveillance Camera Commissioners code of practice sets out 12 guiding principles which strike a balance between protecting the public and upholding civil liberties.
3. The 12 Guiding Principals are:-
 - i. 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.
 - ii. 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.
 - iii. 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.
 - iv. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
 - v. 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.
 - vi. 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.
 - vii. 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.
 - viii. 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.
 - ix. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
 - x. 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.

- xii. 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.
4. To assist the Council in complying with the above guiding principles it is recommended that we publish our own Code of Practice – see appendix 1.
 5. This code will help to demonstrate a robust operating environment with the additional benefit of reassurance to the public that Dacorum Borough Council's CCTV system is operated responsibly and effectively, and the likelihood of any breach of individual privacy is greatly reduced.



Closed Circuit Television Code of Practice

Author	Jim Guiton
Responsible officer	Julie Still /David Austin

Date of publication	January 2016	Date of last version	
Version no.	1	Date of expiry	January 2019

January 2016

Working in partnership, to create a Borough which enables the communities of Dacorum to thrive and prosper
Affordable Housing ♦ Regeneration ♦ Building Community Capacity ♦ Safe and Clean Environment ♦ Dacorum Delivers

**Code of Practice for the operation of CCTV
Dacorum Borough Council**

Code of Practice in Respect of

The Operation of CCTV for Dacorum Borough Council

The Dacorum Borough Council CCTV System

Certificate of Agreement

The content of this Code of Practice are hereby approved in respect of the Dacorum Borough Council Closed Circuit Television System and, as far as reasonably practicable, will be complied with at all times by all who are involved in the management and operation of the named System.

Signed for and on behalf of Dacorum Borough Council

Signature _____ Name _____

Position held _____ Dated the _____ day of _____ 2015 _____

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Abbreviations and Definitions

Dacorum Borough Council (DBC)

Community Control Centre (CCC): The CCTV Community Control Centre, under the control of Dacorum Borough Council (DBC).

CCTV Operator: The person responsible for watching, controlling equipment and recording the images produced by DBC CCTV cameras linked to the CCC and performing all CCC duties

CCTV/CCC Team Leader: The person employed by DBC to manage the CCTV Service and to oversee the operators to provide CCC services.

CCTV Systems Manager: DBC Assistant Director, Neighbourhood Delivery

Police Control Room (PCR): Hertfordshire Constabulary Force Command and Control facility, Welwyn Garden City

British Security Industry Association (BSIA): The security industry body that accredits security companies where compliance with ISO 9002 Quality Standards is mandatory.

1. Introduction

1.1 What is the Code of Practice? (Referred to as ‘the Code’)

This Code of Practice explains the principles, purposes, operation and management of CCTV by Dacorum Borough Council. It seeks to provide accountability and reassurance to the public that all those connected with CCTV will comply with the law and ensure the right to privacy is not breached. The Code will also outline how CCTV is operated and managed and how the public may access recorded information or make complaints.

1.2 Why DBC uses Closed Circuit Television

The use of CCTV is a necessary and proportionate way of helping with a wide range of issues that affect the public in public places and buildings for which Dacorum Borough Council has a responsibility. DBC also values the use of CCTV to protect its staff where appropriate. The Council has taken into account the nature of the problems to be addressed, and has implemented CCTV only in those areas where its use is justifiable and where it can provide an effective solution.. The council will regularly evaluate whether it is necessary and proportionate to continue using it.

The CCTV service is established and operated on a legal basis and is supported by:

- The Data Protection Act (DPA) 1998
- The Human Rights Act (HRA) 1998
- Protection of Freedoms Act (PoFA) 2012
- Freedom of Information Act (FOIA) 2000
- The Crime and Disorder Act (CDA) 1998
- Other relevant legislation according to specific use of CCTV in special circumstances

We recognise public support for CCTV is still popular. To keep the respect and support of the general public, CCTV must be used fairly, legally and with the utmost integrity at all times. CCTV operations must stand up to scrutiny and be accountable to the communities and people they are aiming to protect.

1.3 The Dacorum Public Space CCTV System

The Dacorum Public Space Surveillance (PSS) CCTV System consists of 178 cameras installed at various strategic locations throughout the Hemel Hempstead, Tring and Berkhamstead Town Centres including streets, parks, Neighbourhood Centre’s (Local Estate Shopping Areas) public places and car parks. It includes the following areas of surveillance: -

- Grove Hill Neighbourhood Centre
- Adeyfield Neighbourhood Centre
- Bellgate Neighbourhood Centre
- The Heights Neighbourhood Centre
- Bennetts End Neighbourhood Centre

- The Deans Neighbourhood Centre
- Leverstock Green Neighbourhood Centre
- Chaulden Neighbourhood Centre
- Warners End Neighbourhood Centre
- Gadebridge Neighbourhood Centre
- Hemel Hempstead Town Centre
- Gadebridge Park
- The Old Town Hemel Hempstead
- Berkhamsted Town Centre
- Tring Town Centre

The full list of camera locations is shown at **Appendix B**.

The cameras offer full colour, pan, tilt and zoom (PTZ) capability, some of which may be automatically switched to compensate for low light conditions. DBC has the capability to redeploy some of their CCTV cameras in order to respond to changing trends and justified community needs.

Images from these PSS cameras are sent to the Community Control Centre (CCC) in Hemel Hempstead where they are monitored and recorded. The CCC is staffed by operators employed by the council who have undergone suitable, accredited training.

There is a dedicated CCTV link to the Hertfordshire Constabulary Control Room in Welwyn Garden City where live pictures and events can be monitored.

All CCTV material controlled and recorded by the CCC remains the property of Dacorum Borough Council.

1.4 Other CCTV Systems operated by Dacorum Borough Council

Dacorum Borough Council is also responsible for CCTV systems installed and operated at other locations throughout the Borough:

- Cupid Green Waste Transfer Station
- Tringford Depot Refuse Freighter Storage Facility
- The Civic Centre
- The Old Town Hall
- The Elm's Homeless Hostel
- Woodwells Caravan Storage Park
- The Bury Registry Office
- Bellgate Flats Highfield
- The Heights Flats Highfield
- Bennettes Gate Flats Bennetts End
- Maylands Business Centre
- The Dacorum Sports Centre
- Longdean School

1.5 Who is involved?

Dacorum Borough Council work closely with the following stakeholders to deliver CCTV services:

- Hertfordshire Constabulary
- The Dacorum Community Safety Partnership
- Council departments

From time-to-time other local stakeholders may be involved in developing the future use of CCTV. Details of roles and responsibilities for key personnel responsible for DBC CCTV are shown in **Appendix A** to this Code.

1.6 Applying the Code of Practice

The Code will underpin day-to-day practice by all those operating CCTV. It will be supported by specific operational procedures for the CCC. Everyone connected with CCTV operated by Dacorum Borough Council will ensure that the principles and purposes outlined in this Code are upheld at all times.

A copy of the Code will be available on the Council's web site www.dacorum.gov.uk

2. Purposes of CCTV

Dacorum Borough Council operates CCTV for the following reasons:

1. To help prevent, detect and reduce crime, disorder and anti-social behaviour including drug and alcohol related violent crime
2. To reduce public apprehension about crime, anti-social behaviour and aggression and to provide reassurance for all those that live, work, trade and visit Dacorum, thereby enhancing community safety and boosting the economy
3. To assist statutory agencies (police, council etc.) to deploy their resources effectively
4. To assist in the management of the public areas covered by CCTV and support Dacorum Borough Council's civil enforcement and regulatory functions.
5. To monitor traffic flow and assist in traffic management issues
6. Identify, apprehend and prosecute offenders in relation to crime, criminal damage, public order, road traffic accidents involving serious injury and all forms of harassment cases
7. To assist in civil emergencies and countering terrorism
8. To assist the emergency services in all aspects as appropriate, including major exercises relating to criminal activities and public safety

9. Provide the Police, the DBC, and other authorised organisations with evidence upon which to take criminal and civil actions in the Courts including identifying witnesses
10. Promote the objectives of Hertfordshire Constabulary and the DBC
11. Assist in the enforcement of licencing and regulatory functions of the DBC
12. To assist in the training of CCTV operators, the police and others involved in the use and operation of the CCTV system
13. In appropriate circumstances, assisting the investigation of damage only accidents in DBC owned or other privately operated surveilled car parks on the payment of an appropriate fee

The Council's Chief Executive, or the Community Safety Partnership, after consultation, may draw up specific objectives based on local concerns. These will be documented, made available as necessary and reviewed periodically.

3. General Operating Principles

1. Dacorum Borough Council supports an individual's right to privacy and expects this to be a paramount consideration for all persons involved with CCTV operated by DBC. Evidence will be kept securely and made available subject to clause 9.6 to ensure everyone's right to a fair trial in the event of any court proceedings or tribunal.
2. CCTV operations will comply with the Data Protection Act 1998 at all times and follow the Information Commissioner's Code of Practice for surveillance systems. CCTV will be operated fairly, within the law, and only for the stated purposes. Throughout this Code it is intended, as far as possible, to offer a balance between the purposes of CCTV and the need to safeguard the individual's right to privacy.
3. Occasionally CCTV may be required to assist with 'covert' operations by specific public bodies (e.g. police, councils, HMRC etc.). On every occasion proper authority will be obtained and comply with the Regulation of Investigatory Powers Act 2000 (RIPA) and guidance from the Office of Surveillance Commissioners (OSC). When undertaken by the Council, any covert surveillance authorised under RIPA will meet the required 'crime threshold' and be further authorised by a Magistrates' Court.
4. The decision to install CCTV systems, or continued use of them will be supported by Operational Requirement and Privacy Impact Assessment documentation to justify its use. This process will be regularly reviewed. Installation and use of CCTV should be undertaken in consultation with the public, community organisations, council staff, the Police and the Crown Prosecution Service where appropriate. 'Privacy zones' may be technically applied to ensure privacy is protected in specific areas. CCTV will only be used where it is reasonable, necessary and proportionate.
5. Dacorum Borough Council will set performance criteria for the quality of recorded images prior to the installation of CCTV under their control and will insist that these standards are maintained. Any CCTV system connected to the DBC CCC will meet strict technical criteria.

6. Use of CCTV by any DBC department, individual or stakeholder will fully comply with this Code of Practice.
7. Any major changes to the Code will only take place after consultation with all interested parties in the operation of the specific CCTV system. Minor changes may be agreed between the persons nominated in **Appendix A**.

4. Data Protection Act information

The Data Controller for CCTV systems operated by Dacorum Borough Council is its Chief Executive. Day-to-day responsibility for CCTV data is with the Assistant Director of Neighbourhood Delivery or a nominated individual on their behalf. This will be further delegated to the responsible person on duty at the specific site covered by CCTV or at the CCC; normally the CCC Team Leader.

Operation of CCTV by DBC has been notified to the Office of the Information Commissioner. Notification is an annual process to register an individual organisations data processing, including CCTV. The DPA Register is published on the Commissioner's website www.ico.gov.uk.

All data will be processed in accordance with the principles of the Data Protection Act 1998 which are published on the Commissioner's website www.ico.gov.uk.

All CCTV operators will use every effort to promptly report faults in accordance with maintenance agreements to ensure CCTV equipment is maintained 'fit for purpose' as required by Data Protection Act 1998.

Surveillance systems operated by DBC will be compliant with the Information Commissioner's Surveillance Systems Code of Practice at all times The full ICO Surveillance Systems' Code can be obtained from the website www.ico.gov.uk.

5. Protection of Freedoms Act 2012 information

The Protection of Freedoms Act 2012 became effective in May 2012. This requires the Secretary of State to prepare a CCTV code of practice and appoint a Surveillance Camera Commissioner. The parliamentary CCTV Code became effective in August 2013. It contains 12 principles for CCTV and Dacorum Borough Council has a duty to have regard to this CCTV code. The Council will always ensure cameras are installed and used:

- For a legitimate aim
- To meet a pressing need
- Proportionately and Effectively
- In Compliance with legal obligations

A failure by any person to act in accordance with any provision of the parliamentary code does not of itself make that person liable to criminal or civil proceedings. The code is admissible in evidence in criminal or civil proceedings. A court may take into account a failure by a relevant authority to have regard to the code in determining a question in any such proceedings.

Visit: <https://www.gov.uk/government/organisations/surveillance-camera-commissioner>

6. Staffing of the Community Control Centre (CCC)

6.1 General

Dacorum Borough Council provides 'in-house' staff to provide monitoring services. The CCC will only be staffed by trained operators in accordance with DBC policy and operational procedures.

All staff will be fully conversant with this Code and their operational procedures which they will be expected to comply with as far as reasonably practicable at all times.

DBC intends to develop its CCC service and generate income by offering the monitoring service to local businesses and other third parties. Income will offset costs and contribute to DBC financial efficiencies.

6.2 Private Security Industry Act 2001 and the Security Industry Authority (SIA)

Under the provisions of the Private Security Industry Act 2001 it is a criminal offence for staff to be 'contracted' as public space surveillance (CCTV) operators in England, Wales and Scotland without an SIA licence. The Security Industry Authority is the organisation responsible for regulating the private security industry. For more information visit: www.sia.homeoffice.gov.uk

Any contracted staff operating in the CCC will be in possession of an SIA CCTV Licence in compliance with this legislation.

6.3 Staff Vetting

It will be a condition of employment that all staff being selected for a role in the CCC satisfactorily complete locally agreed vetting procedures and those defined by the SIA for a CCTV Licence.

6.4 Staff Training

Every member of staff directly connected to the operation of CCTV or with responsibility for the CCC will be trained appropriately for their role. As a minimum the SIA CCTV Licence demands a structured training programme that results in a recognised qualification. The Information Commissioner's Surveillance Code requires all staff to be trained in their responsibilities for data management.

6.5 Discipline

Every individual with any responsibility for CCTV under the terms of this Code or related procedures will be subject to this Council's disciplinary procedures should there be any breach of the Code or of any aspect of confidentiality. A breach of the Code may also result in criminal proceedings.

7. Access to and Security of CCTV - Community Control Centre

7.1 Authorised Access

Access is restricted to ensure security and confidentiality of the information inside the CCC. Entry will not be allowed without sufficient reason and in accordance with clause 2.

Regardless of anyone's status, all access to the CCC will be recorded in a Visitors Log. All visitors will be reminded of the need for confidentiality by displayed notices and a clause in the Visitors Log. Operational staff will ensure only authorised access and an accurate visitors log is maintained and enforced.

Operational staff, approved by the DBC CCTV System Manager, who frequently go into the CCC as part of their daily duties are exempt from signing the Visitor Log providing they have signed a Declaration of Confidentiality. This will be managed by the CCTV Team Leader.

7.2 Public Access

In the interest of openness and accountability, anyone wishing to visit may be permitted to do so, subject to the approval of the DBC CCTV Team Leader. Operators must always be aware of public visits in advance and the visits may be ended for operational reasons at the discretion of the CCTV Operator. All public visits will be conducted and recorded in accordance with agreed operational procedures.

7.3 Security

Access control measures will be used to ensure security and confidentiality of the CCC.

Authorised personnel will be present at all times when the equipment is in use. If the CCC is left unattended for any reason it will be secured. In the event of evacuation for safety or security reasons, the agreed operational procedures will be complied with.

8. Access to and Security of CCTV – Other DBC sites

8.1 Authorised Access

Access to any CCTV monitoring or recording equipment on other DBC sites is restricted to ensure security and confidentiality of the information processed. Only nominated key staff will be allowed to access equipment and recordings for proper reasons and must only be for the stated purposes of CCTV.

Access control measures will be used to ensure security and confidentiality where necessary. There will not be any public access to equipment or recordings at these sites. Individual access to 'personal data' is not affected by this clause.

9. Operation and Management of CCTV by DBC

9.1 General

All the equipment associated with either the main public-space CCTV system (PSS) or the other CCTV systems operated by DBC departments, (regardless of whether it is connected to the CCC), will only be operated by nominated personnel who have been properly trained in its use and local operating procedures.

All staff responsible for any DBC CCTV system will be careful about exercising personal prejudices, which may lead to complaints about CCTV being used for purposes for which it is not intended. Staff may be required to justify their monitoring, recording or disclosing of images of any persons, activity or property at any time.

9.2 Signs

Signs will be placed in the areas covered by cameras to make the public aware of CCTV surveillance. The signs will indicate:

- The presence of CCTV monitoring (typically using a graphic of a CCTV camera)
- The 'ownership' of the System (unless it's obvious; i.e. Town Hall etc.)
- A contact telephone number for further information

9.3 Camera positions

If CCTV is the most appropriate means of addressing a pressing need, cameras will be sited in positions to meet that need after preparing an operational requirement document and privacy impact assessment. CCTV must be justified, meet the purpose for which it was installed and recordings must be of an appropriate quality.

Cameras will be restricted to ensure they do not view areas that are not of interest and are not intended to be seen; e.g. an individual's private property. Electronic 'privacy zones' may be used to ensure that the interior of any private property cannot be viewed.

As far as is reasonable, all cameras will be sited in positions that minimise risk to tampering, damage or destruction.

9.4 CCTV Monitoring – CCC

The CCC is permanently staffed (24 hours / 365 days a year) by SIA accredited and trained operators to provide fully specified CCC services. The operator's main role is to continuously monitor, identify and respond to incidents. The cameras will only be used for the purposes stated. The operators may be required to justify their monitoring or recording of any persons, activity or property at any time.

From time to time arrangements may be made for council or police staff to be present in the Control Room to support CCTV operations. This will always be in accordance with this Code and agreed operational procedures.

There is a dedicated CCTV link to the Police Control Room (PCR) in Welwyn Garden City where incidents and events can be viewed. This secure link can only be activated from the CCC for appropriate purposes and in accordance with agreed operational procedures.

General surveillance will remain the responsibility of CCC operations. Protection of the public will always remain the top priority at all times.

CCTV recording does not take place anywhere other than in the CCC. The CCTV/CCC Team Leader will undertake day-to-day management, co-ordination and overseeing of CCC operations.

9.5 CCTV Monitoring – Other DBC sites

At some DBC sites where CCTV is installed, monitors are installed to provide staff with the opportunity to watch 'live' images when necessary. Monitoring is not a prime function at these sites.

9.6 Transmission, Recording and Storing CCTV Images

CCTV cameras transmit images to the CCC or direct to a local on-site recording device using a variety of methods. These include cables, wireless signals and computer networks. Security of transmission remains paramount. Transmission will either be owned by the Council or provided under contract by an industry supplier.

DBC uses Network and Digital Video Recorders (N/DVR's) to record the images from all cameras throughout every 24-hour period. The N/DVR's are either housed securely in the CCC or secure locations at specific DBC sites. Recorded images are retained on the N/DVR's for no longer than 31 days. Retention periods may vary dependant on site-specific issues but will not exceed this limit at any site to ensure compliance with the Data Protection Act.

After retention the recorded images are erased using an automatic digital process called 'overwriting'. This meets the requirements of not keeping data for longer than necessary; a principle of data protection.

All recordings stored at CCC can be replayed on the dedicated computer workstations and in a secure area. Only authorised staff can download copies of recorded images when required for proper purposes. These images will then be kept for longer in accordance with the rules of evidence.

At any other DBC site, any recording, viewing and exporting of images will only be undertaken by trained and authorised staff; the public must have total confidence that information recorded about them by CCTV will be treated with integrity, security and respect for their privacy.

9.7 ANPR

Automatic Number Plate Recognition (ANPR) uses specific cameras set to capture a vehicle as it passes an ANPR camera. Its registration number is read and instantly checked against a database of vehicle records. Police are the primary users of this technology, although DBC uses one ANPR camera to manage the access of vehicles on a 'white list' to pedestrian shopping areas.

ANPR by the police is used to help detect, deter and disrupt criminality at a local, force, regional and national level, including tackling travelling criminals. ANPR provides lines of enquiry and evidence in the investigation of crime and is used by law enforcement agencies throughout the UK. Many commercial and retail sites now use ANPR cameras to aid vehicle management.

9.8 Body Worn Video (BWV)

BWV involves the use cameras that are worn by a person and are usually attached to their clothing or uniform. These devices can often record both visual and audio information. They are increasingly used by law enforcement agencies, but their reducing cost means other groups are able to purchase and use such equipment.

BWV systems are likely to be more intrusive than the more 'normal' CCTV surveillance systems because of its mobility. Therefore before each use of BWV, The Dacorum Borough Council will:

- Justify its use and consider whether or not it is proportionate, necessary and addresses a pressing need
- Have the ability to switch BWV on and off as necessary as it is important to know when and when not to record. Continuous recording will require strong justification as it is likely to be excessive and cause a great deal of collateral intrusion
- Carefully consider the need for audio as well as visual recording as the presence of audio recording adds to the privacy intrusion. (See 9.9 below)
- Comply fully the BWV guidance in the ICO Code for Surveillance Systems

9.9 Audio Recording

DBC considers the use of audio recording, particularly where it is continuous, to be more privacy intrusive than purely visual recording. Its use will therefore require much greater justification. DBC will only use audio recording where:

- A pressing need is identified
- Other less intrusive methods have been explored, and...
- These will not appropriately address the need and the only way is through the use of audio recording
- Appropriate privacy by design methods have been incorporated into the system

If DBC decides to use audio recordings in specific circumstances they will ensure:

- A thorough privacy impact assessment will be carried out
- The system provides a high enough quality of recording to achieve the stated aim
- The most privacy friendly approach is used; where video and audio recording can be controlled and turned on and off independently of each other. These two types of data processing should be considered as separate data streams and should be controlled separately to ensure irrelevant or excessive data is not obtained and held
- Consultation with staff in advance; where recording conversations between staff and particular individuals is needed for a reliable record of what was said and might be used as evidence in an investigation or audio recording is triggered due to a specific threat
- It is made clear to data subjects that audio recording is taking place, over and above any visual recording which is already occurring

9.10 Audit Trail (Record keeping)

Records will be kept, either paper-based or electronically on a computer, of all relevant activity associated with the operation and management of any DBC CCTV or surveillance system. This will typically include but is not limited to:

- Access and Visitors – name, times in/out and reasons for visit
- Actions taken by the staff and incidents reported to or seen by them
- Review and disclosure of CCTV images
- Fault reporting and rectification and the regular maintenance programme

Every CCTV recording or operational record has the potential of being required as evidence at some point. This means any material produced by DBC staff (permanent or contract), or produced by CCTV equipment including recordings, any copies and paper or electronic records.

All record keeping will be carried out in accordance with local operating procedures.

At the CCC, the CCTV management software will enable authorised staff to examine the use of CCTV and records created, in order to compile reports.

9.11 Maintenance of CCTV

To ensure compliance with legislation and national Codes of Practice, DBC will ensure all their CCTV systems are appropriately maintained in accordance with operational procedures and maintenance agreements.

Maintenance agreements will make provision for regular / periodic service checks on the equipment which will include cleaning of all-weather domes or housings, checks on the functioning of the equipment and any minor adjustments that need to be made to the equipment settings to maintain picture quality. Agreements will also include regular periodic overhaul of all the equipment and replacement of equipment, which is reaching the end of its serviceable life.

The maintenance agreement will also provide for 'emergency' attendance by a specialist CCTV engineer to rectify any loss or severe degradation of image or camera control.

DBC and the maintenance contractor will keep appropriate records.

10. Viewing and Disclosure of CCTV Recordings

10.1 General

Viewing and disclosure of recorded images from any DBC CCTV System must be controlled and consistent with the purposes of CCTV. Safeguarding an individual's rights to privacy will always remain a priority.

CCTV information will not be copied, sold, disclosed or used for commercial or entertainment purposes. Occasionally recordings may be used for the following:

- Training and demonstration purposes but the material will be selected by the CCTV/CCC Team Leader in consultation with the Police and its use will be strictly controlled

- For the purpose of research:
 - To assist in the general planning and management of the areas of CCTV coverage
 - To assist in identification and compiling of information relating to public safety
 - To assist in the efficient management of services in the areas of CCTV coverage

Written authorisation from the CCTV/CCC Team Leader will be required before access for research purposes. The copying of material or its removal from the Community Control Centre for research purposes will only be permitted under exceptional circumstances and shall be fully documented.

All requests for viewing and disclosure of any DBC CCTV information will be in accordance with operational procedures, which contain detailed national standards. Key aspects are covered from 10.2 below. For recordings held at the CCC, the management of requests will be the responsibility of the CCTV Team Leader although in day-to-day practice disclosure is usually carried out by CCTV Operators. At stand-alone DBC CCTV sites, requests for viewing and disclosure of CCTV images will be the responsibility of a nominated individual in consultation with the DBC CCTV/CCC Team Leader.

Generally copyright and ownership of all CCTV information will remain with the DBC Data Controller. Once CCTV images have been disclosed to another body (such as the police), then **they** become the Data Controller for their copy of the images. It is their responsibility to comply with the Data Protection Act in relation to any further disclosures.

10.2 Main Requests for Viewing and Disclosure

Requests for viewing and disclosure of CCTV information will normally be granted to organisations that show valid reasons, which meet the stated purposes of CCTV. These are mainly (but not limited to) the following organisations:

- All UK police staff, (including Ministry of Defence and Military Police)
- Statutory authorities with powers to prosecute, (e.g. H.M. Revenue and Customs, councils, Trading Standards, Environmental Health, etc.)
- Solicitors or their legal representatives in criminal or civil proceedings; (such a request may incur a fee)
- Individuals representing themselves in judicial proceedings
- Other agencies (e.g. Insurance companies) according to purpose and legal status. A reasonable fee will be charged to cover costs of searching, copying and disclosure. Some requests may be treated as a DPA Subject Access Request if an individual has authorised an SAR submission on their behalf

All requests will be supported by a written record in accordance with operational procedures; a copy of the DBC CCTV Data Access Request Form is shown at **Appendix C**, which will be completed and approved in all cases. Viewing and disclosure of information will not be unduly obstructed however, CCC operators may refuse requests to provide CCTV footage if insufficient information or an invalid reasons has been provided.

10.3 Requests for Disclosure by Members of the Public (Subject Access)

Individuals recorded by CCTV have a right to view images relevant to them; ('personal information') and unless agreed otherwise, be provided with a copy of the images. Requests by members of the public for CCTV images are limited to 'personal information' as required by the Data Protection Act 1998. These are called 'Subject Access' Requests (SAR). Third-party information (e.g. another's' identity or vehicle registration number) will not be disclosed through such requests.

A SAR must be made in written form to DBC; in the first instance to the CCTV/CCC Team Leader. The applicant must satisfactorily prove their identity and provide sufficient information to enable the data to be located. The first response to a request will normally be given within 7 working days of receipt. The requested information will be provided within 40 calendar days of receipt if the recording is still held. A fee will be charged at the current statutory maximum set by Parliament.

Judgements about disclosure will be made by those responsible for operating CCTV. If third-party information is also shown with the images of the applicant, consideration will be given to obscuring the images. This ensures unfair intrusion into the privacy of the third party, or causing unwarranted harm or distress is prevented.

Requests for personal information will not be granted in circumstances that involve the prevention or detection of crime and the apprehension or prosecution of offenders where disclosure may prejudice proceedings. Other disclosure rules may apply.

10.4 Freedom of Information Act 2000

The Freedom of Information Act (FOIA) gives the public a general right of access to official information held by most public authorities (police or councils, etc.). It also applies to companies, which are wholly owned by public authorities. Typically it applies to information around decisions, statistics, spending money and effectiveness. Requests may be by letter or email. The public authority must state whether it holds the information and normally supply it within 20 working days in the format requested.

When responding to requests, there are procedural requirements set out in the Act, which an authority must follow. There are also valid reasons for withholding information, which are known as exemptions from the right to know. FOIA exemptions apply to disclosure of CCTV images:

- If the images are those of the FOIA applicant - the information will be treated as a Subject Access Request as explained at 10.3 of this Code
- If the images are of other people/vehicles etc., these can only be provided if disclosing the particular information does not breach the data protection principles

In practical terms, if individuals are capable of being identified from the relevant CCTV images, then it is personal information about the individual concerned. It is unlikely that this information can be disclosed in response to an FOIA request. The applicant could potentially use the images for any purpose and the individual concerned is unlikely to expect this and it is likely to be unfair processing breaching the Data Protection Act (DPA).

This guidance is not exhaustive and full information on FOIA issues can be found at the ICO website: www.ico.gov.uk

10.5 Requests for Disclosure by the Media

Requests for CCTV images from the media will always be considered if they meet the stated purposes of the CCTV or it is in the public interest for the images to be disclosed. The disclosure will include a signed release document that clearly sets out what the data will be used for, the limits on its use and retention of editorial control by Dacorum Borough Council.

Hertfordshire Constabulary will be permitted to release recorded material to the media in connection with an investigation or detection of a crime without prior approval of DBC. Material should relate to specific incidents and only be released in accordance with the National Police Chief's Council media guidance and Hertfordshire Constabulary procedures. Strict copyright conditions that do not allow it to be used for entertainment or any other purposes will apply.

The CCTV/CCC Team Leader should be advised of the release of the recorded material to the media. Every effort should be made to give the notification prior to its release.

11. Evaluation of DBC CCTV Systems

11.1 The Dacorum Public Space CCTV System

The CCTV Lead Officer at the CCC will be responsible for carrying out regular checks on CCTV and operational systems to ensure that the procedures are being followed. Any discrepancies will be reported without delay to the CCTV/CCC Team Leader.

The DBC Assistant Director of Neighbourhood Delivery or nominated person will be responsible for receiving regular and frequent reports on the operation of CCTV. The Council may nominate a person and/or committee with a specific responsibility for receiving and considering those reports.

A range of performance indicators for monitoring and evaluating effectiveness of public space CCTV will be used:

- Contribution to public reassurance (public safety and quality of life issues)
- Original reason for the camera being installed; changes to purpose / environment
- Community and Police crime data; offence types, incidents, associated arrests and local intelligence
- CCTV Control Centre incident logs and performance indicator information
- CCTV Council Control Centre operator capacity
- Age and Annual cost of the camera, (connection/power and repair costs)

This approach includes the wider issues for justifying continued of CCTV.

The System will be audited in accordance with the policy of the Council. From time-to-time the System will be independently evaluated to assess the overall performance of CCTV. Statistical and other relevant information, including any complaints made, will be included in the DBC PSS CCTV Annual Report.

11.2 Other DBC CCTV Systems

All Dacorum Borough Council CCTV systems will be reviewed on a frequent basis; at least annually, to ensure compliance with national Codes of Practice, the Data Protection Act 1998 and to validate their need and continued use. A nominated person at each site will be responsible for carrying out regular checks on CCTV. The DBC Assistant Director of Neighbourhood Delivery or nominated person will be responsible for receiving the reports.

11.3 General evaluation issues

The use of DBC CCTV should be evidenced-based. Cameras should be reviewed annually using evidence available to Dacorum Borough Council and its CCTV stakeholders. Where evidence can be found to show that a CCTV camera location continues to be justified under the Code of Practice for CCTV the camera should remain.

Where evidence, gathered over a 12-month period, cannot be found to show that a CCTV camera location continues to be justified the camera should be:

- (i) Removed and placed at another location known to have a pressing need or 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 Dacorum Community Safety Partnership agencies to reduce/resolve the problem, (or)
- (ii) Removed with the camera placed in storage or dismantled for spare parts and the camera site decommissioned (where no pressing need, current crime or disorder issues have been identified justifying the installation of a camera or where insufficient funding is available to relocate the camera)

The results of any aspect of evaluation will be used to review and develop alterations to the purposes for CCTV, as well as the management and operation of CCTV systems.

12 New CCTV installations and equipment

From time to time services in DBC will request that CCTV be installed or areas will be identified that may benefit from CCTV. It is essential in these instances that the CCTV /CCC Team Leader is the lead in this process to ensure there is compliance to the Code of Practice and legislation.

All requests for new or additional CCTV installation should be made to the CCTV Team Leader and have followed due process and they will be considered by a Community Safety Partnership panel. They will then be considered with the evidence provided to ensure they meet the requirements of the code and are compatible with DBC systems.

13. Making Enquiries or Complaints about CCTV

A member of the public wishing to make enquires or a complaint about any aspect of DBC CCTV System may do so by contacting the DBC CCTV/CCC Team Leader.

All complaints will be treated seriously. They will be dealt with in the same way as the discipline and complaints procedures, which apply, to all members of the Council and Hertfordshire Constabulary staff. Copies are available from the respective organisations.

The DBC CCTV/CCC Team Leader will ensure that every complaint is acknowledged in writing, which will include advice about the procedure to be undertaken. Details of all complaints and the outcome will be included in the regular reports supplied to the DBC Assistant Director of Neighbourhood Delivery and included in the Council's annual report.

If the outcome from a complaint about how the CCTV system operates or how images (data) were handled is thought to be unsatisfactory, the Office of the Information Commissioner can be approached to investigate independently. Individuals have additional rights under DPA to prevent processing likely to cause substantial and unwarranted damage or distress and to prevent automated decision taking in relation to the individual.

Visit www.ico.gov.uk ; telephone 01625 545745 or write to:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9

5AF

Key Personnel - Roles and Responsibilities

Dacorum Borough Council CCTV Systems

Owner and Data Controller:

Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1HH
Tel. 01442 228000

<http://www.dacorum.gov.uk>

Responsibilities include but are not limited to:

- Determining the purposes of CCTV
- Providing the Data Protection Officers' annual Notification of the CCTV System to the Information Commissioner
- Ensuring the provisions of the Data Protection Act 1998 are met
- Ensuring the provisions of the Protections of Freedoms Act 2012 are met
- Providing a CCTV Code of Practice and local operating procedures
- Ensuring the provision and maintenance of all equipment forming part of any DBC CCTV system in accordance with contractual arrangements, which the owner may from time to time enter into
- Authorising proposed alterations and additions to CCTV systems, the DBC CCTV Code and operational procedures
- Appointment of an DBC representative to assist in all CCTV matters

DBC CCTV Systems Management:

CCTV/ Community Control Room Team Leader (CCCTL)
Dacorum Borough Council
Civic Centre
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1HH

Tel. 01442 228000

The CCCTL will be the main point of contact on behalf of Dacorum Borough Council and will have delegated authority for data control on behalf of the Data Controller.

Responsibilities include but not limited to:

- First point of contact for DBC CCTV matters and DBC line manager in the Community Control Centre (CCC)
- Ensuring the day-to-day management of CCC staff and the PSS CCTV System
- Organising and maintaining the operator rota, and arranging cover as required
- Ensure support to all DBC CCTV/systems operators that have nominated responsibilities to any DBC CCTV system
- Identifying and organising operator training; coordinating all CCTV training required by security officers and other personnel to ensure the requirements of the DPA and other legislation are met
- Performing the duties of a CCTV Operator as required
- Liaison with maintenance and other contractors
- Main point of contact for Council Officers, the Police and other organisations, on operational CCTV matters
- Ensure the interests of the public, owners and other stakeholders are upheld in accordance with the terms of this Code of Practice
- Agree to any alterations and additions to CCTV systems, this Code and/or local operating procedures
- On behalf of Dacorum Borough Council and all CCTV stakeholders, implement any requirements to ensure the effective and compliant use of DBC CCTV systems

CCTV/CCC Lead Officers and Operators

- Perform the duties of a CCTV/CCC Operator
- Review historic CCTV images on behalf of legitimate interested parties when viewing requests are received
- Carry out immediate reviews of recent historic images in the event of an incident which requires clarification/investigation
- Report to the CCTV/CCC Tem Leader
- Carrying out regular checks on CCTV and operational systems to ensure that the procedures are being followed

The Dacorum Public Space CCTV Camera Locations



Agenda item:

Summary

Report for:	Overview and Scrutiny Committee
Date of meeting:	27 January 2016
Part:	1
If Part II, reason:	

Title of report:	TENANCY SUSTAINMENT TEAM UPDATE
Contact:	Cllr Margaret Griffiths – Portfolio Holder for Housing Fiona Williamson - Property and Place Group Manager Layna Carman - Tenancy Sustainment Team Leader
Purpose of report:	<ul style="list-style-type: none"> To update the committee on the progress of the Tenancy Sustainment Team since introduction in November 2014
Recommendations	<ul style="list-style-type: none"> For information only
Corporate objectives:	Affordable Housing
Implications:	<u>Financial</u> There are no financial implications on this report
'Value for money' implications	<u>Value for money</u> Value for money opportunities can be found through support of the Tenancy Sustainment team
Risk implications	This report is for information only
Community Impact Assessment	This report is for information only

Health and safety Implications	There are no health and safety implications associated with this report
Consultees:	This report is for information only
Background papers:	Housing Strategy 2013 - 2018 Vulnerable Persons' Strategy 2014 - 17
Glossary of acronyms and any other abbreviations used in this report:	TST – Tenancy Sustainment Team TSO – Tenancy Sustainment Officer

1. Background

- 1.1. The Tenancy Sustainment Team was established at the end of 2014, alongside the introduction of the Vulnerable Person Strategy. A new Team Leader post was created and brought 4 officer and 2 surveyor roles together in one team which sits in Property and Place.
- 1.2. The aim of the team is to meet some of the challenges experienced by the various Housing teams when dealing with complex households. This includes targeting those who are at most risk of failing their tenancy, have multiple issues in the home and are particularly vulnerable – so unable to protect themselves from harm or disadvantage.
- 1.3. The TST take a holistic approach to look at the whole home and household to get to the bottom of issues and create a support plan based around the needs of the tenant. This often includes working with external agencies and partners to access any resources that may be available.
- 1.4. The objectives of the team include:
- Reduce risk of eviction or people wanting to leave their home
 - Increase payment of rent
 - Improve condition of our homes
 - Improve our tenants health and wellbeing
 - Encourage increase in employment and education
 - Build sustainable communities

2. Team Update

- 2.1. Following recruitment of the Tenancy Sustainment Team Leader it was quickly identified that a Lead officer was required to manage the referral process and support team members. The sensitive nature of cases and workload has enabled the Team Leader to focus on introducing necessary processes and the strategic direction of the team while ensuring support and guidance was still given to the officers and surveyors.
- 2.2. The demand on the service and number of cases referred to the team has continued to increase over the past 12 months. The vacancy of a Tenancy Sustainment Surveyor post in mid 2015 was filled by a Tenancy Sustainment

Officer on a secondment basis. This is to review the resources required before considering the long term service need.

3. Performance Outcomes

3.1. 4 Key Performance Indicators have been recorded for the team from April 2015. These look at total cases managed every month, case closure reasons, level of arrears at end of support and if someone is still sustaining tenancy 6 months after case closure.

- Currently 105 households are being supported by the TST. Over 160 tenants in total have been supported since 1st April 2015
- 28 out of 29 cases that have been closed since April 2015 are still managing their tenancy 6 months after case closure, with only one leading to an eviction. Each eviction can cost DBC up to £5000, as identified by Shelter, leading to a significant saving by helping tenants to sustain their homes.
- From 1st April 2015, rent arrears of those supported by the TST have reduced by £17,525 between the period when tenants started and finished support from the team.

3.2. Tenants have been given guidance on entitlement to unclaimed benefits which has led to over £7000 of additional income for tenants. Additionally over £10,000 of debt has been cleared through support to challenge unfair fines, charges and applications of Debt Relief Orders. Increased funds have enabled tenants to pay for household bills and reducing stress and anxiety.

3.3. Tenancy Sustainment Surveyors have been involved in 93 cases since the introduction of team. Carrying out full property inspections and acting as one point of contact for tenants, ensures that the person and the property are jointly considered which has improved outcomes.

- Many major works including kitchen and bathroom upgrades, disabled adaptations, electrical upgrades and energy efficiency works have been completed where tenants have refused access previously.
- Joint visits with Housing Officers has encouraged other officers and tenants to report and chase up repairs reducing longer term damage to homes
- Coordinating with contractors on behalf of tenants with mental health and other complex needs has ensured works are tailored to their needs to cause less disruption and anxiety to tenants, ensuring successful completion
- Follow up visits to those supported by the team who are experiencing damp and condensation has enabled better understanding and longer improvements to the condition of the property.

3.4. Support has been given tenants to encourage them to downsize or move to more suitable properties. Additionally officers have liaised with GPs to get

confirmation of overnight carers in line with Housing Benefit policy to remove single person subsidy (bedroom tax)

3.5. A local company has been identified who provide support and clearance for tenants with hoarding disorder. So far with the use of grant funding we have engaged them with one tenant where over 20 bags have already been cleared from the property.

3.6. Tenants who had been supported by the team were invited to take part in a consultation to gather feedback about the service. Overall tenants were very positive about support they were provided and some of the quotes are below:

"They got me out of depression & helped me get the flat in a liveable state. They helped get to doctors etc, did more than I expected. I've got my life back on track"

"I didn't think to contact Council within housing service until she knocked due to not paying rent, I feel completely supported"

"I needed a kick up the back side. They are compassionate, understanding and personable skills are next to none"

"At the start it was near impossible as I find it difficult to open up about things. They made me feel comfortable & now I find it much easier to open up"

"She has helped me, talks to me and listens to me. If she wasn't for her I wouldn't be here now"

3.7. These tenants also offered to hold a social gathering to share their experience with others that might be going through the same issues. Going forward a peer support system will be introduced to further promote independence of those who have been supported by the team.

4. Case Studies

4.1. *Support was given to a tenant who, following a relationship break down, had a serious accident and sustained injuries so was no longer able to work. He was very depressed and had attempted to end his life. He was supported to access his GP and regularly attend appointments at a pain clinic to reduce dependence on pain medication. He was assisted to apply for disability benefits which increased his weekly income allowing him to improve his home, increase heating use, pay for taxi's to get to appointments and increase social activities making him feel less isolated. He was also encouraged to make contact with family and while he still has difficult days he has said that the support of the officer has made a huge impact on his life.*

4.2. *Following the death of a tenant, an ex-partner moved back into the home to look after their children plus hold the tenancy on behalf of her eldest son who was under 18. The home was in a very poor condition and the case officer liaised with external agencies to support the children with their bereavement.*

Additionally they completed urgent repairs, applied for Housing Benefit and gave budgeting assistance. When the eldest son turned 18 he was abandoned in the property and the officer assisted him to move to a supported housing scheme rather than take on a general needs tenancy that he would struggle to sustain. Since this move he has already made friends and started an apprenticeship and is gaining life skills to manage a tenancy.

4.3. *Following a leak into a neighbouring property, a serious hoarding case was identified. No repairs or major works had been completed for a number of years and every room of the 1 bed flat was full from floor to ceiling with items. While very reluctant initially, over 10 months trust was built and he was supported to sort through and clear items. The fire risk was considerably reduced and major works were completed including balcony and door improvements, removal of polystyrene tiles from the ceiling, an electrical rewire and new bathroom. We are now working to ensure the clutter does not increase again and get support from the Community Mental Health Team before continue with further improvements to his windows and kitchen.*

5. Additional Projects

5.1. Alongside the daily case work of the Tenancy Sustainment Team, pre-tenancy training sessions are run by Tenancy Sustainment and Welfare Support Officers. Over 108 home seekers have attended since this was introduced. This helps prospective tenants prepare for moving into a council home so they can be prepared and understand their tenancy responsibilities as well as manage their expectations of what they get with the home and time scales in moving in. These sessions are currently being reviewed with input from various housing teams and new outcomes for attendees will be recorded.

5.2. Following from research for the Young Persons Housing Strategy, an application was made for funding from the Public Health District Officer. A provisional award has been made for over £32,000 for a project to target tenants in high deprivation and poverty areas that meet certain triggers we know have an impact on ability to sustain a tenancy. Once formally approved this will fund 2 posts for 9 months starting in April 2016.

6. Challenges faced

6.1. Officers joining the team from existing posts were very unsure of the remit of the TST and how they fitted into the wider housing service. This was echoed by other departments and this had a negative impact on morale for the initial few months. Regular team meetings, an away day, introducing procedures and a team plan were crucial to bringing the team together and making officers feel confident in their new posts. A coffee morning was held at the Civic centre and in the Osborne offices and this was followed by attendance at various team meetings, encouraging joint visits and shadowing. Overall the team has established itself well within the housing service and will continue to identify any uncertainty through lead officer catch ups and team meetings.

6.2. The need for increased training was immediately identified with officers who had previous focused purely on debt/money advice, having to wider their knowledge base. Additionally the whole breadth of support issues from drug/alcohol, mental health, self-harm, hoarding, family interventions etc has

required a base knowledge of some of the complex issues tenants will experience. Training courses have been accessed from Herts County Council or joint working with community groups to reduce financial implications of this. Where this has not been possible, partnerships with other teams have helped share costs and resources.

- 6.3. There was concern from some teams that establishing the TST in Property and Place would create too much distance from the Tenancy and Leasehold teams. Integration with all teams under all 3 Group Managers has insured that the TST are involved in all processes across the life of a tenant and equally work with all teams irrelevant of group. There have been considerable benefits to this approach with the TST having a wider focus on the physical attributes of the home as much as the tenant inside bringing a more holistic approach to their work.
- 6.4. It has been very difficult to record and evidence outcomes of the team. This was expected as standard KPI's can only capture limited information and can't identify what changes were directly as a consequence of the support and not from other teams or agencies. The IT system used for support planning has made recording case work and outcomes difficult and an upgrade has been delayed by almost a year. Implementation is in partnership with all supporting teams in Housing so more effective outcomes will be captured from April 2016.
- 6.5. The main contractors Osborne and Sun Realm regularly were visiting homes where they felt the tenant may need some support. While these were often fed through to an officer of the council no formal process was in place. Concern Cards were introduced and since October 2015 over 21 have been received and dealt with by a combination of teams. Feedback is provided to the contractors where appropriate to encourage further reports. These have helped us be more proactive and allow earlier contact to be made.

7. Summary

- 7.1. The introduction of the TST has enabled the Housing Service to have designated case workers for the most complex households. The initial months proved challenging to clearly establish the role and remit of the team within the existing housing structure, however the service has quickly adapted and very few referrals are refused with officers understanding how the team can support tenants.
- 7.2. Clear improvements can be demonstrated of tenants who have engaged with the team with tenants helped to increase their income, reduce rent arrears and overall sustain their tenancies. However, more robust outcome monitoring needs to be introduced to evidence the wider benefit of this service.
- 7.3. There will continue to be further challenges over the coming years with more tenants housed with vulnerabilities and an increase of existing tenants adjusting to welfare benefit changes. The remit of the team will be monitored to ensure the resources are focussed where the most benefit can be provided.



AGENDA ITEM: 8

SUMMARY

Report for:	Housing and Communities Overview and Scrutiny Committee
Date of meeting:	27th January 2016
Part:	I
If Part II, reason:	

Title of report:	Housing Development Update
Contact:	Margaret Griffiths, Portfolio Holder for Housing Julia Hedger, Strategic Housing Group Manager
Purpose of report:	To provide an update on the Council's New Build Programme.
Recommendations	1. That the progress on the new build programme be noted
Corporate Objectives:	Affordable Housing
Implications:	<u>Financial</u> Relevant financial information is contained within the project update.
'Value For Money Implications'	<u>Value for Money</u> This will be achieved through a successful procurement programme.
Risk Implications	Risk Assessment completed within the New Build Project Initiation Document (PID). A risk assessment is completed for each site by the Employers Agent
Equalities Implications	Equality Impact Assessment completed within the New Build PID/Housing Strategy
Health And Safety Implications	Each scheme will have in place a Principal Designer as required under the Construction Design and Management

	Regulations. Contractors are required to comply with the Council's H&S policy along with Considerate Constructors requirements.
Monitoring Officer/S.151 Officer Comments	Monitoring Officer: S.151 Officer
Consultees:	Mark Gaynor, Director of Housing & Regeneration Elliott Brooks, Assistant Director - Housing Richard Baker, Group Manager, Financial Services Andrew Linden, Team Leader, Commissioning, Procurement & Compliance
Background papers:	HRA Business Plan November 2015
Glossary of acronyms and any other abbreviations used in this report:	CDA Herts - Community Development Action Herts

1. Introduction

- 1.1 Dacorum Borough Council's Development Strategy - New Council Homes 2013-2020 '**Building for the Future**' was approved by Cabinet in December 2013 and sets out the Council's ambitious plans for the Council New Build Programme. The Council completed the first three new build developments in Summer 2015.
- 1.2 This report provides an update to H&C OSC on the progress of the current planned development programme.

2. Able House, Figtree Hill, Hemel Hempstead

- 2.1 The Council received planning permission to develop 14 new homes at Able House, Figtree Hill in June 2015. This has involved the demolition of the former office block and is on a site in the heart of the Old Town. The proposed works consist of the design and construction of 14 two-bedroom flats.

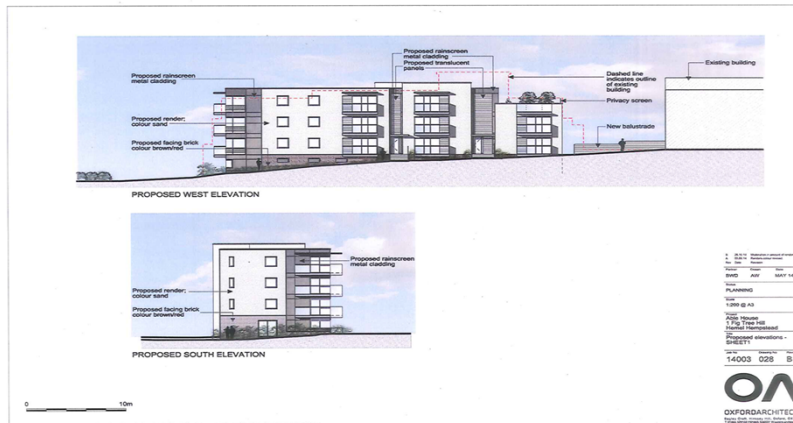


2.2 Procurement process

- 2.2.1 The tender documents for the appointment of the main contractor at Able House were issued in July 2015. The tender route followed was a one stage open tender in line with the Council's Procurement Standing Orders. The proposed development would be built in accordance with the planning application ref: 4/00779/15/MFA.
- 2.2.2 Each invite to tender (ITT) return has been scored in line with the scoring methodology set out in the ITT documentation. The scoring was completed by the Housing Development Team and the Council's Employers Agent (John Lester Partnerships).
- 2.2.3 The form of contract for this appointment will be an amended Joint Contract Tribunal (JCT) 2011 Design and Build Contract, as provided by Eversheds in their capacity as legal advisers for the Council's New Build Programme. A draft copy of this contract was included in the ITT documentation.
- 2.2.4 A Design and Build Contract was selected as the Council are able to establish the financial commitments prior to works commencing, providing that changes are not introduced during the project.

2.3 Tender returns

- 2.3.1 The Council received nine tender returns. The level of tender returns received indicates that a competitive level of tendering was achieved.
- 2.3.2 A financial assessment was carried out by the Council's Finance Department based on the bidders set of accounts (last 3 financial years) and a credit reference report.
- 2.3.3 In November 2015 Cabinet approved the award of the building contract to the successful bidder Taylor French. The first site meeting will take place at the end of January 2016.



2.3.4 Estimated Timescales:

- Start on site – March 2016
- Estimated practical completion – March 2017

3. Wood House, Maylands Avenue

- 3.1 Situated in the Heart of Maylands this development project will form an important part of the regeneration of the overall area. This is the largest project to date in the new build programme with initial plans for a 75 unit development, 40x1 bedroom flats, 35x2 bedroom flats. The Council appointed RG&P as architects in February 2015. The architects submitted a scheme to planning in September 2015. The development will provide 75 units, 34 shared ownership and 41 social rented.
- 3.2 During the planning application process further discussions have resulted in a slight amendment to the scheme with potentially another 4 flats added to the scheme. The architect is currently redesigning the scheme and the latest plans will be available in hard copy at the H&C OSC meeting for information.
- 3.3 The shared ownership flats may change tenure to the new low cost homeownership scheme, further details are due to be released by the Government in the next few months. The current plans are to enable first time buyers to purchase a property at a 20% discount from the open market values. Further updates will be provided to the Committee and Cabinet in due course. The possible change in tenure does not affect the design or construction of the building.
- 3.4 The scheme is expected to be presented to the Development Control Committee at the end of February 2016.
- 3.5 The Wood House site is in the Heart of Maylands and on a very prominent corner site of Maylands Avenue and Wood End Lane. The Masterplan for the Heart of Maylands, now incorporated into the Council's planning policies, encourages the introduction of new homes but requires an employment or commercial use at ground floor level. Initially it was presumed that this would be a retail outlet but this has been rejected for the following grounds:

- Potential conflict between the retail usage and residents reasonable expectations
 - A retail development already confirmed on the site opposite
 - A retail study suggesting that this use may not be viable
- 3.6 The alternative use of office provision has been selected as being most appropriate and likely to produce a reasonable return based on a report commissioned by the Council (Retail and commercial needs and demands review of the Heart of Maylands - 2014) as part of the pre-development assessment. The preference is that it be developed as an extension of Maylands Business Centre for small serviced office on the same terms and conditions that apply at the Maylands Business Centre itself. The offices at the business centre are all occupied and there is a waiting list of 8 companies seeking space. This indicates a real demand for space of this type. The provisional business plan indicates that it would make a surplus within six months of operation and thereafter. This would continue to be applied to economic development purposes as with the existing arrangement.
- 3.7 The potential for a market interest has also been explored by the Councils' Commercial Property team. As designed (13 small offices with shared reception and meeting room) it could attract up to £25 psf (slightly higher than the £22 psf charged by the business centre). There is concern that the restricted number of dedicated parking spaces would limit the occupation levels and it would be very unlikely that all of the units would be taken. A check has been made as to whether there would be any interest in letting it as a single space but the conclusion is that the combination of parking restriction and the nature of the building shape would preclude this.
- 3.8 This commercial aspect would be General Fund. The costs of development and fit out of this element will be included in a bid to the Herts LEP for match funding (this is only likely to be supported as business incubation space as part of Maylands Business Centre and not as market letting).
- 3.9 The current indicative cost to fit out the business units is in the region of £500,000 and the current estimated cost of the business units shell is £862,000. The current estimate of overall build cost for this development is just over £10m though this will be updated as the project develops.
- 3.10 In November 2015 Cabinet approved for the ground floor employment space be developed as an extension of the Maylands Business Centre. The Business Centre business plan will be developed in due course and brought back to Cabinet as part of a future update.
- 3.11 The Council is just about to go out to tender for the building contractor for this scheme.



Perspective View from Maylands
Avenue & Wood Lane End Junction

Notes:	Revisions:	Date:	Project:	Drawing:	1:20 P10 Site Studies
			Wood House, Marylands Avenue, Homel Hempstead	L4131 05A	115 Coventry Road
			Client:	Scale:	London E2 6GG
			Dagenham Borough Council	@ A3	
			Sheet:	Drawn:	Checked:
			Proposed External Perspectives Sheet 01	GG	TH

14.04.2015

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- 3.12 Estimated Timescales:
- Start on site – October 2016
 - Practical completion – March 2018

4. Further project updates

4.1 London Road, Apsley

36 residential and 2 retail units, 13x1 bedroom flats, 23x2 bedroom flats

- 1.1.2 The ground works started on site in January 2015, and the scheme is forecasted for completion by April 2016 and is progressing well.
- 1.1.3 The Council has received a loss and expense claim (in line with the Build Contract with Hills) which was due to a delay in the removal and decommissioning of the existing substation and relocation of supplies to the new substation.



- 1.1.4 Estimated Timescales:
- Practical completion – April 2016

3.2 Elizabeth Court, Queen Street, Tring

5 unit development, 1x3 bedroom house, 4x2 bedroom flats

- 3.1.2 Planning permission was obtained in February 2015 for the development of five units. The Council appointed Modplan as the main contractor in July. The existing buildings on the site have been demolished and building work has commenced.



- 3.1.3 Estimated Timescales:
- Practical completion – August 2016

3.3 Stationers Place, Apsley, Hemel Hempstead

31 unit development, 10x 1 beds & 21x 2 beds

- 3.3.1 The Council received pre-application advice for a scheme of 31 units in July 2015. A formal response was issued and the architect revised the drawings based on this response. A full planning application was submitted in October 2015 after completing a revised flood risk assessment and a Hydraulic Modelling exercise as requested by the Environment Agency and our

specialist consultant. The application is due to be considered by the Development Control Committee in February 2016.



Perspective View from London Road Looking North-East



Perspective View from Stationers Place Looking West



Perspective View Looking to the Rear Elevation of Buildings A



Perspective View Looking from Grand Union Canal

FOR PLANNING

Notes:	Revisions:	Date:	Project:	Drawing:	1:20 Plot Site Studies
			A development at Stationers Place, Apolly	L4077 015A	115 Gentry Road
			Dorsetton Borough Council	Scale:	London SE1 6GG
				@ A3	Date:
				Drawn:	25-03-2015
				Checked:	
				TH	

All drawings to be checked by the Client's representative. Changes to the drawings must be approved by the Client's representative.

A Canal View added

08.04.15 GG

Perspective Views Sheet 1

GG

Checked

TH

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3.3.2 Estimated Timescales:

- Start on site – September 2016
- Practical completion – October 2017

3.4 Martindale School, Boxted Road, Hemel Hempstead, HP1 2QS

3.4.1 The Council purchased the site from Hertfordshire County Council in May 2015. The scheme had already received outline planning permission for 43 units in February 2015. The Council appointed PCKO as architects in October 2015. PCKO are further developing the scheme designs to potentially increase the number of units to be provided on the site; the tenure mix is still to be determined. Hard copies of the latest plans will be available for the committee meeting for information.

3.4.2 Martindale School had not been occupied for several years and the building was in poor condition. In order to mitigate health and safety issues the Council needed to demolish the existing buildings. The Council appointed DSR as the demolition contractor in October 2015. Demolition works started on site in October and were completed before Christmas.

3.4.3 The Council tendered for an Employers Agent for this scheme in Autumn 2015. Three were invited to interview with the contract being awarded to Welling Partnership.



- 3.4.4 Current estimated timescales:
- Start on site – July 2018
 - Practical completion – December 2019

3.5 Swing Gate Lane

11 unit development - 6X1 bedroom flats, 3X2 bedroom flats and 2X2 bedroom houses.



- 3.5.1 Planning permission for an 11 unit development was granted in June 2015. The Council are currently in the process of purchasing the site from a private developer with the completion of the sale expected by March 2016.
- 3.5.2 The Council is just about to go out to tender for the building contractor for this scheme.

- 3.5.3 Estimated Timescales:
- Appoint an employers agent – Summer 2015
 - Start on site – Spring 2016
 - Practical completion – Spring 2017

4.0 Proposed future development programme

The table below shows in summary the future schemes in the New Build Programme and the predicted timescales to deliver these schemes.

Scheme	Scheme details	Start date	Practical completion date
Aspen Court, Apsley	36 social rented units.	January 2015	April 2016
Queen Street, Tring	5 social rented units.	October 2015	July 2016
Longlands Hemel Hempstead	6 social rented (roof top development on existing block)	November 14	December 15
Able House, Old Town Hemel Hempstead	14 social rented units.	March 2016	March 2017
Wood House – Hemel Hempstead	75 units consisting of 41 social rented and 34 shared ownership units.	October 2016	March 2018
Stationers Place, Apsley	31 social rented units.	September 2016	October 2017
Martindale school, Hemel Hempstead	Around 70 units consisting of 35 social rented and 35 market sale units.	July 2018	December 2019
Swing Gate Lane, Berkhamsted	11 social rented units.	May 2016	April 2017

The current assumption is that the development of Council homes would cease after 2019/20 to due financial restrictions. This situation will be subject to annual review.

HOUSING AND COMMUNITY Overview & Scrutiny Committee: Work Programme 2015/16

***Scrutiny making a positive difference:** Member led and independent, Overview & Scrutiny Committee promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.*

Meeting Date:	Report Deadline	Items:	Contact details:	Background information	Outcome of Discussion
27 January 2016	14 January 2016	Update from the Tenancy Sustainment Team CCTV Code of Practice Housing Development Update	Layna Carmen Julie still Julia Hedger		
Joint Budget February 2016	18 January 2016	Joint Budget 2015-2016 <i>Ideally no further items to be added</i>	James Deane		

Pages 53

Meeting Date:	Report Deadline	Items:	Contact details:	Background information	Outcome of Discussion
<p>16 March 2016</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 54</p>	<p>3 March 2016</p>	<p>Quarter 3 Performance Report (& Q3 Operational Risk Reports)</p> <p>Performance Reports- Housing</p> <p>Performance report- Resident Services</p> <p>Q2 Budget Monitoring Financial Report</p> <p>Regulatory Services</p>	<p><i>(PH – M Griffiths, N Tiley, N Harden)</i></p> <p>E Brooks, Assistant Director, Housing</p> <p>J Still, Group Manager, Resident Services</p> <p>R Baker, Group Manager, Finance</p> <p><i>James Deane</i></p>		

Items to be scheduled:

TLC Members (speak to Andy Vincent)