

Cabinet – Supplementary agenda No.1

A meeting of the Cabinet will be held on:

Date: 18 October 2022

Time: 3.00pm

Venue: Meeting Room 9 - Level 3, Gun Wharf, Dock Road, Chatham
ME4 4TR

Items

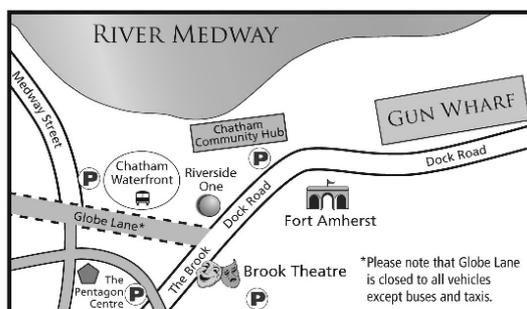
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For further information please contact Jon Pitt, Democratic Services Officer/Teri Reynolds, Democratic Services Officer on Telephone: 01634 332715/332104 or Email: democratic.services@medway.gov.uk

Date: 10 October 2022



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CABINET

18 OCTOBER 2022

ENFORCING MOVING TRAFFIC OFFENCES IN MEDWAY

Portfolio Holder: Councillor Phil Filmer, Portfolio Holder for Frontline Services

Report from: Richard Hicks, Director of Place & Deputy Chief Executive

Author: Michael Edwards, Head of Transport & Parking

Summary

This report explains recent changes to Part 6 of the Traffic Management Act and seeks approval to apply to the Secretary of State for civil powers to enforce moving traffic offences in Medway.

1. Budget and policy framework

1.1. The content of this report supports the Council priority of maximising regeneration and economic growth by tackling congestion hotspots. It also aligns with Medway's Local Transport Plan priority of a reliable and efficient local transport network.

2. Background

2.1. Local Highway Authorities outside of London with civil parking enforcement powers are now able to apply to the Secretary of State for powers to enforce moving traffic offences under Part 6 of the Traffic Management Act 2004. This brings the rest of the country in line with London, where local boroughs can use video analytics and automatic number plate recognition (ANPR) cameras to identify offences and issue Penalty Charge Notices to drivers committing moving traffic contraventions. These contraventions include driving through a 'No Entry' sign, turning left or right when instructed not to do so, entering yellow box junctions when the exit is not clear, driving where and when motor vehicles are prohibited, and going the wrong way in a one-way street.

2.2. With these new powers in place, contraventions would be subject to dual enforcement activity by the Police and the local Highway Authority. All the prescribed traffic signs and road markings would be eligible for enforcement under the Designation Order. These are shown in appendix A.

- 2.3. Local Authorities will not be duty-bound to enforce every sign or marking and are encouraged to consider whether some contraventions could be avoided by reasonable improvements to the highway or to traffic signing. It is advised that enforcement should be transparent, accountable, proportionate, and consistent, and should be targeted at problem locations where action is needed.
- 2.4. These new powers would not include traffic speed enforcement, which remains with the Police. The Council is already able to enforce parking restrictions, including zig-zag markings outside schools, and the use of bus lanes.
- 2.5. The Council would apply to the Secretary of State by way of a letter signed by the Chief Executive. The Designation Order would apply to the whole of Medway, with the start date for civil enforcement dependent upon the parliamentary timeline. The Department for Transport (DfT) will make Designation Orders for enforcement powers in tranches and expects to lay a tranche of Orders in late 2022, which would allow enforcement powers to take effect during 2023. The Government requires Local Highway Authorities to issue warning notices for first time offences for a period of six months following the 'go live' date.
- 2.6. To support the application and make sure local authorities progress and implement the new powers in a timely manner, the DfT requests that a first tranche of specific sites for enforcement be identified to ensure the order is used. Following consideration by the Council's Traffic Management and Road Safety Engineers, and in liaison with the Portfolio Holder for Frontline Services, the locations listed below were identified. These locations are subject to existing restrictions that can be enforced by the Police currently, and no new restrictions are proposed.
- **Gillingham High Street** - enforce no motor vehicles restriction (multiple access points). Primary objective: improve pedestrian safety (risk reduction)
 - **Rochester High Street** - enforce no motor vehicles restriction on Saturdays. Primary objective: improve pedestrian safety (risk reduction)
 - **Rock Avenue junction with A2, Rainham** - enforce yellow box restrictions. Primary objective: tackle network congestion.
 - **A2 Watling Street, Gillingham** - enforce yellow box restrictions at the junctions with Ash Tree Lane and Canterbury Street. Primary objective: tackle network congestion
 - **A2 High Street, Rainham** - enforce right turn ban to Orchard Street. Primary objective: tackle network congestion
 - **Gibraltar Hill junction with A230 Maidstone Road** - enforce yellow box restriction. Primary objective: tackle network congestion
 - **Cuxton Road, High Street junction with Gun Lane, Strood** – enforce yellow box and other access restrictions. Primary objective: tackle network congestion
 - **Whittaker Street/High Street, Chatham, including junction with the Brook** – enforce pedestrian zone/no entry restrictions. Primary objective: improve pedestrian safety (risk reduction)

3. Options

The following options are available to the Cabinet:

- 3.1. Option 1: to support, in principle, the civil enforcement of moving traffic offences across Medway and an application to Government for enforcement powers. Officers will prepare a business case for the scheme for Cabinet to consider at a future meeting. **This is the recommended option.**
- 3.2. Option 2: to support, in principle, the civil enforcement of moving traffic offences across Medway but delay the submission of an application to the DfT until the business case for the scheme has been agreed. This option would likely delay consideration of the Council's application by Government until 2023, resulting in a later implementation date.
- 3.3. Option 3: to not support the civil enforcement of moving traffic offences across Medway and decline the invitation to apply to Government for enforcement powers at the present time. This option would mean that the enforcement of moving traffic offences remains with the Police.

4. Advice and analysis

- 4.1. The civil enforcement of moving traffic contraventions, alongside existing enforcement by the Police, would help the Council to manage the road network and improve safety and traffic flow at specific locations and along key corridors. It would support the Council priority of maximising regeneration and economic growth by tackling congestion hotspots to enable visitors, residents, and businesses to move around Medway easily. It also aligns with Medway's Local Transport Plan priority of a reliable and efficient local transport network.
- 4.2. This report only seeks approval to apply to the Secretary of State for the powers to enforce moving traffic offences. At this stage, positive impacts are identified in terms of reducing congestion, promoting active and public transport travel, improving air quality, and supporting local transport policies. The initial locations set out in paragraph 2.6 of this report would be enforced against the existing Traffic Regulation Orders and any exemptions for those with a right of access would not change. On this basis there are not considered to be any new implications for protected characteristic groups under the Equalities Act 2010. A Diversity Impact Assessment is included at appendix B.

5. Risk management

- 5.1. The risks associated with the operational aspects of the scheme will be detailed in a future Cabinet report that presents a business case for the scheme.
- 5.2. There is a risk that, following technical assessments or business case analysis, one or more of the initial sites identified for camera enforcement and subject to consultation does not proceed. The impact on the application

process is considered low: the DfT requires the submission of an initial tranche of sites as a 'statement of intent' and there is no obligation on the Council to proceed with camera enforcement at these specific locations. Any agreed changes to the list of initial sites would be subject to further stakeholder engagement.

6. Consultation

- 6.1. The application to the Secretary of State must confirm that the Council has consulted the appropriate Chief Officer of Police and carried out a public consultation on the detail of planned civil enforcement of moving traffic contraventions, including the types of restrictions to be enforced and the locations in question. The Council is not required to seek views from the public on whether they agree with the principle of enforcing moving traffic offences. The purpose of the consultation is to communicate the rationale for, and benefits of, moving traffic enforcement to residents and businesses, and allow them the opportunity to raise any concerns.
- 6.2. The District Commander for Medway was consulted in June 2022 and advised that there were no objections from the Police to the proposal for civil enforcement of moving traffic offences.
- 6.3. The public consultation took place for six weeks in June and July and generated 239 responses. The Consultation Report is included at appendix C. A summary of the findings is as follows:
 - 82% of respondents felt it was important/very important for Medway Council to help improve safety on the roads in Medway
 - 81% of respondents felt it was important/very important for Medway Council to help tackle congestion on the roads in Medway
 - 56% of respondents agree with plans to apply moving traffic enforcement powers on the roads in Medway
 - 78% of respondents agree with plans to enforce 'no motor vehicles' restrictions on Gillingham High Street to improve pedestrian safety
 - 76% of respondents agree with plans to enforce the no 'motor vehicles restriction' on Rochester High Street on Saturdays to improve pedestrian safety
 - 74% of respondents agree with plans to enforce the right turn ban to Orchard Street from the A2 High Street Rainham to tackle congestion on Medway's roads
 - 60% of respondents agree with plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads
 - 58% of respondents agree with plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junction with Ash Tree Lane and Canterbury Street to tackle congestion on Medway's roads
 - 57% of respondents agree plans to enter the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway's roads

- 61% of respondents agree plans to enter the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway's roads
 - 66% of respondents agree plans to enter the yellow box restriction at Whittaker Street/High Street, Chatham, including the junction with Brook to tackle congestion on Medway's roads
- 6.4. Where respondents indicated a lack of support for plans to enforce offences, the severity of the issues at the locations identified was questioned. Comments on proposals for Gillingham and Rochester High Streets raised issues around the impact on businesses and deliveries, preventing valid access, and access for vulnerable people and those with impaired mobility. Whilst these comments are noted, as set out in paragraph 4.2 of this report, it is proposed to only enforce existing restrictions and any exemptions specified in the Traffic Regulation Order would not change.
- 6.5. Comments on the proposed enforcement of restrictions at Whittaker Street/High Street, Chatham, including the junction with Brook, raised issues with the traffic light phasing/timings and expressed views that the junction was badly designed with the yellow boxes in the wrong location. These comments are noted and will be assessed in accordance with the information provided in paragraph 2.3 of this report.
- 6.6. Consultation feedback also included views on the principle of enforcement, whether enforcement powers would achieve the desired outcomes, suggestions for alternative options to improve traffic flow and safety, the potential uses of income from penalty charge notices and views on the prioritisation of other issues such as highway maintenance.
- ## 7. Climate change implications
- 7.1. [The Council declared a climate change emergency in April 2019](#) - item 1038D refers, and has set a target for Medway to become carbon neutral by 2050.
- 7.2. The civil enforcement of moving traffic offences would have a positive impact on air quality by improving traffic flow at locations where existing traffic volumes and congestion is high. It would also provide a safer environment for pedestrians, promoting active travel. These impacts would support the Council's Climate Change Action Plan.
- ## 8. Financial implications
- 8.1. There are no material financial implications to the Council arising from this report. The work required for the initial application and consultation will come from existing budgets. If the application is successful, the enforcement of moving traffic offences would incur capital and revenue expenditure. This would include the procurement and installation of cameras and the enforcement system and resources to provide back-office administration. The enforcement would also generate additional income from the issue of penalty charge notices. A business case for the operational aspects of the

enforcement will be prepared for approval separately, ahead of wider Council budget decisions for 2023/24.

9. Legal implications

- 9.1. Moving traffic enforcement powers are set out under Part 6 of the Traffic Management Act 2004. The Council will be required to ensure that all moving traffic restrictions to be enforced are underpinned by accurate Traffic Regulation Orders and indicated by lawful traffic signs and road markings.

10. Recommendation

- 10.1. The Cabinet is recommended to support the civil enforcement of moving traffic offences across Medway, as set out in option 1 at paragraph 3.1 of the report and agree to delegate authority to the Chief Executive to apply to Government for enforcement powers.

11. Suggested reasons for decision

- 11.1. To support the management of the road network in Medway and improve safety and traffic flow at specific locations and along key corridors, in accordance with Council policy and strategic objectives.

Lead officer contact

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Appendices

Appendix A: List of Traffic Signs Subject to Moving Traffic Enforcement
Appendix B: Diversity Impact Assessment
Appendix C: Consultation Report

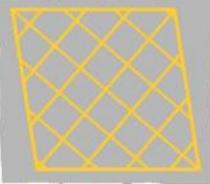
Background papers

None

Traffic signs subject to moving traffic enforcement:

Description	Sign
Vehicular traffic must turn ahead in the direction indicated by the arrow.	
Vehicular traffic must keep to the left/right of the sign indicated by the arrow.	
No right turn for vehicular traffic.	
No left turn for vehicular traffic.	
No U-turns for vehicular traffic.	
Priority must be given to vehicles from the opposite direction.	
No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement).	
All vehicles prohibited except non-mechanically propelled vehicles being pushed by pedestrians	

Description	Sign
Motor vehicles except solo motorcycles prohibited.	
Solo motorcycles prohibited.	
Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited.	
One-way traffic.	
Buses prohibited.	
Route for use by buses, pedal cycles and taxis only.	
Route for use by tramcars only.	
Route for use by pedal cycles only	

Description	Sign
Entry to and waiting in a pedestrian zone restricted.	
Route for use by pedal cycles and by pedestrians only	
Route comprising two ways, for use by pedal cycles and pedestrians only	
Box junction markings	

Description	Sign
Entry to and waiting in a pedestrian and cycle zone restricted	
With-flow cycle lane.	
Contra-flow cycle lane	

Diversity impact assessment

TITLE
Enforcing Moving Traffic Offences in Medway
DATE
19 August 2022
LEAD OFFICER.
Michael Edwards, Head of Transport & Parking
1 Summary description of the proposed change
What is the change to policy / service / new project that is being proposed? How does it compare with the current situation?
Local Highway Authorities outside of London with civil parking enforcement powers are now able to apply to the Secretary of State for powers to enforce moving traffic offences under Part 6 of the Traffic Management Act 2004. This is a new policy as local authorities in England (outside London) have not previously had the powers to enforce moving traffic restrictions. With these new powers in place, contraventions would be subject to enforcement activity by the Police (the current situation) and the local Highway Authority. It is proposed that Medway Council applies to Government for enforcement powers.
2 Summary of evidence used to support this assessment
Eg: Feedback from consultation, performance information, service user. Eg: Comparison of service user profile with Medway Community Profile
The public consultation took place for six weeks in June and July and generated 239 responses. A summary of the findings is as follows: <ul style="list-style-type: none"> ○ 82% of respondents felt it was important/very important for Medway Council to help improve safety on the roads in Medway ○ 81% of respondents felt it was important/very important for Medway Council to help tackle congestion on the roads in Medway ○ 56% of respondents agree with plans to apply moving traffic enforcement powers on the roads in Medway ○ 78% of respondents agree with plans to enforce 'no motor vehicles' restrictions on Gillingham High Street to improve pedestrian safety ○ 76% of respondents agree with plans to enforce the no 'motor vehicles restriction' on Rochester High Street on Saturdays to improve pedestrian safety ○ 74% of respondents agree with plans to enforce the right turn ban to Orchard Street from the A2 High Street Rainham to tackle congestion on Medway's roads ○ 60% of respondents agree with plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads ○ 58% of respondents agree with plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junction with Ash Tree Lane and Canterbury Street to tackle congestion on Medway's roads

Diversity impact assessment

- 57% of respondents agree plans to enter the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway's roads
- 61% of respondents agree plans to enter the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway's roads
- 66% of respondents agree plans to enter the yellow box restriction at Whittaker Street/High Street, Chatham, including the junction with Brook to tackle congestion on Medway's roads

Where respondents indicated a lack of support for plans to enforce offences, the severity of the issues at the locations identified was questioned. Comments on proposals for Gillingham and Rochester High Streets raised issues around the impact on businesses and deliveries, preventing valid access, and access for vulnerable people and those with impaired mobility.

Consultation feedback also included views on the principle of enforcement, whether enforcement powers would achieve the desired outcomes, suggestions for alternative options to improve traffic flow and safety, the potential uses of income from penalty charge notices and views on the prioritisation of other issues such as highway maintenance.

3 What is the likely impact of the proposed change?

Is it likely to:

Adversely impact on one or more of the protected characteristic groups

Advance equality of opportunity for one or more of the protected characteristic groups

Foster good relations between people who share a protected characteristic and those who don't

(insert Yes when there is an impact or No when there isn't)

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Age	NO	NO	NO
Disability	NO	NO	NO
Gender reassignment	NO	NO	NO
Marriage/civil partnership	NO	NO	NO
Pregnancy/maternity	NO	NO	NO

Diversity impact assessment

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Race	NO	NO	NO
Religion/belief	NO	NO	NO
Sex	NO	NO	NO
Sexual orientation	NO	NO	NO
Other (eg low income groups)	NO	NO	NO

4 Summary of the likely impacts

Who will be affected?

How will they be affected?

No adverse impacts are identified as a result of this proposal. This policy relates to the civil enforcement by the Council of traffic restrictions that are already in place on the highway and that all drivers are expected to comply with. Each restriction has been progressed through the statutory consultation process previously for the restriction to be included within a Traffic Regulation Order. Any exemptions for those with a right of access would not change. The introduction of enforcement would apply to all residents equally and on this basis, there are not considered to be any new implications for protected characteristic groups. Where a driver fails to comply with a correctly signed traffic restriction on the highway the impact will potentially be felt by all road users. Positive impacts are identified in terms of reducing congestion, promoting active and public transport travel, improving air quality, and supporting local transport policies.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

What alternative ways can the Council provide the service?

Are there alternative providers?

Can demand for services be managed differently?

No actions are required on the basis that no adverse impacts are identified as a result of this proposal. Notwithstanding this, a monitoring exercise will be completed to allow a review of implementation and ongoing practice to continue to ensure that protected characteristics are not disproportionately impacted. Education and communications events will be delivered alongside the implementation.

Diversity impact assessment

6 Action plan

Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
If powers are granted, and enforcement proceeds, education and communications events will be delivered alongside the implementation in the interests of fostering good relations	Head of Transport & Parking	One month prior to implementation of enforcement powers
DIA to be reviewed following consultation for the implementation of moving traffic enforcement at new locations.	Head of Transport & Parking	Within one month after consultation ends

7 Recommendation

The recommendation by the lead officer should be stated below. This may be: to proceed with the change, implementing the Action Plan if appropriate, consider alternatives, gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

It is recommended that the principle of the civil enforcement of moving traffic offences across Medway is accepted and the Council can apply to Government for enforcement powers.

8 Authorisation

The authorising officer is consenting that the recommendation can be implemented, sufficient evidence has been obtained and appropriate mitigation is planned, the Action Plan will be incorporated into the relevant Service Plan and monitored

Assistant Director

Ruth Du-Lieu

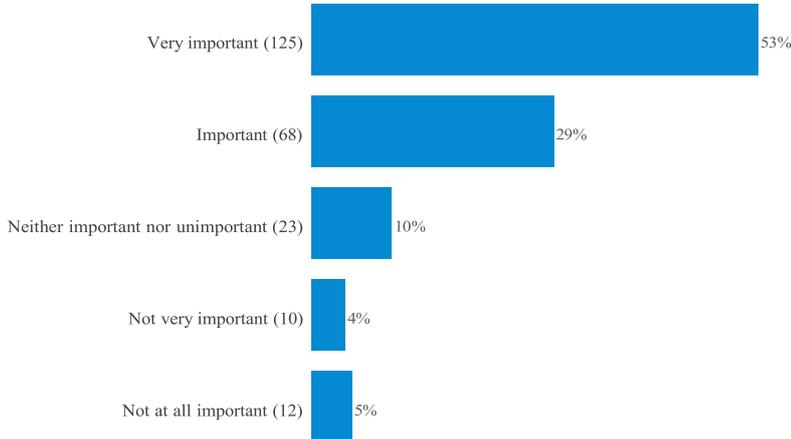
Date of authorisation

19 August 2022

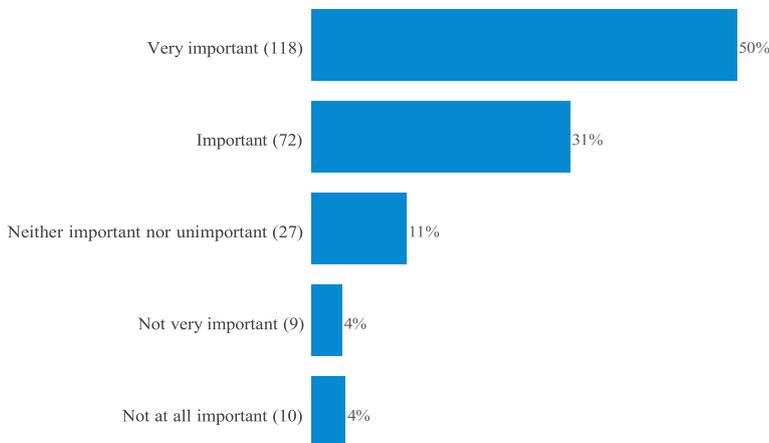
Moving Traffic Offences Survey

This report was generated on 09/08/22. Overall 239 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

How important to you is it for Medway Council to help improve safety on the roads in Medway? (Please select one option only)



How important to you is it for Medway Council to help tackle congestion on the roads in Medway? (Please select one option only)



Do you agree with our plans to apply moving traffic enforcement powers on the roads in Medway? (Please select one option only)



Residents will be fined for minor infringements which could occur due to a slight misjudgement in traffic flow. This scheme should not be implemented.

Moving Traffic Offences Survey

What are your main reasons for disagreeing with our plans to apply moving traffic enforcement powers on the roads in Medway? (Please write in the box below)

- This is being introduced to make money, as a regular driver in Medway info not see many if any of the location's identified as having major problems. By introducing these measures you will slow down traffic and just use the motorist as a cash cow which will lead to more locations being brought in as you see this a s easy money. Perhaps you should look at your current budgets and provide finance training to all staff
- Money making scheme
- No discrimination can be made for no fault contravention. Just a profiteering exercise.
- Instead of increasing surveillance and penalty notices, why not make roads safer for high streets by restricting access in the first place with e.g. plant pots, seating arrangements and green spaces. Especially green spaces are severely lacking in Gillingham and Chatham High Streets
- The yellow box locations are poorly designed for peak hour traffic. At busiest times, if vehicles kept yellow box clear, one or more directions would hardly ever move.
- Just another way for the Council to get money out of people.
- Just enforcement of yellow box's will not help just get you money. Try stopping yellow line abuse outside schools nursery and junctions. That is ignored now even when report is made
- There is no need to police these areas and fining drivers for having one wheel of their vehicle in a box junction will not improve congestion or reduce the volume of vehicles on Medway roads
- The police are the only people that should do this, I don't believe this is anything other than a way to generate funding and that is not the right reason for the council to get involved
- The sites identified are not for road safety but easy targets to generate income.
- I think like every other power that is delegated to local authorities you will simply use it as a revenue gathering opportunity. Once a visitor has been fined due to their lack of familiarity with the local road system they will be unlikely to revisit the towns and consequently the towns will suffer as a result
- Medway council are a joke. Fix the roads before fining us to even drive on them. Stop all these roadworks all planned at once which sends all diversion routes down roads that can barely deal with the school run
- Better education on the risks of wrong doing. At times you may get stuck on a yellow box because some pulls out on you.
- Because it is a money making exercise. For example the yellow box at the junction of Ash tree Lane and Canterbury Street is never congested, there are no accidents there. I have used it for many years. There is absolutely no need for the council to become involved at all. Better to invest in fixing local roads not blatantly looking for a new tax on motorists to fund council activities which should be funded from the council tax. It's time Medway Council actually represented us rather than see us as cash cows.

Moving Traffic Offences Survey

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- Pcn's will hit those on the lowest incomes disproportionately and the council should not be passing their obligations with regards on to road design and traffic flow management on to the average motorists.
 - Suspicious you are looking to making money from it. Where will this be spent. I doubt you'll improve the road markings where unclear. Your focus should be on road safety .. ensuring grass is cut to maintain visibility, looking at high risk junctions such as Walderslade Rd/Magpie Hall Rd and queuing on M2 (if your jurisdiction).
 - I think that mistakes can happen and to have people fined for making an honest mistake is unfair. There is a risk but the roads are so poorly managed that there is too much going on for a person to make the correct assessment of a situation all of the time. The factor here is knowing how the process will go ahead. If this is a no excuse policy no matter what then I think this is a cash cow policy that I will not support.
 - medway need to use the budget they have to sort out other issue rather than stupid issues like these. Even more people will be anti medway council if start enforcing this, just be another money making scheme against drivers already struggling.
 - There is no nuance to any of the decision making. There are some parts that make sense, but others that don't offer a solution to problems. A good example is the high streets. One of the main reasons for all the vehicles on Rochester high street is due to the massive increase in popularity of delivery services. There is no current suitable location/solution for delivery drivers to stop and collect food/goods for delivery. It seems absurd that instead of providing a solution to this problem FIRST. Once there is a solution to this problem, then maybe you could look at enforcement in the area. It is very short-sighted to punish local independent businesses by preventing their access to delivery services without providing a decent alternative that won't affect their income.
 - It's just a cash cow. You should look at driver education
 - The council should focus on road surface quality and signage, very much overlooked by you at the moment, and leave to the police the traffic enforcement. This law is wrong; enough with trying to squeeze people for money, especially now. Try education, not punishment.
 - How will yellow box fines resolve the traffic within the town! They are in the box because of the poor systems you have in place already! A solution should be made for that before thinking g about fining the public!
 - Because you need to Actually fix the roads Put traffic calming measures in place so traffic can flow better Improve road layouts Doing what you leeches suggest is just a way for you to increase your own revenue so you can spend peoples hard earned money on things you lot don't need
 - I am sick to the back teeth of Medway Council dressing up road enforcement as safety measures. When in reality all they are is additional taxes on the motorist. More surveillance and more PCN generation are what you aim to create. I am disgusted with Medway Council. I have lived in Kent for 20 years. When I moved here it stood up to its name as Kent being the 'garden of England', and I have just watched the place become a hole. Now in the midst of a cost of living crisis you want to heap more financial oppression on people. You, policymakers are an absolute disgrace.

Moving Traffic Offences Survey

- I do with moving traffic enforcement powers one or two location in Rochester were I see most days people breaking the traffic law bottom of star hill people turning out of Rochester high street going towards Chatham turning up star hill around the school in watts Ave, st margets street parking when the school come on in the evening time
- As far as I can see, there is no explanation how the revenue received will be used. The perception, in my opinion, will be that it is another stealth tax or general revenue stream for Medway Council. This at the expense of hard hit motorists as anyone can make a genuine mistake. If it is franchised out to a private organisation to run for Medway Council it would be draconian in its implementation as it would have a legal responsibility to its share holders for a long term profit.
- I agree with all of them except that relating to yellow box violations. This is because not all of them are clearly marked. Not all of them are in the right place to affect traffic flow. Sometimes it looks as though you can enter and exit OK but something happens to prevent your exit OR sometimes if you do not enter you will never get to the other side.
- You are planning to do nothing about the real problems on our roads caused by misbehaving cyclists and e-scooter riders
- This is nothing about safety, it's to generate income from motorists.
- I am not sure but you do not give that as an option.
- There are other more important subjects to tackle in regarding to our roads which are ongoing like pot holes, resurfacing, ticketing parking on double yellow lines, parking on the pavement, stopping illegal escooters, quad bikes and motocross bikes using the roads and actually attending to calls when somebody is blocking access to their driveway.
- As the Council state these offences are currently, fairly, enforced by the police and the Council is not an appropriate body to duplicate this and as shown by its parking contractors is incapable of running a reasonable system and declines to take any responsibility for its contractors errors.
- The remit of the council as a unitary authority is wide and far reaching, already the council is stretched in delivering its services. I believe it should concentrate more on delivering its present services and leave these enforcement of moving traffic to the police whom already have the relevant powers.
- I think most are a good idea but the box junctions I am not sure about. You can enter a box looking ahead and seeing there ought to be room for an exit but some drivers choose to stop with a huge gap and therefore you can be left half in a box. I believe it will cause more problems than solutions because lots of people will not enter for a right turn afraid of a fine and the tail backs will huge
- Yellow boxes particularly are an issue as sometimes you may have to move forward into yellow box in order to let emergency vehicles pass through, but by doing so you would get penalty notice, even though in that split second you were trying to allow emergency vehicle to pass you, particularly in area round fire and ambulance stations. also some one may stoop suddenly in front of you, then you are stuck in yellow box even though when you entered it, it looked as if traffic ahead of you is moving steadily. so its not your fault you are in box if you thought at time exit was clear.
- I do not feel this is a major issue in Medway

Moving Traffic Offences Survey

- The usual "safety" arguments do not apply. This is just another scheme to move money from the pockets of ordinary people to the public sector which already takes most of our money in taxes and other scams.
- Because Medway Council will just use the Camera's as an income revenue source rather than because they actually care about Road safety.
- Stopping in yellow boxes is not what's causing the problem. It's another way to raise money from motorists. More thought should be put into affordable public transport then perhaps people would be more inclined to use it, but all the time it's cheaper to use a car than it is to get on a bus, there will always be a problem. Add to the fact that houses are being built on every spare bit of land but no additional road improvements to go with it, yellow boxes are not even on the list of problems in medway.
- Not happy with council's undertaking traffic enforcement just to raise funds.
- Because you should be focusing on improving open spaces giving us better quality of life instead of trying to take on laws that are out of your purview just to make a quick buck from motorist, you are here to manage and improve not force money from common folk , in stealth taxes e.g. parking permits for parking on public roads , between pot holes, and fines, you work for us so give us our quality of life and stop over reaching and costing us money look inside your offices to save our money
- This can be enforced through the current systems in place. It also infringes on the individuals privacy.
- Targeting motorist again
- Money should be better spent
- The yellow boxes are often in poorly designed traffic light locations where traffic builds up further down the line and it is not possible to see if you have the room to progress or not. If anything the design of roads and traffic lights should be a priority, not fining people who have made a legitimate mistake as they cannot make an informed decision as to whether they have the room to move forward or not.
- The money spent on these cameras could be put to better use like improving the layouts of roads and easing congestion that way. ANPR have their uses but in this instance I don't feel it would improve congestion as there will always be congestion if road infrastructure doesn't keep up with the amount of cars on the road and new housing estates.
- It is not needed or wanted by any Medway Resident.
- Unfortunately there will always be congestion on roads as the amount of new builds being authorised in medway means more traffic and no infrastructure to cope . This is just another tax that has already been implemented in London, has it improved traffic flow in London?,in my opinion NO,will it improve traffic in Medway?NO
- Just a way to make money
- As always it is reactive. You need to help reduce the amount of vehicle journeys, not just treat drivers as a source of extra funding. You are using intrusive technology and targeting the wrong areas.
- Sometimes stopping in yellow boxes cannot be helped due to other inconsiderate drivers and it seems unfair to penalise drivers for this.

Moving Traffic Offences Survey

- It's another money making scheme for the council. However, you will refuse to put this money towards improving the quality of the roads we actually drive on and ignore the major problems within the Medway Borough
- Yellow box cameras can often catch people unfairly and are not as clear cut an offence as speeding. I drive around the towns a lot for work, I rarely see people driving down no entries/no right turns. I do not think these measures will reduce congestion, just fine unwitting motorists. These cameras will make driving in medway feel more like driving in London.
- This is just money grabbing rubbish and will not stop actual criminals from doing what they want as they will have altered the numberplate or not registered it
- I resent and object to the continuing emphasis on mass surveillance by the authorities as I have no control over the use that the Council will make of my personal information. Undoubtedly, this APNR system will become the thin end of the wedge and once installed, even more intrusive mass surveillance systems will be introduced. The traffic problems in the Medway Towns are caused by the Council's insistence on implementing ridiculous road 'improvements' which make matters far worse such as the insane new bus station opposite the Pentagon. This system is clearly being implemented by the Council as a revenue-generating measure and will cause a huge number of complaints, as the motoring public objects to being taxed in this way. The best way to reduce traffic levels and accidents in the Medway Towns is to ban ICE vehicles from city centres completely and invest in better public transport - ie more frequent buses - more 'park and ride' schemes and more EV charging points. Whoever has proposed this ridiculous idea - doubtless employed by the Council clearly has too much time on their hands and is obviously skiving at home on some Council-approved 'working from home' scheme. I would rather the Council reduced management head count by 75% and cut the council tax accordingly.
- This will not reduce traffic or improve safety it's just another money making scheme aimed at the motorist
- Disappropriate use of powers. Public is already being hammered by high costs. This is another way to make life more difficult.
- The areas and issues are not major problem areas. I drive some of these every day and these are not problems areas as far as I see. Where would the money go?? You should concentrate on repairing the atrocious state of some of these roads and do more to monitor the joke contractors currently digging up the same areas time and time again
- The whole traffic situation in Medway needs looking at, this will not achieve anything. It is just a way for the council to make easy money. The council should represent its residents, but it seems not to listen to anyone.
- make normal roads please. You going easy way by putting cameras which is not a solution at all.
- Cars getting stuck in yellow boxes or tyres edging in is a money making scheme , ppl are suffering enough already without huge debts , concentrate more on drivers on phones
- The government makes enough money from motorists!
- More roadworks for these installations which creates more congestion. Especially, with the ambulances from Medway Hospital, how are they meant to cut through the traffic. Might be easier to reduce

Moving Traffic Offences Survey

congestion for people who need it e.g. First responders, and you can make first responder only lanes so other road traffic will not need to move out of the way of already congested Gillingham

- not necessary action needed it will cause more accidents than prevent them
- This just seems like another way of getting money from motorists and won't really do anything. There are more important things medway council should be doing like cracking down on anti social behaviour rather than picking on motorists as easy targets again who already give more money to the council in high car park charges.
- This is not what the focus of the plans should be. Potholes are a massive problem that needs addressing. The congestion problem is rooted in the one way system that shuttles cars into a convoluted route around the town as opposed to allowing them to cut the circuitous route by going past the bus hub outside Pentagon. If these were moved closer to the Pentagon, there would be room for a thoroughfare which would alleviate this problem. There needs to be a strategic rethink in how you propose to allow traffic through Chatham without forcing it through choke points which causes traffic jams.
- Medway council needs to keep and maintain their roads in good condition first before planning to give penalty charges to already frustrated drivers
- These are really only about revenue generation and not safety. I have previously made suggestions to improve safety around schools where cars park illegally. They were ignored.
- This is not the time to be handing out more fines! The public are already struggling with the cost of living, along with the increased fuel prices. Maybe this could be introduced once the situation has calmed down.
- The money would be better spent on repainting road markings which are fast disappearing and making roads more dangerous.
- Another tax under the guise of safety. We don't want to live under constant surveillance and control.
- More China style state control in an already overly camera/spying regime.
- Getting caught in some of the box junctions is hard to avoid, especially at peak hours. The one beside the bus stops outside Chatham Station, for example. To avoid it requires judging whether the two car space between it and the traffic lights is likely to be filled or not. I can understand that it could be quite profitable but motorists do try hard to avoid getting stuck in the box. Does the plan to monitor it mean that anyone touching their brakes so as to avoid running into the back of somebody is liable to be fined as is the case in various London junctions? I quite understand that there is a desire to provide funds, for example, to restore bus services to villages such as Burham and Wouldham, but this is not, in my opinion, the way to do it
- Medway Council are only seeking to implement changes to dishonestly and unfairly tax motorist in another extortionate scheme to help pay for your unbelievably undeserved salaries. Medway Council leaders are not fit for purpose and out of date with how to provide for its constituents and this is clearly another scheme to extort money from residents
- Simple mistakes that aren't done on purpose will be punished when there is no need such as stopping in a hatched yellow marking area when it could have happened just by an error of judgement

Moving Traffic Offences Survey

- This appears to be a money making scheme as opposed to improve road safety.
-
- The traffic is not bad as in London and I believe the Cost of living high at the moment and we don't need extra spending on cctv cameras. It's so many other things that have to be solved in Medway, road are bad and some street impossible to drive on them. We pay road tax for nothing and you guys want to spend money on cameras.
 - I think there will be too many innocent people just making a mistake who have to pay a fine in a time of great hardship
 - In the current financial crisis it would be harder on the residents of medway to afford the enforcement, and the council should consider alternatives before fine enforcement
 - Most of the congestion issues have been caused by the councils traffic planning and not the drivers.
 - Fining people during such a difficult time (cost of living) is reprehensible.. it targets unfairly and disproportionately the poor. The congested roads around medway are particularly hard to navigate, particularly when the dynamic nature of traffic can cause the unexpected (being stuck unexpectedly on a yellow box) for instance. Medway council should instead focus their efforts on taking other forms of 'crime'. Rather than going after soft targets such as motorists.
 - We seem to be the most watched country in the world. Worse than Nazi Germany. Time it ended. Let us start now.
 - My concern is that often people can get unfairly caught out in box junctions where the car in front leaves a large gap or doesn't move with the traffic. I also do not think that the policing of these things will have a significant impact on traffic and could resulting unfair penalisation of drivers at a time when the cost of living and petrol are increasing largely. I think there may be more effective ways of improving the traffic around medway, especially through capital investment in public transport.
 - It's a money making scheme and you will abuse the power that it gives you. You will issue loads of tickets for trivial offences, claim that as a success, and do nothing to improve safety or reduce congestion.
 - Look at the programming of traffic lights as this is a major issue. In Chatham town centre and Rochester through to Strood particularly there are too many sets of lights which are all out of synchronisation. This leads to increased congestion. The idea to enforce things like yellow box and no right turns is simply to make more money from motorists.
 - I trust that the majority of drivers will use common sense. The measure proposed will only serve as a money grabbing exercise.
 - Just revenue collection. Try actively patrolling areas of bad parking. Yellow line enforcement. Not just putting up cameras. Open up the route to Gillingham via bus terminal instead of creating traffic jams forcing every one along new road and be Brooke and Brooke street up to new road. You moan about traffic jams you caused them and now want to penalise the motorists
 - I have seen no assessment of the rationale for prioritisation of this action versus others Medway Council could be taking to positively impact the wider community. Medway Council could be using similar ANPR technologies to enforce an ULEZ strategy for Medway benefiting many thousands, rather than the few impacted by the proposed enforcement measures. Let's see the cost / impact / benefits assessment of this proposal to judge why it deserves to be prioritised.

Moving Traffic Offences Survey

-
- Because it's not about it's about making money, there's a lot more important things to attend to before embarking on this!
 - Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
 - I would like to see more focus on speed cameras across Medway e.g. Princes Avenue In Walderslade

Moving Traffic Offences Survey

Do you agree with our plans to enforce ‘no motor vehicles’ restrictions on Gillingham High Street to improve pedestrian safety? (Please select one option only)**What are your main reasons for disagreeing with our plans to enforce ‘no motor vehicles’ restrictions on Gillingham High Street to improve pedestrian safety? (Please write in the box below)**

- This will stop businesses operating in their current form during silent / quiet hours
- No discrimination for valid access
- See previous response
- Just another way for the council to get money out of people.
- I would agree but only if you have in fact talked to and got all the shops on board with this before hand, the high streets are struggling enough with online sales if this is just going to make shopping harder your doing them no favours, however if they are the ones pushing this and not the funding / fines department that may be different
- With declining high street trade, it would be nice to allow easier access to shops.
- As per my previous response
- Same as before. Money making scheme for you
- See previous answer-blatant tax on motorists.
- Physical barriers should be used to segregate traffic from no traffic areas, or temporary barriers to allow deliveries
- See my previous comment.
- Unjustified
- Use bollards, not cameras
- What about the market you are taking them away from town! What about deliveries??
- There isn't a problem on Gillingham high street. In 20 years I don't think I have seen more than 2 random cars on the pedestrianised part of the high street and they seemed lost. If you really wanted to stop vehicles you could put automatic bollards to allow the business to get in and out. There is absolutely no need for road enforcement. It is sheer profiteering at the expense of the motorist.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders

Moving Traffic Offences Survey

- The Council has a proven track record of failing to act responsibly in such matters and will only be interested in obtaining income not in residents safety.
- More congestion on side roads
- Because it is just another way of taxing and fining us for everything we do. Leave us alone.
- It will add to congestion
- Not needed, wasting money that could be spent elsewhere
- No vehicles go there
- If you could provide details of how many casualties there have been on this stretch of road I would be able to give a more detailed response.
- Do not know the area

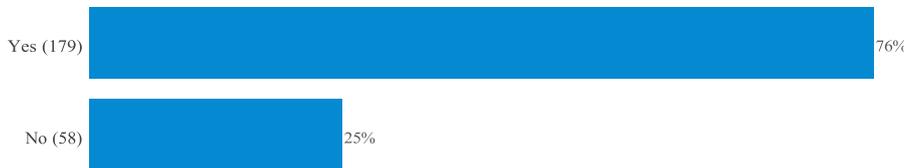
What are your main reasons for disagreeing with our plans to enforce ‘no motor vehicles’ restrictions on Gillingham High Street to improve pedestrian safety? (Please write in the box below)

- A no motor vehicles restriction will impact local shops and businesses. This will have a long term effect on business. I feel a restricted time zone would be better off. For example no motor vehicles at peak times
- I've never felt unsafe on Gillingham high street due to vehicles and see no need for cameras other than to fine unwitting motorists.
- Business need access to premises to load and unload delivery
- Yet again . Make normal roads.
- It will kill the businesses
- It is okay how it is, no problems
- Because no motor restrictions on Gillingham high street will cause further distress to drivers who would now drive longer distances to get a rather short place
- Per previous answer
- Money should be spent on cleaning the high street as it is an eyesore !
- Unlawful surveillance and breach of privacy
- It's safe even with vehicles
- Are people who have to have access, disabled and vulnerable
- Need to know more about access for people with mobility issues.

Moving Traffic Offences Survey

- Parking provisions should be made freely available and cheap, before removing vehicle access to local businesses
- Traffic needs to move on our roads. People need to walk on pavements.
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
- Haven't seen much rule breaking here

Do you agree with our plans to enforce the 'no motor vehicles' restriction on Rochester High Street on Saturdays to improve pedestrian safety? (Please select one option only)



What are your main reasons for disagreeing with our plans to enforce the 'no motor vehicles' restriction on Rochester High Street on Saturdays to improve pedestrian safety? (Please write in the box below)

- Similar comment
- No discrimination for valid access
- Residents have no choice to use high st to access/leave their properties; they are currently allowed to do so. The high street from Almon Place to Star Hill IS NOT restricted on Saturdays; this will need to continue; otherwise Almon Place Carpark will not be used during the Saturday Closure. Instead please consider enforcing the no left/right turn for traffic at junction of Boley Hill and High Street 7 days a week. Cars frequently turn here.
- Just another way for the council to get money out of people
- Isn't that busy to need to be pedestrianised
- Maintaining a list of vehicles allowed in seems too complicated for urgent cases.
- Its all very well making a vehicle exempt that is visiting an affected business but what about the passing traffic which many businesses need to attract to stay profitable? Based on your plans there is no incentive for a business to stay in an area where they are paying premium business rates as their business will lose all its passing casual trade. Consequently those that are able will move to less desirable locations where business rates are lower and free and easy parking is available
- Money making scheme rather than focusing on the correct matters. Police always down there and take action so Medway council obviously needs the cameras there to make more money and spend it on nothing

Moving Traffic Offences Survey

- See previous replies
- do it for everyday not just Saturdays
- Rochester is hard enough now to gain access to drop stuff off to shops deliveries etc enforcing it will effect businesses
- See initial comment.
- Unjustified
- Same as previous, use bollards, if there is access one could enter despite the cameras, so no safety, just more costs for the taxpayer
- To get between carparks and searching for parking it is often required to drive up the high street rather than consuming more fuel to go up star hill and come back down
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
- There are some businesses in this area, i.e. charity shops, where you would need to briefly stop outside to drop off donations that are too heavy/bulky to carry from any of the car parks. People who work would only take their donations on a Saturday.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- Whilst I agree with the enforcement the Council is not an appropriate body.
- Unnecessary, access is already blocked other than for resident/business access.
- Because this is just an excuse to impose another stealth tax.
- This will massively add to congestion in the local area the plan is backwards
- Not needed waste of money that could be used to improve potholes and public amenities
- The funds to be used for this project can be better channelled to support other more pressing issues in the community.
- People change cars all the time. This is additional admin for businesses. Just put a speed limit in place. Event days are different this is fine. Not in general.
- It is not wanted or requested by any resident

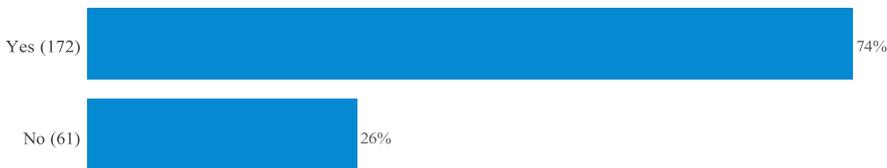
What are your main reasons for disagreeing with our plans to enforce the ‘no motor vehicles’ restriction on Rochester High Street on Saturdays to improve pedestrian safety? (Please write in the box below)

- Please see previous response to Gillingham high street
- If you are going to have a 'no motor vehicles' it should apply to everyone or no one at all
- Saturday is a popular time and refusing entry to cars will cause more congestion around the high street making it more inconvenient for members of the public
- This will cause issues for services such as plumbers who attend emergency jobs like major leaks and blocked drains that need equipment nearby. As a plumber this is why I refuse to go anywhere near London, and why those I know that do, charge a lot to do so. These sorts of punishments/restrictions/conditions on driving always push up prices for those that require services. This will harm commercial business and residents. Also I have never noticed a particular issue with road safety o Rochester High Street.
- Need to drop off and pick up people and deliveries
- Have you tried to make roads?
- No it will ruin businesses
- The Sunday is fine, not needed on Saturday
- Required access alternatives do not exist...what is your proposal for that? Unless you have one we are stuck with the status quo
- This would cause some confusion and trouble for both pedestrians and drivers
- Per previous answer
- This would become an issue for me getting to work. Unfortunately, computer errors happen and I can't afford to be fined for traveling to work.
- Rochester high street is now mainly filled with charity shops ! . So on Saturdays there will be less tourist and visitors so therefore no point .
- Signs are sufficient. There's no need for additional cameras.
- Unlawful surveillance and breach of privacy
- It will be a struggle for any one who have to be drop off or pick up from the High Street
- Rochester high street is not just a high street but you must recognise it is a road as well with lots of off roads and again midway council has the ability to close of the high street when needed so why would you decide to not do that and move to enforcement again the council should look at all alternatives like barriers that can close if the Highstreet is needed to close

Moving Traffic Offences Survey

- When the high street is closed in Rochester, it causes tailbacks which result in many delays.
- Roads are for traffic. Pavements are for pedestrians. Drivers are not always the Problem. Ban pedestrian s from walking around with a mobile and not knowing what day of the week it is..
- Drivers use the high street for very valid reasons.
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
- Not a priority

Do you agree with our plans to enforce the right turn ban to Orchard Street from the A2 High Street Rainham to tackle congestion on Medway’s roads? (Please select one option only)



What are your main reasons for disagreeing with our plans to enforce the right turn ban to Orchard Street from the A2 High Street Rainham to tackle congestion on Medway’s roads? (Please write in the box below)

- This will add journey time and increase pollution due to additional driving as well as stopping and starting of vehicles. Furthermore this will push more traffic into residential areas and put more people at risk
- How does this tackle congestion ? Higher risk making turn through car park. Traffic stationary at most times in high street.
- It is in close proximity to traffic lights and therefore pointless
- Just another way for the council to get money out of people
- Isn’t a big issue and doesn’t create congestion
- No one obeys the sign anyway and sort the traffic lights out before even enforcing stuff. Congestion is caused by traffic lights only letting 1 car at a time through
- The roundabout you would need to use to turn around further up the a2 is too tight to fully go around and reversing on a roundabout is far more dangerous
- Repair road(s) first
- I cannot see that there is a requirement for this to be applied and how this would improve traffic flow. Is there a sufficient number of Vernice turning right to warrant any form of enforcement? It also allows access to the car park without turning right at a much busier junction at the top of station road

Moving Traffic Offences Survey

- I have made this mistake in the past. A lorry blocked the sign and the road was clear. Only after the junction did I see the sign. I know now but I would have been charged for this clear accident. Perhaps place a barrier to force people round is a cheaper and better long term alternative here.
- need access to gain access to shops and business will be effected
- Unjustified
- It's a cash grab and people turning right there don't hold up traffic as much as you say
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
- This will create more congestion and restrict movement and cause vehicles to take alternative routes along residential roads
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- Again, I am not sure but you do not give such an option.
- As previous comments - Council is not an appropriate or capable body.
- it happens rarely
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off.
- It's not a huge issue
- Not needed, spend the money on improving junction and roads
- I don't understand why banning a right turn here will help ease congestion?
- This would simply cause problems for residents
- I use this junction regularly and have only seen 1 driver in last 5 years carry out this manoeuvre what a rebel let's fine him £100 for being a fool. You could just oppose new builds in Rainham then voila no more extra cars, congestion stays as it currently is. My family and friends also believe you are the problem not the motorists you want to tax.
- The use of intrusive technology is not acceptable
- no importance
- There is no valid reason for to be no right turn anyway
- Far better to allow the current system to continue
- I hardly ever have seen this occur and I drive this route twice daily

Moving Traffic Offences Survey

- other route will cause more congestion
- Make roads...
- It's pointless
- Per previous answer
- There should not be a ban on turning right in the first place .
- There are already signs to enforce this. Cameras are not necessary.
- Unlawful surveillance and breach of privacy
- Traffic in Rainham is moving smoothly and I don't see no reason to have no right turn. People give way , always give way for doing right.
- Innocent mistakes will be costly in this time of hardship
- Traffic will resolve its own problems. Congestion is not 24/7.
- Never have understood why people cannot turn right here but can cut through the car park to turn right?
- Please let's see the data to support this as a serious concern of Rainham. The biggest issue in Rainham is the congestion caused by permitting the building of hundreds of additional houses in the Lower Rainham and Otterham Quay areas and not a right turn into Orchard Street.
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
- A difficult junction, believe some people just continue , then turn right up to Cricketers pub car park, then cut through there ? Also difficult to turn right from orchard Str onto the A2 due to traffic flow , so not sure .
- Not a priority

Do you agree with our plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads? (Please select one option only)



Moving Traffic Offences Survey

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads? (Please write in the box below)

- Yellow box infringements in general should not be enforced by cameras.
- The traffic lights currently installed work sufficiently , you are only adding this to raise additional cash from motorists
- No yellow box cameras catch innocent people out, we are not London don't need it
- No consideration for distance. Delays will increase.
- Rarely an issue
- I think that many of the yellow boxes painted in Medway are in the wrong position. I believe they should be painted to prevent blockages on the main thoroughfare i.e. in most of the listed cases, the A2 - but in many cases what the existing yellow boxes do is actually to give priority to motorists entering from the side roads
- Poorly designed junction and traffic light timings, so if all vehicles kept yellow box clear, one or more directions would hardly ever move, causing worse congestion.
- Just another way for the council to get money out of people
- Because it does not speed up traffic. Just produces revenue.
- These things with only camera enforcement rather than in person always end up catching people doing no intentional wrong and that is the point people intentional doing it no bad signage or unforeseen traffic stopping while going through them
- Same as last answer
- You're a disgrace
- Can be a stuck in queue too long to get across. Sometimes you need to move to allow emergency vehicles through ie mainly ambulances.
- Repair road(s) first
- The priority flow should be on Canterbury street as that is the busier thoroughfare. The box junction simply disrupts the flow and encourages people to stop in the box markings making it a guaranteed income
- because no one will take any notice
- Cash maker, unclear road markings.
- Most drivers conform to the yellow box rules but on occasion can find yourself partially in a box.
- Unjustified

Moving Traffic Offences Survey

- The police should do it
- It's a cash grab
-
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads? (Please write in the box below)

- It is all too easy to make a genuine mistake. A penalty could make cars break suddenly and increase the likelihood of an accident.
- Reasons already given for not wanting to enforce yellow box restrictions.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- Again, I am not sure but you do not give such an option.
- As previous comments - Council is not an appropriate or capable body.
- I do not agree with enforcement of yellow box restrictions, often cars pull forward as traffic ahead is moving only to find that they are stranded on a yellow box unexpectedly as cars ahead have not pulled forward sufficiently (even though often space is available).
- See previous answers but mainly you can end up with an enforcement notice because you cannot account for previous drivers over cautiousness and where they will stop. Also the entering to turn right and waiting could get you a ticket but you are allowed to enter and wait until it is clear to turn right
- this is a busy junction but as stated previously you may sometimes need to move into yellow box to let emergency vehicles through, or person in front of you may stop unexpectedly, leaving you stuck in yellow box when you thought exit was going to be clear when you entered it.
- I am not aware this junction has had a problem with accidents
- It's a badly designed junction and the right turn lights are not clear in their operation. Box junctions don't fix bad road layout.
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off. You are supposed to serve the public, not tax them into poverty.
- People stopping in the yellow box does not really A. Occur that often or B. Add to congestion
- It's just a way of raising funds
- Not needed, you just need to improve junction traffic lights and it will take care of itself, plus a lot of restrictions make things worse. There are more cars and our roads were not built with this in mind, so

Moving Traffic Offences Survey

derestriction's are the way to go and a long term plan put in place rather than a way just to get extra money from motorists

- The traffic turning right are allowed to wait inside the box for turning according to the highway code. Maybe traffic going up the hill but this can be controlled by the lights at the top of Chatham hill.
- It's easy to get stuck slightly in the box and fining minor infractions is unfair
- This is a waste of resources.
- Your proposed use of intrusive technology is unacceptable
- As stated previously.
- Yellow box restrictions can cause over caution and result in congestion. They can also catch out drivers through fault of another. No yellow box cameras in Medway please. Horrible for driving and do not solve congestion
- Pointless exercise
- Its a revenue raising measure and the motoring public resents being taxed in this way. It will have no effect at all as generally motorists observe the yellow box regulations at present
- It won't reduce congestion
- Too much traffic can lead to being stuck at junctions when road is still congested after the yellow box when it's your turn to go. Should aim on helping traffic flow to reduce need of traffic in towns along the
- A2
- The poor timing of the lights is more an issue
- Same as last reason

Moving Traffic Offences Survey

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the junction of Rock Avenue and the A2 to tackle congestion on Medway's roads? (Please write in the box below)

- Make roads.
- Sometimes cars might have no option but to stop
- It doesn't need it
- If we have to move for ambulances, we might have to move into the yellow box, which means we're going to get fined
- Traffic can stop all of a sudden when you are approaching box so sometimes you can not avoid being in box
- Per previous answer
- It's easy to misguide the space available. Especially if another car overtakes you at the last minute, leaving you stuck in a junction box.
- The majority of drivers are using the yellow box restrictions with no problem
- Signs are sufficient. We don't want number plate recognition cameras.
- It simply is not the solution.
- Motorists do try hard to avoid getting caught in this box but it does sometimes happen
- Unlawful surveillance and breach of privacy
- The yellow box is huge and perfectly safe to be in areas of it along as you're not sat in the middle
- Again more about money making then safety.
- Better solve the traffic lights timing instead
- Making an innocent mistake will result in a fine for already hard up people. Now it's not the time.
- No, do not financially punish drivers for poor road layouts.
- Refer to last answer.
- The council needs to prove it has done everything to ensure that the vehicles breaking the rules had no other options. Better traffic management, before and after the junction, better adjustment of traffic light phasing, before and after the location, longer red signals etc. A full survey before and adjustments and the same after.
- Will generate money which will not be put back into the roads and is easy to put a camera there then look at traffic light phasing. It's a lazy approach.

Moving Traffic Offences Survey

- Just money collection. Will not solve traffic issues caused by council planners
- Without enforcing anti-idling measures this will just make the air pollution worse for those living down Rock Avenue.
- As I said previously
- Not needed on a complicated junction

Do you agree with our plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junctions with Ash tree Lane and Canterbury Street to tackle congestion on Medway’s roads? (Please select one option only)



What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junctions with Ash tree Lane and Canterbury Street to tackle congestion on Medway’s roads? (Please write in the box below)

- Yellow box junctions should not be enforced by cameras.
- The traffic light currently installed work sufficiently and you are only proposing this to raise additional cash
- No yellow box cameras catch innocent people out, we are not London don’t need it
- Ash tree lane will gain priority into junction and defeat purpose. What evidence do you have for the need to maintain a clear path at this junction ? The length of the yellow box will cause delays due to decision making over the distance.
- Rarely an issue
- I think that many of the yellow boxes painted in Medway are in the wrong position. I believe they should be painted to prevent blockages on the main thoroughfare i.e. in most of the listed cases, the A2 - but in many cases what the existing yellow boxes do is actually to give priority to motorists entering from the side roads
- Poorly designed junction and traffic light timings, so if all vehicles kept yellow box clear, one or more directions would hardly ever move, causing worse congestion.
- The road requires redesigning rather than this enforcement.
- Just another way for the council to get money out of people

Moving Traffic Offences Survey

- Because its not a pr area just one that the council want to obtain revenue from. Try harder and enforcement of stationery abuse of yellow lines like parking double parking on Watling Street
- These things with only camera enforcement rather than in person always end up catching people doing no intentional wrong and that is the point people intentional doing it no bad signage or unforeseen traffic stopping while going through them
- Same as last answer
- Sort the traffic light timings and sequence out then there will be no traffic you pricks
- Repair road(s) first
- Although busy this could be managed with better traffic light management
- As before.
- Most drivers conform to the yellow box rules but on occasion can find yourself partially in a box.
- It rarely causes any actual issues when I have spent years commuting through here.
- Unjustified
- The said junction has the worst traffic lights synchronisation I have ever seen, that problem should be solved first. The enforcement would contribute to the congestion and won't help the drivers.
- Another cash grab

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junctions with Ash tree Lane and Canterbury Street to tackle congestion on Medway's roads? (Please write in the box below)

- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
-
- As my last answer
- Reasons already given as before.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- Again, I am not sure but you do not give such an option.
- As previous comments - Council is not an appropriate or capable body.
- I do not agree with enforcement of yellow box restrictions, often cars pull forward as traffic ahead is moving only to find that they are stranded on a yellow box unexpectedly as cars ahead have not pulled forward sufficiently (even though often space is available).

Moving Traffic Offences Survey

- See previous answers - people get confused and then get hesitant and then could cause more accidents
- same as for Rock avenue previously
- The way the signals operate at this junction is the problem and I am not aware this junction has had a problem with accidents
- Another appallingly designed junction. It is completely unclear that the traffic light controlling the route west on the A2 actually applies to traffic going in that direction. Any congestion or safety issues here are completely due to the decision to allow right turns into and out of Ash tree Lane and the poor way this was implemented. Simply, there is not enough room on this road for the current junction. Box junctions should not be used to fix poor road layout.
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off. You are supposed to serve the public, not tax them into poverty. Why should we pay the outrageous salaries and pensions of people who make our lives worse with all their interference and rules and regulations?
- Doesn't add to congestion. Ironically people stop in the box because of congestion
- Fund raising exercise
- Not needed, put the money to better use buy improving the junction and re adjusting traffic lights as too many to close together clarify the lane markings, the junction is to small for volume of cars, so instead of charging the motorist in fines do your job to improve junction so it flows and can accommodate the rising number of cars as more housed get built
- Unfair fines for minor infractions
- This stretch of road is poorly designed and is always backed up as a result. Putting boxes will give the council a lot of income from fines but it won't stop the problem
- There is never any problems here, so no cameras required
- This is poorly operated junction which due to traffic light changes and varying levels of driver ability means you will be able to tax a lot of people here. Here's a novel idea for you ,you could spend some money to improve junction or is that what proposed tax is for?.
- Your proposed use of intrusive technology is not acceptable
- As stated previously.

Moving Traffic Offences Survey

- I disagree with yellow box junctions, they are not fair. Also I rarely see issues at this yellow box even during busiest times
- Pointless exercise

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the A2 Watling Street, Gillingham at the junctions with Ash tree Lane and Canterbury Street to tackle congestion on Medway's roads? (Please write in the box below)

- It will have no effect at all on traffic movement and will cause huge resentment by the motoring public at being taxed in this way
- Too much traffic can lead to being stuck at junctions when road is still congested after the yellow box when it's your turn to go. Should aim on helping traffic flow to reduce need of traffic in towns along the
 - A2
- Improve light timings
- Same as previous reasons
- Make normal junctions.
- Sometimes cars might have no option but to stop due slow cars Infront
- Waste of time and money
- There are only 2 lanes and you cannot see if you have enough space for your car unless you go past the traffic lights. Then you have to stop in order to not go into the yellow box, but then you cant see the traffic lights so you don't know when you can go
- It's a very busy junction and box is to close to traffic lights
- The small box junction although necessary with the current road design will unnecessarily penalise drivers. This is too easy to misjudge and result in enforcement action. Give your plan to alleviate this please.
- Per previous answer
- Boxes are too close together, people will be caught out due to light phasing not set up correctly
- The majority of drivers adhere to the signage , and so no point

Moving Traffic Offences Survey

- No more cameras. Signs are sufficient. We don't want all e extra surveillance and intrusion.
- As stated already.
- Another junction where motorists do try hard not to get caught in the boxes
- Unlawful surveillance and breach of privacy
- Money making not safety

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway’s roads? (Please write in the box below)

- The problem is the traffic lights timing
- An innocent mistake will result in a fine which many people will find hard to pay at this difficult time.
- The amount of traffic light are more of an issue here.
- refer to last two answers.
- The council needs to prove it has done everything to ensure that the vehicles breaking the rules had no other options. Better traffic management, before and after the junction, better adjustment of traffic light phasing, before and after the location, longer red signals etc. A full survey before and adjustments and the same after.
- Same as rock avenue. Easy way to make money and is lazy. This will add to congestion as the box is large and people the space in between the traffic lights from ash tree lane and the A2 is small. People will be getting fined on a regular basis. Spend the money on looking at traffic light phasing.
- The area is busy and there should be other productive ways
- Not going to help traffic just collect money
- Ditto
- Not often abused here

Do you agree with our plans to enforce the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway’s roads? (Please select one option only)



What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway’s roads? (Please write in the box below)

- Yellow box junctions should not be enforced by cameras
- There is no need for this introduction in this area and the only reason you are introducing it is to raise extra cash

Moving Traffic Offences Survey

- No yellow box cameras catch innocent people out, we are not London don't need it
- Too far to enable decision making to be effective position of lights prevent east of movement. Would be better to bring light further up hill
- Rarely an issue
- I think that many of the yellow boxes painted in Medway are in the wrong position. I believe they should be painted to prevent blockages on the main thoroughfare i.e. in most of the listed cases, the A2 - but in many cases what the existing yellow boxes do is actually to give priority to motorists entering from the side roads
- Poorly designed junction and traffic light timings, so if all vehicles kept yellow box clear, one or more directions would hardly ever move, causing worse congestion.
- Just another way for the council to get money out of people
- Because its not an issue the issue is the road layout and traffic signals that give no alt other than never get out of the junction
- These things with only camera enforcement rather than in person always end up catching people doing no intentional wrong and that is the point people intentional doing it no bad signage or unforeseen traffic stopping while going through them
- Same as last answer
- The box junction is very long relative to the distance to the traffic lights.
- Sort the traffic lights out first
- No you can get stuck in no man's land and not sufficient space for vehicles to come across from Gibraltar hill so you end up blocking else you would never get across
- The proximity of the two sets of lights as you head into Chatham will unfairly punish drivers caught in the middle, better management further round towards new cut would help
- because no one will take any notice
- As before.
- Most drivers conform to the yellow box rules but on occasion can find yourself partially in a box.
- Just recently there was a clear flow of traffic and then 2 cars, including my own got caught in the amber light and there was not much we could do because it appeared that there was the time and space to consider. To get round this problem I would recommend long term solution to make the box longer to make the thought process clearer and provide a longer amber light to make awareness for the drivers. It is also a stupid place to put a bus stop and flow near a known very busy traffic route.
- because no traffic never move on most drivers are sensible but sometimes you end up in the box regardless

Moving Traffic Offences Survey

- Unjustified
- Better traffic lights would help there too.
- Cash grab
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
- if the light change need put in place to work so traffic flow a round the by wick and down railway street better so and the station as well block up at peak times
- As my last answer
- Reason already given as before.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- As previous comments the Council is not an appropriate or competent organization.
- I do not agree with enforcement of yellow box restrictions, often cars pull forward as traffic ahead is moving only to find that they are stranded on a yellow box unexpectedly as cars ahead have not pulled forward sufficiently (even though often space is available).
- this is a crazy junction with limited visibility if you come down Gibraltar Hill, and quite risky to negotiate. Better phased traffic light control in the whole junction area would be safer for everyone
- The traffic lights are the issue when you are joining the A230 there is only room for one car so if a vehicle is coming up the road from the town it blocks your entry to the lights
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off. You are supposed to serve the public, not tax them into poverty. Why should we pay the outrageous salaries and pensions of people who make our lives worse with all their interference and rules and regulations?
- Doesn't solve congestion issues
- Gives priority to a private company
- Fund raising exercise
- Not needed just improve junction and traffic light setup to allow traffic to floe better also move bus stop
- I would say yes but the only lights going down Maidstone roads change in an irregular pattern. I e. You can pass the first one in the flow of traffic and the second one will change and you have no were to go. Also the yellow box only benefits buses who also block the keep clear when they pull out near the station side which causes traffic to back up round the corner in both directions.
- Unfair fines for minor infractions

Moving Traffic Offences Survey

- Congestion will always happen at busy times and putting a yellow box here will only make it worse
- No one has asked for these cameras. Do not do it.
- Do you honestly hand on heart believe this will improve flow lol
- Your proposed use of intrusive technology is unacceptable
- As stated previously.

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway's roads? (Please write in the box below)

- No yellow box cameras in Medway please. Unfair to drivers. Medway is not London
- The APNR cameras will be programmed to nick motorists to increase revenue levels. Plus, they will be far too obtrusive
- The junction is dangerous and confusing. It needs to be totally re-designed. Too many traffic lights, too many buses. Railway Street and Military Road should be re opened to traffic, the pub by Wickes knocked down and a new junction installed. This would massively reduce pollution levels.
- Never seen as a big problem
- Traffic will build
- Same as previous reasons
- Make normal roads.
- Same as before
- Waste of time and money
- The yellow box is already there and it's not doing much. Also you cannot see the traffic lights, so you are unsure if you can go past the yellow box or not
- It's an awkward corner, will cause more accidents if done
- Used this road many times and never really had any problems
- The traffic light programming here is more of a problem than vehicles blocking this junction. In addition, the current design confuses drivers who see the splitting of the road into 2 lanes; some drivers take this into account and others ignore it and straddle both lanes. This is likely to result in a randomness in how traffic chooses to move in this area because one can never be sure how the driver in front will choose to position themselves on the road, resulting in enforcement being applied to the driver that ostensibly broke the yellow box junction rules but due to a misunderstanding of the driver in front. This cannot be addressed with the current road design. This is compounded by the bad visibility at the junction of the traffic situation on the roundabout ahead which splits at least 3 ways and the fact that the feed into this

Moving Traffic Offences Survey

junction is via a bridge over the railway. I don't know the best way to tackle this, but enforcing a box junction will not alleviate the traffic problems.

- Not sure this is a good idea

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway's roads? (Please write in the box below)

- Per previous answer
- Little point as majority of drivers adhere to signage
- Signs are sufficient. Cameras are not necessary.
- As stated already.
- This box is a real pain to avoid being caught in because you have to judge whether 2 vehicles have gone in front of you to get into the space before the traffic lights, and how long they are, which requires seeing round the corner. Motorists try very hard to avoid getting caught in this box but it is sometimes hard to avoid.
- Unlawful surveillance and breach of privacy
- Enforcing yellow box more about money then safety.
- Again the time of the first light is not matching the second one
- Too many people will make innocent mistakes and be fined. Now is a time of hardship and not the time to make people poorer.
- Changing the one way system has had a much bigger negative impact than this junction that is never blocked.
- As previous answers.
- The council needs to prove it has done everything to ensure that the vehicles breaking the rules had no other options. Better traffic management, before and after the junction, better adjustment of traffic light phasing, before and after the location, longer red signals etc. A full survey before and adjustments and the same after.
- As previous
- Money collection. Look a solutions to road layout and route
- Ditto
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.

Moving Traffic Offences Survey

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at the Gibraltar Hill junction with A230 Maidstone Road to tackle congestion on Medway’s roads? (Please write in the box below)

- Hard to see the end of the box

Do you agree with our plans to enforce the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway’s roads? (Please select one option only)



Moving Traffic Offences Survey

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway's roads? (Please write in the box below)

- Yellow box junctions should not be enforced by cameras.
- There is no need for this and it is only proposed to raise additional cash from motorists
- No yellow box cameras catch innocent people out, we are not London don't need it
- This is not an issue.
- Rarely an issue
- I think that many of the yellow boxes painted in Medway are in the wrong position. I believe they should be painted to prevent blockages on the main thoroughfare i.e. in most of the listed cases, the A2 - but in many cases what the existing yellow boxes do is actually to give priority to motorists entering from the side roads
- Poorly designed junction and traffic light timings, so if all vehicles kept yellow box clear, one or more directions would hardly ever move, causing worse congestion.
- Just another way for the council to get money out of people
- Not an issue and again caused by poor road layout and pedestrian lights that don't sync with ats. Still waiting for the Rongoa promised when displayed at civic centre in Strood so that's how long that was
- These measures will not improve traffic flow
- These things with only camera enforcement rather than in person always end up catching people doing no intentional wrong and that is the point people intentional doing it no bad signage or unforeseen traffic stopping while going through them
- Same as last answer
- Sort the traffic lights out
- There appears to be no evidence for the requirement of this enforcement
- because no one will take any notice
- As before.
- Most drivers conform to the yellow box rules but on occasion can find yourself partially in a box.
- again drivers are sensible sometimes you end up on or in a box not your fault or traffic moves and someone further up lets someone in enforcing boxes just makes it worse for the drivers as people who could move forward wont encase fined makes situations worse seen it before in London

Moving Traffic Offences Survey

- There is minimal impact on traffic flow by enforcing this junction based on years of using this route.
- Unjustified
- Same
- Due to the sheer amount of traffic lights you often get caught within this space! This is due to not having an adequate road space to allow the flow of cars! How about come up with a solution to the roads than just fine!
- Cash grab
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
- As my last answer
- Reason given as before.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- As previous comments whilst agreeing with enforcement the Council is not an appropriate or competent organization to carry out this role.
- I do not agree with enforcement of yellow box restrictions, often cars pull forward as traffic ahead is moving only to find that they are stranded on a yellow box unexpectedly as cars ahead have not pulled forward sufficiently (even though often space is available).
- See previous
- if left to there own judgement, drivers would sort it out better themselves rather than legislating extra restrictions on a busy junction. some elderly people may try to cross the junction and get stuck in yellow box, but cannot afford the fines, especially in todays economic downturn
- The new pedestrian lights is the issue opposite the church which take too long to revert to green causing traffic to bunch up at the high street junction with Cuxton Road the traffic is not help up any length of time
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off. You are supposed to serve the public, not tax them into poverty. Why should we pay the outrageous salaries and pensions of people who make our lives worse with all their interference and rules and regulations?
- Stopping in these yellow boxes is a non issue. It's other factors that cause congestion in Strood

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway's roads? (Please write in the box below)

- A way of raising funds
- Not needed just improve junction and traffic lights so traffic can flow better . More restrictions will, well cause more restriction of the flow of traffic
- Unfair fines for minor infractions
- This will just heighten frustrations with this layout of this road more. The design is an issue not a yellow box.
- This will not “tackle congestion”, they will only punish Medway residents.
- Already working no taxation required here.
- You spent millions of pounds - of our money- in altering the road system, proclaiming that it would solve congestion and speed up journeys. You failed in solving anything, but made all the problems worse. You had the chance to relocate the A228 but again you failed, preferring short term gains elsewhere. Your proposed use of intrusive technology is unacceptable.
- As stated previously.
- Medway is not London, no yellow box junctions
- I have NEVER been held up at this junction. The proposal will cause huge resentment when the motoring public realises its clearly a revenue raising measure
- Too much traffic can lead to being stuck at junctions when road is still congested after the yellow box when it's your turn to go. Should aim on helping traffic flow to reduce need of traffic in towns along the
- A2
- Because the phasing of the traffic lights in Strood is all wrong. Too many of them and too many pedestrian crossings.
- This is not London and Same as previous reasons

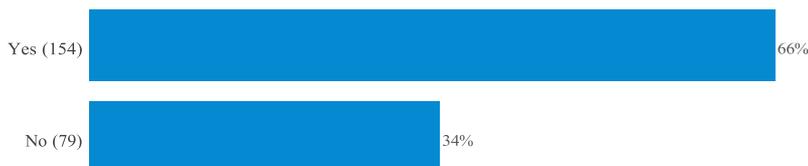
What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Whittaker Street/High Street, Chatham, including the junction with the Brook to tackle congestion on Medway's roads? (Please write in the box below)

- Make normal roads.
- Same as before
- Just another reason to target motorists
- Per previous answer
- The majority of drivers adhere to the signage
- As stated already.
- Another badly designed junction where it is hard to judge who is going which way and whether the box will be cleared. A particular problem at peak hours
- Unlawful surveillance and breach of privacy
- More about money making then traffic safety.
- I don't see no problem at this junction
- Too many people will make innocent mistakes and be fined. Now is a time of hardship and not the time to make people poorer.
- The traffic in this area has only been bad since the modifications to the roads took place a few years ago.
- It is not a current problem.
- This junction is unique in the proposals as it is the only one where traffic enters from two directions (Gun lane and Cuxton Road) at the same time as both traffic lights change together. This creates a race to be first into the high street from the two opposing sides and if there's only one space outside the box junction the second car will have to stop in the box junction when it was clear when they started moving. I think it could result in harsh penalties and lead to suspicion that this location has been targeted more for money making than improving traffic flow.

What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Cuxton Road, High Street junction with Gun Lane, Strood to tackle congestion on Medway’s roads? (Please write in the box below)

- The council needs to prove it has done everything to ensure that the vehicles breaking the rules had no other options. Better traffic management, before and after the junction, better adjustment of traffic light phasing, before and after the location, longer red signals etc. A full survey before and adjustments and the same after.
- Again. Too many sets of lights which are out of synchronisation. Two pedestrian crossing points in yards of each other. People will inadvertently block to make progress.
- No sort out the junction. Now you have allowed planning for a block of flats on the junction. You couldn't make it up. Years ago in the old wingets building I was told at a presentation that a ring road was being built. When I laughed out loud I was told I was a pessimist. Still waiting for it
- Ditto
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
- The traffic lights in Cuxton Road are situated where the adjacent buildings obscure most of the view to see whether the exit is clear or will be clear before entering the box when turning right into the High Street. It is very easy to go beyond the t/l, either not enter the box or start to enter to then find there is traffic preventing the completion of the turn. At that time having gone beyond the t/l one is then unaware if the lights have changed, thereby creating a hazard. I would suggest that a t/l be placed in Gun Lane facing Cuxton Road to overcome this hazard. This should not be difficult as it could be placed on the column already there for Gun Lane traffic.
- Too easy to catch people out

Do you agree with our plans to enforce the yellow box restriction at Whittaker Street/High Street, Chatham, including the junction with the Brook to tackle congestion on Medway’s roads? (Please select one option only)



What are your main reasons for disagreeing with our plans to enforce the yellow box restriction at Whittaker Street/High Street, Chatham, including the junction with the Brook to tackle congestion on Medway's roads? (Please write in the box below)

- Current traffic control measure work. There is no need for this. You are only introducing this to raise cash from motorists
- No yellow box cameras as they catch innocent people out, we are not London don't need it
- How does this tackle congestion?
- I think that many of the yellow boxes painted in Medway are in the wrong position. I believe they should be painted to prevent blockages on the main thoroughfare but in many cases what the existing yellow boxes do is actually to give priority to motorists entering from the side roads
- Just another way for the council to get money out of people
- These things with only camera enforcement rather than in person always end up catching people doing no intentional wrong and that is the point people intentional doing it no bad signage or unforeseen traffic stopping while going through them
- Same as last answer
- It's already poorly sign posted and would just trap unwary drivers. It's not very busy most days, so there are better places to target.
- The entire of Chatham high street from Union street to Manor road is a Pedestrian zone with access only to unload to shops after 5:00pm. Whitaker street and the High street, Chatham is a pedestrian zone and has been for 30 years. The council has chosen not to block vehicles from the high street which it could have when the area was pedestrianised. Even during covid lockdown when funding was available to make the area safe for pedestrians the council chose to block the High street/Union street pedestrian crossing and improve the pedestrian area for vehicles only, and now it is a regular Taxi route. The council can enforce the area this week by putting up gates at the perimeter of the pedestrian area but it chooses not to. These new powers which the council new about last year should already be in operation but as usual the council chooses to sit on its arse. The council does not have the ability or competence to use these new powers.
- Sort the traffic lights out
- This is not used as a thoroughfare and is at a much less used part of the high street, the implementation of this does not represent a good use of resources
- because no one will take any notice

Moving Traffic Offences Survey

- Most drivers conform to the yellow box rules but on occasion can find yourself partially in a box.
- as last comment
- It is used by businesses and locals, not general public. Bollards would be a better solution.
- Unjustified
- Find other ways
- Parking for the Brook? How will this be access! Taking away from the town again
- Every single one of these plans for road enforcement is absolutely unnecessary and you cannot tell me if there is a legitimate safety concern you cannot come up with other traffic calming measures that does not involve getting into the motorists' pocket?
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders
- As previous comments whilst agreeing with enforcement the Council is not an appropriate or competent organization to carry out this role.
- See previous
- this does not match your statement on this question about pedestrian access so is a red herring
- Because this is just an excuse to impose another stealth tax under the guise of "safety". Leave us alone and stop inventing contrived "offences" for us to break so you can rip us off. You are supposed to serve the public, not tax them into poverty. Why should we pay the outrageous salaries and pensions of people who make our lives worse with all their interference and rules and regulations?
- Will make traffic in Chatham worse and will not add to safety
- Fund raising exercise
- Not needed
- Unfair fines for minor infractions
- This, again, would not help congestion in any way.
- See previous responses

Moving Traffic Offences Survey

- You have not considered local residents, as you have in Rochester. Your proposed use of intrusive technology is unacceptable.
- I notice no issue from vehicles regarding safety on the high street
- no importance
- Its a revenue raising measure. Scrap the ridiculous new bus station, re-plant the trees and re-open the road
- Have you tried to make roads?
- Cars easily can get stuck especially with heavy volume of traffic
- Nope
- It is fine how it is currently, no problems
- Required access compromised, the map does not match the location being cited
- Not a good idea at all

Moving Traffic Offences Survey

Do you have any further comments in relation to our proposal to enforce moving traffic offences on the roads in Medway? (Please write in the box below)

- The majority of drivers adhere to the signage
- No more cameras are necessary. Another intrusion and we don't want them.
- As stated already.
- An area which requires seeing round corners to ensure that you don't get stopped in the box area, which is much too large
- Unlawful surveillance and breach of privacy
- Have to be access for cars
- Too many people will make innocent mistakes and be fined. Now is a time of hardship and not the time to make people poorer.
- The council have caused the traffic issues with their poor planning.
- Not a current problem
- The council needs to prove it has done everything to ensure that the vehicles breaking the rules had no other options. Better traffic management, before and after the junction, better adjustment of traffic light phasing, before and after the location, longer red signals etc. A full survey before and adjustments and the same after.
- Ditto
- Risk of the association of these enforcement powers with cash generation by the Council now or in the future when budgets are under pressure. This has been reported elsewhere in the country when these cameras are used. The use of other encouragement to comply and other enforcement techniques should be used.
- It's not that busy here anyway

Do you have any further comments in relation to our proposal to enforce moving traffic offences on the roads in Medway? (Please write in the box below)

- Yellow box junctions should not be enforced by cameras.
- These plans are unacceptable, they will cost the council additional ongoing revenue and capital in licence fees and upgrade as well as administration costs. They are only being introduced as the council sees this as east money and have not considers the overall running costs year on year
- You are simply enforcing the laws and restrictions already in place. Why is there a need for a consultation? I would expect all traffic laws in Medway to be vigorously enforced and meaningful deterrents to dangerous or selfish driving to be imposed.

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- I support these plans, as they should help to ease congestion in Medway. However, something else that would have helped to ease congestion, would have been to go ahead with the Tranche 2 Active Travel Fund plans. 4 of the 5 plans seem to have been abandoned with no explanation and to public statement. Medway Council didn't even apply for Tranche 3 funding. Please issue a public statement explaining this, because I can find no mention anywhere on the council website.
- No yellow box cameras catch innocent people out, we are not London don't need it
- Proposals do not seek to tackle congestion but extort money from ordinary citizens. Perhaps the councillors could consider not making excessive pay claims.
- Having lived on Orchard Street Rainham nearly 10 years, this is very positive news. Thank you Medway Council!
- Yes please. So many cars ignore the current no entry signs although access off the Brook has improved since barriers and posts installed. Please can you also consider enforcing the no entry signs at the following junctions: 1. Batchelor St and High St Chatham 2, Clover Street and High Street Chatham. Alternatively have barriers/gates which can be closed when the road is shut to traffic. Takeaway Delivery drivers frequently ignore current signs; as do customers of some of the high st businesses (especially at Church St /Brook end. Currently holders of disabled blue badges are still allowed to park here; how will they access these areas if APNR cameras installed??
- Too many motorists also ignore 'Keep Clear' signs and run their engines when waiting, especially outside of schools. Of particular concern are vehicles parking outside of schools on double yellow lines, especially along Romany Rd where gaps between parked cars are taken preventing passing places on what becomes a single track road.
- I also think these yellow box restrictions should also be enforced on the A2 Watling Street in front of the Fire Station, and at the A2 Watling Street to Star Mill Lane Junction.
- The council are short sighted and looking to gain revenue rather than alleviate traffic problems. Look at road layout and at's etc not penalties to car drivers. The removal of the ring road Chatham that now force's cars along the Brook in both di for a bus depot was a bad decision. A ring road could have gone round it. All junctions only block bec of at's that are not smart or talk to each other.
- Money grabbing
- This is a really positive step in the right direction by Medway Council. These locations, particularly Chatham High Street at the junction with Church Street and The Brook, are very problematic and pose significant issues to the safety, look and feel of this part of the town centre. Enforcement will be a great way to ensure the public realm is not dominated by motor vehicles,

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to influence better driver behaviour in the long-term and to be used as a sufficient, long-term stream of revenue for the Council to reinvest into its services.

- It is being proposed for road safety as the priority however only two locations are for road safety.
- Get rid of the stupid poorly thought out restrictions that prevents cars using the road in the brook / road in front of the pentagon, instead causing countless extra congestion, pollution and global warming by having to divert around half of Chatham to get from A to B!
- I'd rather see more focus on red light jumping that creates an immediate danger to other road users.
- They should already be in action but Medway council chooses the usual, NOT to do it.
- This is a bad move for local business, residents and visitors alike. I don't accept that most people deliberately flout traffic laws in terms of access and I believe this will simply alienate the public as a whole. Local councils already have a bad reputation from their practices with Traffic Wardens over zealous behaviour and this will simply exasperate the situation
- Sounds like these are many a money gain activity. If you are going to put them in maybe include cctv then this would help if absolutely unavoidable scenarios
- REPAIR ROADS FIRST. MANY ARE A TOTAL DISGRACE AND HAVE BEEN FOR SOME TIME
- The use of Meresborough Road as a rat run and the illegal use of the Moto Services, service road causes unknown levels of stress and abuse to residents, Meresborough Road access only restriction must be enforced and the ridiculous levels of traffic reduced to this important rural community and Tyler Drive would benefit from the closure of the Moto Services access.
- I believe that camera PCN fines should not be the easy way out in respect of traffic management and there are other roads such as Luton road that require better management. The areas identified do not represent the biggest traffic hot spots. I would further add that the Medway City estate back entrance should be improved to better allow access on and off the estate should be a higher priority
- Happy with the proposed enforcement.
- Gillingham High Street is an accident waiting to happen, have seen so many fast drivers cut through. Dangerous for pedestrians.

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- yes stop the cars parking dangerously outside wayfield school no only when its school time cars park on the paths no if you have wheelchairs or pushchairs you have to walk in the road which is dangerous
- Why don't you ask your residents where they think the issues are rather than looking at areas you can make money from?
- Narrow two way roads should be made into one way roads only. For example narrow roads like Gordon Road, Chatham. People can then use adjacent roads Castle Road and Magpie Hall Road instead
- Before any action is taken I would like to see the enforcement algorithm to see if this is a fair or merciless system of money making. An appeals process usually follows a local authority threat. I want to know that the burden of proof of deliberate is on the enforcement. The enforcement authority needs to be council owned and not sub contracted to a third party who has only the aim of maintaining a contract through wrongful accusations. I have been on the back end of many parking ticket violations where screens have not been photographed but the actual parking ticket / permit was clearly visible (and the car is registered for the area). Money to keep a contract policy worries me greatly through this system if the system is tendered out.
- just another way of council making money so many people think Medway council rip off and those run it will just enforce this MEDWAY moves no problems really only time is issue is when accident or motorway shut not very often leave midway alone
- I would argue that something that needs review is the "no right turn" out of the end of Rochester high street. If the lights sequence for pedestrian crossing was changed, it would be perfectly safe to turn right. It would also ease traffic flow around that junction area with minimal effort.
- If you could stop building more houses then there would be less congestion. And can you explain the yellow box junctions on ash tree lane. As drivers stop from entering only for drivers from the side roads to pull out and get in traffic queue hence stopping in yellow box junctions
- Unjustified
- As long as the box junctions are clearly marked and the fact that the camera is able to identify those who are turning right and enter a box junction (as per highway code).
- That should be left entirely to the police. Are all other problems solved? Do what you should do better, including the way you spend our money. Do not try to squeeze more, just spend better, people are just fed up with this kind of feudal policy. Do not make people angry, find other ways to solve the congestion than set up traps for ordinary drivers. The ones that really cause problems won't be bothered by cameras, I've seen it so many times in Medway.

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- Would like to see proposal enforced in Meresborough Hamlet access only in and out enforced not a through road as being used for many years and motorist not understanding the actual meaning of access only sign
- How about some speed cameras in Twydall? Then you can catch the idiots who see fit to tear around the neighbourhoods, speeding and pulling wheelies on a daily basis.
- As a resident of Meresborough we have for a long time campaigned and petitioned Medway Council and Gillingham Borough Council to install and enforce such road safety measures to protect the people of Meresborough. Thus far we have not achieved any real degree of success as there doesn't seem to be any political imperative by the Council to protect a small community against the ever increasing ravages of road rage, damage to property and hedgerows. If you are serious about this then please be prepared to enforce the measures with appropriate penalties.
- Stop trying to fine us and come up with a solution to traffic flow!!!!
- You lot are useless and don't actually understand what needs to change..... Or you do but are too chicken to actually do anything about it
- In addition to what I have said before. Do you realise how difficult you make things for motorists with disabilities when you block off perfectly good roads for no earthly good reason?
- How about enforcing not parking on corners of roads in Thorold Road, York Hill, Constitution Hill and not parking on the yellow lines along Luton Road
- Special consideration should be given to King George Road / Brake avenue No Entry where mothers with small children in the car take short cut to get children to school. Also trades people as well. No consideration for the No Entry sign or respect for people travelling the correct. A potential death trap
- I would like to see the one way system on Gardiner Street, Gillingham enforced
- None
- Where is the expected large revenue stream going?
- Something needs to be done about excessive speeding in Medway. Police will not do anything about it. The speed activation signs which have been installed in many roads have no effect. This is more important than cars entering yellow boxes.
- Unless the restrictions are enforced they will be ignored.
- If yellow box restrictions are to be enforced then before this starts they need to be verified (right location) and re-painted so that they are perfectly clear. Checks also need to be made about how practical it is to enforce them given the road layout and conditions.

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- I hope that the enforcement of the yellow box restrictions is effective and if so, that it can be extended to other junctions, including roundabouts with yellow boxes.
- You are doing nothing about the real dangerous culprits - cyclists and e-scooter riders who break the law at every junction and opportunity
- Deal with the illegal scooters driven by children, as the police don't bother. They will get someone injured
- The Council must tackle the prohibited use of electric scooters in public places. Often dangerously ridden by two people. With ear pods and without any regard for pedestrians. Priority must be given to pedestrians in pedestrian only spaces.
- Please see my original comment at the beginning of this survey. To summarise I believe the funds for this project will be better spent on those areas rather than the proposed.
- This is not a role that the Council should undertake - leave it to the relevant, competent authority - the Police.
- You also need to enforce the no left turn from Boley Hill onto Rochester High Street. People speed along here of a morning to avoid a stretch of Corporation Street. Also, please, far worse than any of these things are the noisy motorbikes that plague Medway. When are we going to get Noise Cameras?!
- A2 Rainham, Orchard Street is an accident waiting to happen. You can't turn into oncoming traffic. Totally agree with the enforcement. As for the yellow boxes, about time it was enforced. Nearly had a serious accident due to it being blocked, top of Pump Lane, Gibraltar Hill and A2 Gillingham. Totally agree.
- Most of the areas you have chosen are really in need of enforcement, however, people are constantly jumping the lights coming out of Rock avenue and turning, mostly right on to Chatham Hill, so this needs looking at also. Also the other day, I was travelling from Maidstone Road Rochester to Strood and decided to go via the Cathedral, the 4 cars in front of me all did illegal left turns onto the high street, presumably having just picked up their children from their private schools, so I think that this should also be monitored, Medway UA will make a fortune, as I drove past I noticed a small lorry parked outside one of the shops, so they didn't get very far anyway. P.S. I will try not to do any illegal turns, even if an ambulance is blocking access to my one-way street. I would also like to see Ahead Only signs as per Chatham Hill on Rainham Road, as well as a Keep Clear sign or yellow box on the exit to Jezreels Road onto Rainham Road, Thank you very much. :-)
- I think this is a great start. Much more can be done in the future and I will look forward to reviewing any further proposals. An overarching aim should be to aid free flowing traffic as this will benefit air quality.

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- Enforce moving traffic offences against those cyclists who regularly ignore them and put pedestrians at risk of being injured. ALL road users should be targeted not just motor vehicles
- Not really, the more houses there are the more cars there will be therefore more traffic on the roads. With an expensive public transport system people have little or no option to use them and at peak time tensions run high. No easy answers
- I assume these proposals are just the initial areas. I run a business in Rochester High Street, in the section between Boley Hill and the bridge which is used as a rat-run, with drivers ignoring the 'no left turn' sign at the junction of Boley hill and the High St. This is not only bad for business it is also dangerous for pedestrians, local and visitors. Hope this will be on the next list for enforcement.
- is this just an exercise to increase income for council or do you really care about safety?
- Please can there be more enforcement of vehicles ignoring the no left turn into the High Street from Boley Hill Rochester (mostly Kings School parents). Also of great concern is the number of vehicles who ignore the no right turn sign from Rochester High Street onto Star Hill. Pedestrians crossing here are often nearly mown down by those ignoring this sign. I am amazed that nobody has been killed here.
- The only way to gain compliance is via enforcement so fully supportive of the plans.
- If these schemes get the go ahead and fines are issued, then a first offence should only get a warning letter. and Any fines issued to be ring fenced for improving the terrible road surfaces on Medway's roads This does seem like another money making idea for Medway Council When was the last time they built a new purpose Road (North Dane Way)
- Review the use of box junctions and "keep clear" markings throughout Medway and determine whether they are only there to "fix" a poorly designed or sited junction. Identify the root cause of any congestion or safety problems rather than simply assume box junctions and enforcement will resolve them.
- Need to enforce no right turn coming out of Halfords
- More needs to be done to enforce bad parking outside schools. St Margaret's in Rainham often has a parking warden but they never issue fines so people just ignore them and continue to park on zigzags, double yellows (with no blue badge), on corners and across pavements making it extremely dangerous for the children
- To make the sign larger at the junction of high street, Rainham and orchard street
- These offences seem to be largely contrived as a money making scam. You should not be doing this. To pretend it is for safety is disingenuous in the extreme.

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- Canterbury St/Watling St junction needs to be improved for safety at the Give Way (which nobody adheres to!); box junction needed at lights at Shell Garage/Gillingham park
- The Council needs to stop wasting time trying to profiteer off of hair brain schemes and actually look at what the causes are for congestion in the Medway towns.
- You should also include the yellow boxes on the M2 Chatham "Taddington" roundabout.
- all good ideas, there are too many drives are breaking so many high way code rules in the Medway towns, it seems as if a lot of drivers just do what they like regardless of traffic laws & thought for other road users & pedestrians , there needs to be speed cameras or some sort of traffic monitoring system between will adams roundabout & bowaters (Tesco roundabout) on the A2 , so many cars are speeding & driving dangerously & well exceed the speed limit for that stretch of road , its a miracle that there have not been more accidents or fatal ones. sadly its only a matter of time I think . its a shame that un marked traffic cars could not patrol continuously along that stretch of the A2 24 seven for a week , then it will show exactly how dangerous that stretch for road it with speeding & poor driving. shame there are not enough resources to have them AMPR or speed cameras on every road
- ,
- Every driver whilst learning agrees to abide by those laws governing the Highway Code. As such the Yellow Boxes have clear guidelines to there use, so apart from an Emergency Procedure there is no recourse. Well done Medway Council.
- Need to make boxes painted area more visible on the roadways in the areas so that they can be clearly seen
- Could include yellow box junction by Chatham station and 'no right turn' by Best street sorting office.
- You need to enforce the no right turn out of Rochester High Street onto Star Hill. People turn right illegally while the pedestrian lights are green causing a massive risk to those crossing.
- No
- The present laws should be enforced
- They are not needed, get back to doing your job by improving junctions and keeping streets clean and stop getting involved in get rich schemes that focus on taking money from motorists
- There are other more important issues such homelessness and youth services that need more funding in the communities.

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- Desperately needed on A228 outside junction with Bush Road, Station Road Cuxton. We have had fatality and injury through RTC and people swerving around those queuing to turn left or right it would be an opportunity missed if applying for government funding and help reduce speed which is a major issue for safety at the dangerous spot.
- I think a good consideration would be the yellow box junction near canal road on the west bound carriageway on Rochester bridge. The extra traffic may potentially increase from the new developments along canal road.
- The more enforcement cameras and CCTV the better. Hoping the cameras for Rochester High Street will also cover one way, no entry and no right / left turn restrictions.
- Just a money making scheme, and this won't improve congestion
- Roads in Medway are shocking. Light locations and set ups are poor. Road conditions are shocking. Fix the layout of some of the junction set ups and things will be a lot calmer.
- Make our roads safer and insure drivers keeps to road instruction and rules. Thank you
- Please focus on some things Medway actually needs like hospitals, doctors & schools. Not cameras to fine the residents - disgraceful especially with the cost of living crisis...
- Sad thing is regardless of what your community thinks these areas proposed will have cameras for fines and the majority of people being taxed will probably be fined due to poor drivers around them at the time. Shame on you .
- Just another way to make money
- The sooner the better and I am a car driver
- some proposals just seem like a money making scheme to fleece the motorist even more.
- All too often people are jumping red lights and blocking junctions. Too many people are getting away with low level crimes such as poor driving standards which is frustrating for people who follow the law. The police need the support of technology to enforce road traffic laws. I would ask that technology is used to catch people using illegal number plates. The police have told me that these offences can only be prosecuted if the vehicle is actually being driven, therefore the ANPR may help with this.
- Overzealous camera systems will make driving more like driving in London. As a driver I do not want that. I also feel these cameras will not reduce congestion or improve road safety. I drive around Medway a lot, and find the overwhelming majority of drivers to be competent and courteous, I do not see a regular enough instance of abuse of yellow boxes or no right turns to justify cameras. I feel such fines would only catch honest mistakes and end up fining those who perhaps misjudged and left their nose or tail in a yellow box.

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- I think you should terminate the employment of whichever committee has proposed this stupid measure in its entirety so that there can be no allegations of unfairness due to racism, wokery etc
- Ideally, Medway council would make sensible decisions to improve traffic flow and not use revenue generation as a first option.
- Keep doing whatever it takes to catch motorists other than just speeders. It is important to make people know they can't get away with breaking the law and they will be caught.
- I live in Heathland view and I use A2 on daily basis. I see so many traffic offence on daily basis. The driving by many people is shockingly bad. Jumping the red lights, using phones, making u turns, making forbidden turns to the right, etc.
- Improve the roads we have rather than trying to gain more money of motorists.. you were voted to serve not dictate
- Costing motorist unnecessary fines
- Look at traffic light phasing.
- Make roads. Make people happy. You going easy way.
- More cycle lanes available
- Stop penalising motorists at every opportunity
- N/a
- The traffic flow problem needs a further strategic rethink. The idea that enforcement is a be all and end all solution to this is a fallacy, and some more creativity is needed to find better solutions which give the required access for businesses and dwellers while maintaining safety for pedestrians. It is not right to tip the balance in favour of either without considering the impact as a whole.
- No, thanks
- Due to wear and tear a number of the yellow grid boxes at junctions across Medway, including some of those referred to here require repainting.
- Invest more in cycle paths. I was nearly killed last week on the A228.
- Delay your plans to collect more venue from drivers! We are struggling enough as it.
- Start repainting existing road markings as in there present state are causing more accidents than your proposals

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- Provide lawful evidence that these are traffic offences in the first instance. Who decides what is an offence?
- I strongly approve of plans to keep vehicles out of pedestrian areas. I have narrowly avoided being run down on various occasions. But all the box junctions mentioned have problems. To avoid getting caught in the boxes requires correctly guessing what other motorists are going to do and in some cases, seeing round corners. Motorists try very hard not to get caught in the boxes but sometimes have to touch their brakes to avoid running into the back of somebody else doing something unexpected. I quite understand the desire of Medway Council to raise funds to restore bus services and school buses to villages where services have now been withdrawn, but this is not the way to do it. In my opinion, some of the housing developers should be made to pay for bus services to the areas where they are building lots of houses
- Yes the no entry on Brake Ave j/w King George Road. 3 rd time car damaged this year, and numerous accidents where cars come through no entry
- King George Road into Brake Avenue is no entry. Brake avenue is 2 way as there is a rear access road which leads to king George road and Hurstwood. Many people drive through the no entry from king george road and then speed down through to brake avenue leading to Hurstwood. I have been forced off of Brake avenue and had my car hit by reckless drivers who come the wrong way into Brake Avenue from King George Road. The speed the drivers then enter Hurstwood is very fast and unsafe. This needs to be policed. Many drivers sit in king george road and wait for the traffic to clear before going into the no entry. Many force cars back as they enter the no entry into Brake avenue
- This can only be a good thing, more cameras means safer roads and streets
- All highlighted proposals clearly do not have an impact on congestion, and are designed to maximise income for you inept ability to fairly govern. No vehicle access to high street?? Without and suitable alternatives, clearly is another scheme.
- Please spend money for the interests of residents not for making money on them
- I think that this is not the time to introduce this when everyone is struggling with the cost of living.
- Medway is a poor area where they can ill afford to pay a fine for what could be an innocent mistake.
- Medway council must consider and implement all alterations before moving to enforcement as this should always be the last resort, the current financial crisis and rise of living it would be impossible for most families to pay large fines, and the council has not tried any alternative yet and this must be, before enforcement

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- It's a money making exercise. The council have caused the congestion with their road improvements.
- It makes far more sense for the local council to have the ability to enforce moving traffic offences as sightings of local police are as rare as spotting some sort of endangered species!!
- Stop targeting motorists to provide additional cash streams.
- There are a lot of people breaking the rules. One of the worst is to and from Claremont Road underpass in Chatham to Best Street. There is a 'no right turn' sign both ways but I have often been stuck behind a car doing an illegal turn and have seen quite a few near misses.
- Also add king George road and Brake Avenue no entry
- If you want to stop high streets from dying do not make life hard for motorists. they will shop elsewhere. No businesses. No council rates.
- Roundabouts around M2 and Bluebell Hill seriously need looking at. Yellow boxes needed and enforcement. Constant congestion with vehicles blocking entry and exit slip roads because of queuing traffic.
- It is ridiculous that fast changing traffic lights are not added to the Strood side of Medway tunnel on the roundabout, We have suffered 40 minutes delays for 7 months already now more blocked traffic allowing us to drive out with gas works ongoing until October. Seriously unfair.
- THE MORE THAT MEDWAY ALLOW NEW HOMES TO BE BUILT WITH NO IMPROVEMENT TO
- EXISTING INFRASTRUCTURE THE WORST THE ISSUES WILL GET, YELLOW BOXES AND NO RIGHT TURNS ARE JUST TEMPORARY FIXES
- No. For clarity I currently live in Strood but have also lived in Gillingham and been a resident of Medway for most of my life, so I do have experience of driving (or being a pedestrian) on all of the roads targeted in the proposals..
- would like to see the traffic light phasing changed at the affected junctions to allow filtering traffic to clear boxed junctions.
- Whilst I have said no to Box junction enforcement, I fully appreciate that all the sites might have a problem, so need enforcement, but you must prove that you did everything to stop the contraventions, before just putting cameras in and making money. If not it could lead to the DFT saying no.
- Generally I think this is a very lazy approach to traffic management. Just fine the motorist instead of looking at what causes the congestion. Which is the poor traffic light sequencing across the towns. No ANPR is considered for enforcing zig zags outside schools which is a

Moving Traffic Offences Survey

problem across Medway and presents a higher risk than somebody blocking a yellow box for 30 seconds.

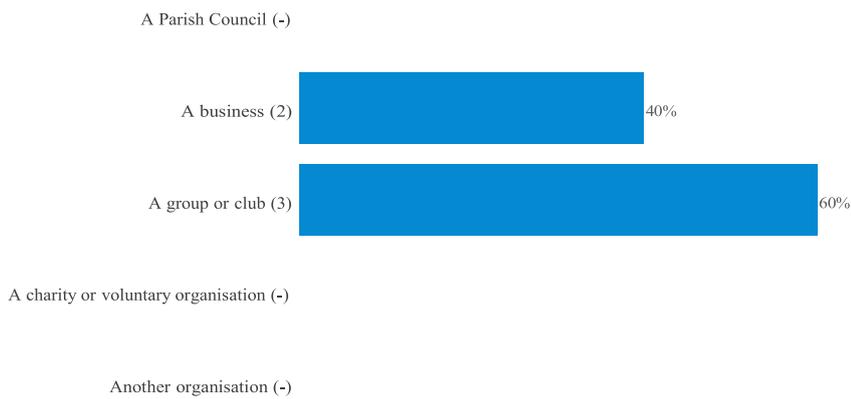
- Sort out the road network around the Medway towns. Tickets do not solve the issues caused by bad planning.
- Please reconsider the wider beneficial impact of enforcing fixed point penalties for idling offences as well as permitting the worst polluting vehicles through our Air Quality Management Areas. These will benefit hundreds if not thousands of people living in Medway Towns rather than the much smaller number of road users inconvenienced by traffic backlogs.
- I'd rather you addressed fly tipping in Lock street and other areas!
- please focus on other techniques for improving safety less focussed on income generation
- A2/orchard street this is long overdue people use it as short cut to car park and school. Accident waiting to happen
- As a regular shopper and café goer to Gillingham I would like to ask, what is being done to stop vehicles driving through Gillingham high street between Britton Street and Skinner Street? As they are using this as a cut through. This is designated as a pedestrian zone i.e. NO Vehicles as displayed on the road signage, and some are turning around and driving back out, effectively they are driving down a one way street the wrong way, a motoring offence. It is very bad on a Saturday and Monday when this is used by pedestrians, old and very young children walking to the market. There is going to be an accident one day it is only a matter of time. When you tell them they have come down a pedestrian only zone all you get is a lot of abuse and foul language. Offenders could be fined or warned as there are road cameras operating in this area. Yours, hoping for your full attention on this matter and a quick solution. Peter Atkinson
- All should be OK provided the junction is easy to negotiate without unwittingly getting caught in a trap.
- A2 orchard street while I sit and drink my coffee 4 cars have turned right...Sunday 17th July 2022, only sat for 20mins...
- Cameras at junctions like Station Rd, Rainham and A2 to stop cyclists going through the red light. But no way to trace them of course !
- Enforcement on box junctions, either end of Rochester Bridge junctions, and the re-painting of the boxes would help!
- Concentrate on dangerous drivers jumping red lights and excess speeding. Also adapt traffic lights to enable better flows.

Moving Traffic Offences Survey

Are you responding as:

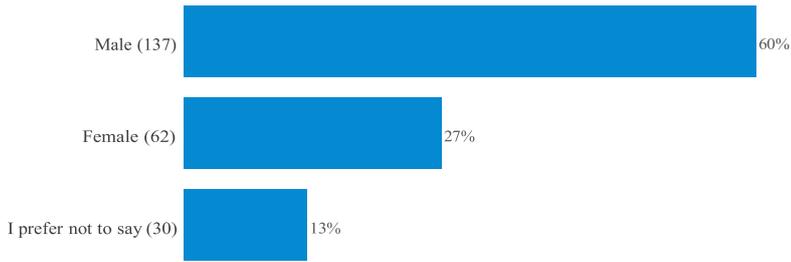


Which of the following best describes your organisation? Please tick one box only

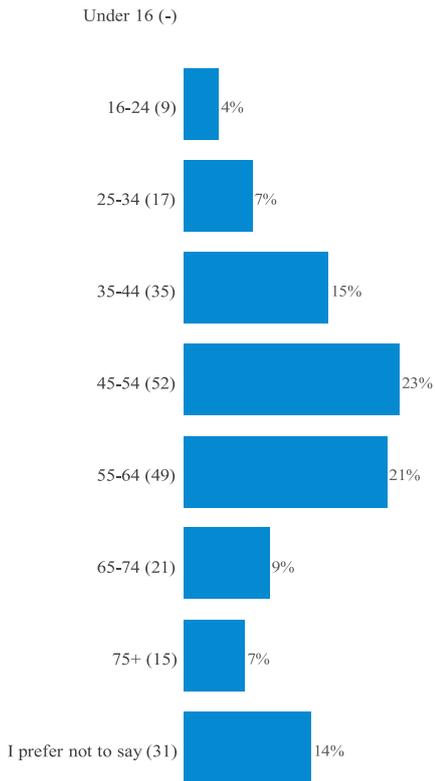


Moving Traffic Offences Survey

Are you? (Please select one option only)

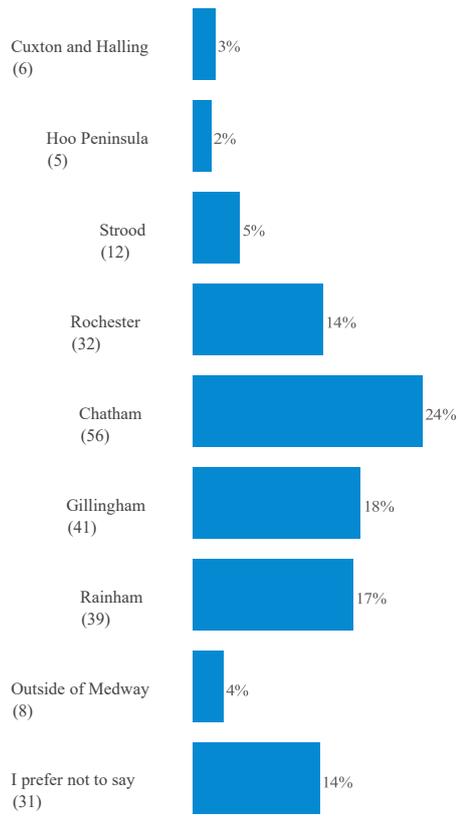


In which of the following age bands do you fall? (Please select one option only)



Moving Traffic Offences Survey

In which of the following areas do you live?



CABINET

18 OCTOBER 2022

BETTER CARE FUND

- Portfolio Holder: Councillor David Brake, Portfolio Holder for Adults' Services
- Report from: Lee-Anne Farach, Director of People – Children and Adults Services
- Authors: Su Irving, Head of Adults' (25+) Partnership Commissioning and Better Care Fund on behalf of James Williams, Director of Public Health
Jo Friend, Partnership Commissioning Programme Lead

Summary

This report presents Medway's draft Better Care Fund plan for 2022/23 for the Cabinet's approval.

The report was considered by the Health and Wellbeing Board on 1 September 2022 and its comments are set out at section 5 of the report.

1. **Budget and Policy Framework**
 - 1.1 The Better Care Fund (BCF), established in 2015, is an ambitious programme spanning both the NHS and local government. The primary aim of the BCF is to facilitate integration between health and care organisations, in order to deliver person centered and coordinated services. It requires Integrated Care Boards (ICBs) and Local Authorities, to enter into pooled budget arrangements and agree an integrated spending plan.
 - 1.2 The BCF in Medway is a joint plan between NHS Kent and Medway Integrated Care Board (NHSKM) and Medway Council with Medway NHS Foundation Trust (MFT) as a key stakeholder.
 - 1.3 A pooled budget for the BCF is administered in accordance with a Section 75 agreement between NHSKM and the Council.
 - 1.4 The approach to Better Care Fund planning over the last two years has been limited by Government, to allow for the response to the Covid pandemic. Officers attended the Health and Wellbeing Board in November 2021 with a detailed Medway BCF plan, for consultation with Board Members. We will be required to update this plan for the 2023-2025 BCF planning process, commencing later this Autumn. The approach for the current year requires

Medway to complete a template with a brief narrative plan, attached at Appendix 1 to the report.

2. Background

2.1 Medway's Joint Commissioning Management Group (JCMG) was established to lead on all elements of joint commissioning between the Council and NHSKM, including BCF. This has enabled the sharing of information to inform local plans across the system and provided the flexibility to adapt to changes in need, performance or circumstance. This joint approach also ensures that the separate ICB and Council governance processes are fully informed e.g., the Health and Wellbeing Board, ICB's Governing Body and Medway Council's Cabinet.

2.2 BCF initiatives aim to improve the experience of those Medway residents in receipt of support from the health and social care system. Much effort has been made to ensure that respective parts of the health and social care system do not work in silos.

2.3 Several innovative programmes have been initiated through the Medway BCF to reduce the pressure across the health and social care system. These include:

- The recommissioning of the Wellbeing Navigation Service; expanded to include community and acute services. This has impacted positively on many aspects of patient care, reducing the demand on GP and Hospital services.
- The recommissioned Medway Integrated Community Equipment Service (MICES).
- The recommissioning of the Intermediate Care and Reablement service to ensure a flexible service focussed on health outcomes.
- Commissioning of additional home care capacity to support the response to the pandemic and winter hospital discharges;
- Extension of support to Carers and Carer organisations in Medway in line with the Carer's strategy.

3. BCF Plan 2022/23

3.1 The overall total of the BCF in 2022/23 is £31.273million including the ICB minimum contribution, iBCF funding and Disabled Facilities Grant (DFG).

3.2 JCMG have oversight of all spending plans relating to the Better Care Fund.

3.3 The plan set out at Appendix 1 to the report has been created with consideration of strategic priorities for NHSKM, Medway Council, Medway Foundation Trust and the Health and Wellbeing Board. It was submitted for regional assurance on 18 August 2022 and formal submission to NHS England was required by 26 September 2022. Due to the Cabinet meeting in

September being cancelled due to the sad passing of Her Majesty The Queen, this submission was done provisionally, ahead of Cabinet's approval.

- 3.4 The new BCF national metrics, which Medway are required to monitor for quarterly NHS England performance reports are:

i) Avoidable admissions

Unplanned hospitalisation for chronic ambulatory care sensitive conditions

ii) Discharge to normal place of residence

Percentage of people, resident in the HWB, who are discharged from acute hospital to their normal place of residence

iii) Residential admissions

Long-term support needs of older people (age 65 and over) met by admission to residential and nursing care homes, per 100,000 population

iv) Reablement

Proportion of older people (65 and over) who were still at home 91 days after discharge from hospital into reablement / rehabilitation services

4. Advice and analysis

- 4.1 Better integration of services means people receive a more consistent service across Medway. A Diversity Impact Assessment has not been undertaken as this report does not make any new recommendations that would have a detrimental impact on services, however it is anticipated that a review of Better Care Fund projects will be undertaken in 2022/23 with a focus on equalities and addressing health inequalities. Equality Impact Assessments are undertaken for any new services or plans.

5. Health and Wellbeing Board

- 5.1 The Health and Wellbeing Board considered the report at its meeting on 1 September 2022 and the minutes of the Board's discussion are set out below:
- 5.2 The Head of Adults' (25+) Partnership Commissioning and Better Care Fund introduced this report which presented Medway's draft Better Care Fund plan for 2022/23. The Plan was submitted for regional assurance on 18 August 2022 and positive feedback had been received. Subject to the discussion at the Board, the Plan would be presented to the Cabinet for approval on 20 September 2022 [note: this meeting was since cancelled due to the passing of Her Majesty The Queen] and would then be finalised for formal submission for national assurance on 26 September 2022.
- 5.3 The Plan was commended, and a view was expressed that the Better Care Fund was a good example of how partners can successfully collaborate. In response to a question concerning management of the Better Care Fund, the Board was assured that Medway's Joint Commissioning Management Group

(JCMG) managed the Fund strongly, ensuring it was spent appropriately and taking a person-centred approach.

- 5.4 The Health and Wellbeing Board noted the Plan for 2022/23 set out at Appendix 1 to the report and agreed that the draft two-year plan for 2023 to 2025 be brought to the Board in the Autumn 2022.

6. Risk management

- 6.1 Risk management is an integral part of the BCF plan and there is an embedded risk management plan within the Section 75 pooled budget agreement.
- 6.2 The majority of services within the BCF Plan 2022/23 are currently operational, and risks already assessed and owned. In the case of new services or major variations to existing services, business cases will be developed to ensure that they are fully costed, outcomes clearly stated, and risks fully assessed. Business plans will be produced for all new projects in year and agreed by the JCMG. These plans include robust mobilisation plans for each project, including key milestones, impacts and risks.

7. Consultation

- 7.1 Medway's JCMG, Health and Care Partnership and the ICB have been instrumental during the development of the Plan.
- 7.2 Where new services or strategies are planned, consultation will be undertaken and evidenced as part of project development.

8. National Assurance

- 8.1 Assurance processes will confirm that national conditions are met, ambitions are agreed for all national metrics and that all funding is pooled, with relevant spend agreed.
- 8.2 NHS England have not yet released planning details for Better Care Fund areas in 2023/25, however it is anticipated that there will be guidance issued in October 2022. NHS England will approve BCF plans in consultation with Department of Health and Social Care and the Department for Levelling Up, Housing and Communities.

9. Financial implications

- 9.1 There are no direct financial implications for the Council arising from this report.

10. Legal implications

- 10.1 There are no legal implications arising from this report.

11. Recommendations

- 11.1 The Cabinet is recommended to note the comments of the Health and Wellbeing Board, set out in section 5 of the report.
- 11.2 The Cabinet is recommended to agree the Better Care Fund Plan for 2022/23, set out at Appendix 1 to the report and to note that the draft two-year plan for 2023 to 2025 will be brought to the Cabinet later in 2022.

12. Suggested reasons for decisions

- 12.1 Approval of the Better Care Fund Plan 2022/23 will formalise the submission made to NHS England, which had to take place as a provisional submission by 26 September 2022.

Lead officer contact

Su Irving, Head of Adults' (25+) Partnership Commissioning and Better Care Fund, Gun Wharf, Medway Council and the K&MCCG.

Appendices

Appendix 1 – Final draft narrative BCF Plan 2022/23

Background papers

None

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BCF narrative plan template

This is a template for local areas to use to submit narrative plans for the Better Care Fund (BCF). All local areas are expected to submit narrative BCF plans but use of this template for doing so is optional. Although the template is optional, we encourage BCF planning leads to ensure that narrative plans cover all headings and topics from this narrative template.

These plans should complement the agreed spending plans and ambitions for BCF national metrics in your area's BCF Planning Template (excel).

There are no word limits for narrative plans, but you should expect your local narrative plans to be no longer than 15-20 pages in length.

Although each Health and Wellbeing Board (HWB) will need to agree a separate excel planning template, a narrative plan covering more than one HWB can be submitted, where this reflects local arrangements for integrated working. Each HWB covered by the plan will need to agree the narrative as well as their excel planning template.

An example answers and top tips document is available on the Better Care Exchange to assist with filling out this template.

Cover

Health and Wellbeing Board(s)

Medway Health and Wellbeing Board

Bodies involved in preparing the plan (including NHS Trusts, social care provider representatives, VCS organisations, housing organisations, district councils)

Medway Council; NHS Kent and Medway Integrated Care Board (ICB), DFG Services, VCS Sector

How have you gone about involving these stakeholders?

We have established a Steering Group to support regular and ongoing engagement with key stakeholders and internal and external partners around BCF Planning and commissioning activity for the Better Care Fund. This group supports our work across Health and Social Care services and supports co-production of BCF plans and wider commissioning activity for our Partnership Commissioning Team. We have also engaged with our Health and Wellbeing Board, to input into the BCF Plan for 2022-23.

In responding to the pandemic, the health and social care partners adopted a more collaborative approach to working. We intend to continue this level of collaboration through adaptable contracted services, meeting the current need and reflecting this approach in new commissioning activity.

Priorities for the BCF in 2022/23 are:

1. Improved discharge pathways from hospital to realise the best health outcomes for our residents
2. Prevention to reduce hospital admissions and support maximising care capacity
3. Addressing the pandemic's 'hidden' impacts on citizens and services:
 - Improving health/including mental health outcomes
 - Reducing health inequities in service delivery
 - Challenging inequalities (Ethnic Minority Communities, social deprivation, social isolation)
 - The impact on climate change, ensuring that Medway can address the priorities identified for through Medway's Joint Health and Wellbeing strategy and JCMG's core principles.
4. Any unforeseen circumstances such as the cost of living crisis which is a developing risk for most areas.

Governance

Please briefly outline the governance for the BCF plan and its implementation in your area.

Governance of the BCF in Medway

Our Joint Commissioning Management Group (JCMG) was established to lead on all elements of joint commissioning, including BCF, and has allowed learning to be shared for informing local plans across the system, providing the flexibility to adapt to changes in need, performance, or circumstance. Commissioning activity ensures there is a focus on defined and measurable outcomes and consistent contract management.

Meeting every six weeks, JCMG has ensured the separate NHSKM and Council governance processes are fully informed such as the Health and Wellbeing Board, NHS KM ICB's Governing Body, the Council's Health and Adult Social Care Overview and Scrutiny Committee, and Cabinet.

The M&S HCP provides whole place based system oversight and leadership to drive improvement in Emergency Departments performance and ensure high quality Urgent Care Pathways for patients in the context of the ICB priorities. Every system partner attends the Local A&E Delivery Board (LAEDB) and has executive level

representatives with the authority to commit to decisions on behalf of their organisation.

Through Population Health Management we have developed a 'Local Memorandum of Understanding' - a written understanding between the Statutory, Voluntary and Community Sectors and other partners within the Medway and Swale locality about how we will support each other, this recognises the contribution Voluntary and Community groups make.

We have also established a Partnership Commissioning Steering Group to support engagement around our development of our BCF plan and our commissioning activity. This group are developing their terms of reference and to date have met several times to support the programmes of commissioning including Wellbeing Navigation, Voluntary and Community Sector, Carers Support Services, Supported Living and Intermediate Care and Reablement. We work closely with our local Healthwatch Service to design and produce engagement materials to support our commissioning activity, ensuring the patient voice is captured and that we consider accessibility and equalities.

Overall BCF plan and approach to integration

Please outline your approach to embedding integrated, person centred health, social care and housing services including:

- *Joint priorities for 2022-23*
- *Approaches to joint/collaborative commissioning*
- *How BCF funded services are supporting your approach to integration. Briefly describe any changes to the services you are commissioning through the BCF from 2022-23.*

The Medway Better Care Fund Plan 2022-2023 has been created with reference to our local strategies for Social Care, NHS, Public Health, Disabled Facilities Grant and wider.

In Medway, shared leadership is demonstrated through the development of the M&S HCP for delivering integrated care and wellbeing, with a focus on population health management. There has been significant system-wide engagement with social care and health providers, Councillors, GPs and the Acute Trust, to develop the partnership, which puts the needs of our residents before organisational need.

The health and social care system in Medway has been redesigned to reduce the number of trips to hospital made by people and increase the level of access to the support they require from more specialist clinics provided in local surgeries. These changes simplify and connect the often-confusing access to health across the Emergency Department, GP out of hours, minor injuries and illness services,

ambulance services and 111 so that Medway residents know where they can get urgent help easily and effectively, seven days a week.

We work diligently to understand the variation in health and social care outcomes across a wide range of indicators. Demographic profiles for the M&S HCP have been developed by Public Health to ensure the work undertaken is data driven. Through a population health management approach, the Medway and Swale system has created a data repository which identifies all statutory organisational data sets across our locality. It will include qualitative and quantitative data from the voluntary and community sector to create a richer source of local place-based intelligence. The data sets will be continuously analysed through the population health management steering group in order to identify the highest inequalities with an aim to build community resilience within neighbourhoods. All partners including wide agreement and contribution from the voluntary sector are included in the discussions and design.

The Health and Social Care Act 2022 seeks to publish data sharing legislation which will support the health and care system in Medway to develop effective policies, plan and commission services and target care and resources where it is most needed.

Priorities for the BCF in 2022/23 are:

- 1 Improved discharge pathways from hospital to realise the best health outcomes for our residents
- 2 Prevention to reduce hospital admissions and support maximising care capacity
- 3 Addressing the pandemic's 'hidden' impacts on citizens and services:
 - Improving health/including mental health outcomes
 - Reducing health inequities in service delivery
 - Challenging inequalities (Ethnic Minority Communities, social deprivation, social isolation)
 - The impact on climate change, ensuring that Medway can address the priorities identified for through Medway's Joint Health and Wellbeing strategy and JCMG's core principles.
 - Any unforeseen circumstances

As noted earlier, the Local Memorandum of Understanding between the Statutory, Voluntary and Community Sectors and other partners within the Medway and Swale locality sets out how we will co-operate.

It is crucial to the governance and wellbeing of communities in Medway and Swale that we work collaboratively through engagement of volunteers, promotion of active residence, promotion of debate, questioning and new ideas, and providing services. If the Memorandum of Understanding is effective, it will support the development of Voluntary and Community sector capacity, to increase and improve the impact of the

sector and benefit Medway and Swale residences. It is our intention that community health resilience will be developed through this approach.

Implementing the BCF Policy Objectives (national condition four)

National condition four requires areas to agree an overarching approach to meeting the BCF policy objectives to:

- *Enable people to stay well, safe and independent at home for longer*
- *Provide the right care in the right place at the right time*

Please use this section to outline, for each objective:

- *The approach to integrating care to deliver better outcomes, including how collaborative commissioning will support this and how primary, community and social care services are being delivered to support people to remain at home, or return home following an episode of inpatient hospital care*
- *How BCF funded services will support delivery of the objective*

Plans for supporting people to remain independent at home for longer should reference

- *steps to personalise care and deliver asset-based approaches*
- *implementing joined-up approaches to population health management, and preparing for delivery of anticipatory care, and how the schemes commissioned through the BCF will support these approaches*
- *multidisciplinary teams at place or neighbourhood level.*

Plans for improving discharge and ensuring that people get the right care in the right place, should set out how ICB and social care commissioners will continue to:

- *Support safe and timely discharge, including ongoing arrangements to embed a home first approach and ensure that more people are discharged to their usual place of residence with appropriate support.*
- *Carry out collaborative commissioning of discharge services to support this.*

Discharge plans should include confirmation that your area has carried out a self-assessment of implementation of the High Impact Change Model for managing transfers of care and any agreed actions for improving future performance.

Medway leaders are prioritising effective hospital discharge planning. Guidance published to date has set the direction Medway by all system partners. The introduction of the 'discharge to access' (D2A) pathway has seen a significant change in the number of people who experience a delayed discharge. The change in Government funding supporting discharge arrangements during Covid means we

have reframed our D2A pathways and we are working now with colleagues in NHS Kent and Medway, Medway Foundation Trust and Medway Community Health, to finalise those arrangements.

Hospital discharge in Medway remains a complex and challenging process for healthcare professionals, patients, and their carers. Particularly where the global pandemic has impacted so heavily on services and staff. The BCF facilitated several schemes highlighted below, which have helped to expediate an early response to the COVID-19 pandemic and support the earliest discharge and assessment at home possible. Our system undertook a review of the High Impact Change Model in August 2021 and this highlighted our strengths and challenges and there will be a review of progress against the action plan in 2022.

We are working with our providers to ensure we are able to support patients needing ongoing care at home. The provider market is fluctuating greatly due to changes in demand for services and also the Government furlough scheme, which has impacted on the market considerably, particularly for domiciliary care. We are anticipating changes in demand for residential care as a result of Covid, which is reflected in our metrics, residential care demand is also impacted by the establishment of our discharge to assess pathway and our strategic approach to delivering more care and reablement in people's own homes where possible.

The Rapid and Urgent response teams comprise of nurses and therapists providing specialist care in the community, responding within two hours of a call to support admission avoidance, re-admissions and discharge to assess. The teams are supported by MedOCC GPs providing prescribing advice and guidance.

Partnership Commissioning have been supporting care homes with managing falls through the purchase of Camel lifting chairs via the Medway Integrated Equipment Service. We work closely with our providers to develop new strategies and approaches to support people to remain at their normal place of residence.

The SMART Team at Medway Hospital supports patients in their home on discharge, where they need to remain under close care of a hospital clinician during their recovery.

Patients discharging from an acute episode of care can be referred in to the Multi Disciplinary Team where required. Members of the Integrated Discharge Team are attending these meetings to support discussions for those patients at risk of readmission. The Multi-Disciplinary Team also includes Adult Social Care and community providers such as the Voluntary Sector, the Wellbeing (Care) Navigation Service and community nurses and therapists.

The key to managing demand and reducing pressure on the system is to prevent people from becoming ill, ensuring that the system supports individuals to better manage their long-term conditions. The aim is to support people to live independently and well, for longer. Medway has a number of initiatives that are not funded by the BCF, which provide preventative services such as the 'Better Medway Services' and the Medway Better Mental Health and Wellbeing.

Support for patients requiring ongoing care at home is ensured through working with providers, particularly those in domiciliary care. The care sector is facing significant challenges partly due to an increase in demand. This is multi factored and wide ranging and on a national level, which has impacted particularly for domiciliary care.

The following BCF funded services support our system to effectively support safe and timely discharge from hospital.

Discharge to Assess

Regular Multi Agency Discharge Events (MADE) take place in Medway. Both planned and ad-hoc events take place to support effective discharge planning and performance and deliver continued learning and improvements.

As noted above, discharge arrangements are in the process of being reframed following the end of the discharge funding related to Covid. It is anticipated that there will need to be significantly greater spend on this area, from the BCF to ensure continued performance.

Home from Hospital Pilot Service

The pilot service commenced on 1 November 2020 and due to its success was extended to 31 March 2022. There is currently service provision from a national scheme provided by Royal Voluntary Service. We will monitor this and ensure there is appropriate provision to support hospital discharge. We also support Hospital Discharge throughout Wellbeing Navigation Service which has a presence at Medway Hospital and can help patients and families navigate local services to find appropriate support.

Intermediate Care and Reablement Service and Home First

Medway has an established service to deliver assessment and reablement at home. Home First is a multiagency response service that supports hospital discharge for people who are medically stable and have reablement potential. The significant difference with this model is that the assessment and reablement is delivered in the service user's home setting and not, as has traditionally been done, in a hospital ward or community bed.

Medway's Home First service has been highlighted at regional and national BCF network events and by the Emergency Care Improvement Pathway (ECIP), which supported its development as good practice.

Our Intermediate Care and Reablement Service (IC&RS), which was developed from the learning of the original Home First trial, commenced on 1 October 2016 with Home First as an embedded part of the contract and has been extend to the 30 September 2023, and varied to accommodate the new health pathways. The recommissioning process follows our established collaborative process with key partners.

Patient voice

An example of patient experience is summed up in the following quote “I was in a sorry state when I first got home, barely able to do more than sit up in bed (and that only with assistance!), but from the very start getting a Home Visit from [worker] advising me on what assistance and aids were available to me – from daily care/enabler visits to get me washed and dressed, to providing equipment ranging from a perching stool to a humble urine bottle, to a visit from a physiotherapist – was an absolute lifesaver...

... All my dealings with all my helpers – carers/enablers/managers etc – were positive, and it was clear that everyone, absolutely everyone, was fully committed to doing their very best for me, and I really appreciated it.”

Healthwatch are working with our commissioners to ensure we include the independent voice of patient experience for all commissioning initiatives.

Medway Integrated Community Equipment Service (MICES)

MICES was introduced during 2016 to bring together disparate equipment services into one integrated service. MICES has been vital in supporting the COVID-19 pandemic response supporting care homes with equipment, as well as hospital discharge and people remaining at home with maintained independence for as long as possible. The new MICES contract commenced on 1 September 2020 and supports the increased demand of Pathway 1 (discharge to assess) discharges.

The digitalisation and stock management system of the new contract ensures that all activity deliveries, collections, and repairs are now monitored in a much more robust way. This ensure KPI's are measured, and equipment collection and recycling are maximised to its full potential. There are now 3 recycling drop off points across Medway for service users to use to return equipment and panels take place weekly for Adults and paediatric equipment.

Supporting unpaid carers.

Please describe how BCF plans and BCF funded services are supporting unpaid carers, including how funding for carers breaks and implementation of Care Act duties in the NHS minimum contribution is being used to improve outcomes for unpaid carers.

We have developed a Joint Carers Strategy for Medway which has been co-produced with a range of partners and stakeholders including statutory, community and voluntary sector organisations and in consultation with adult and young carers.

Medway's BCF supports Carers through funding for carers breaks and through our high quality commissioned advice and support service which is delivered by Carers First.

Carers FIRST support carers at any stage of their caring journey; from a recent diagnosis, through to end of life. The support continues if the cared-for person dies or until the carer no longer requires help. This is through the following:

- Information, advice, and guidance
- Support for carers so that they know their rights and the help available to them
- Community support networks and group activities
- Support in workplaces, hospitals and GP practices to help staff understand the issues facing carers and how to signpost carers to services
- Work with Medway Wellbeing Navigator Service and community link workers to identify carers, make sure they are registered on GP systems and signposted to services or help
- A carers' coordinator placed in Medway Maritime Hospital to help carers when the cared for person is admitted or discharged from hospital
- A carers support payment or support is provided as an urgent response to carers who are not receiving financial support through the local authority.

Carers FIRST makes sure young carers are helped through a young carer's assessment. They work closely with health and social care to make sure that the person the young carer is caring for has proper support in place, not relying on the young person. They help young carers to access community and school-based activities that help to reduce the long-term impact on young carers' development.

In 2021 (January to December):

- 95% of carers felt an improvement in their health and wellbeing because of using the service, the same as in 2020
- 96% of carers felt better able to access support from health, social care, and welfare benefits system because of contacting the service, and increase of 4% compared to 2020
- 100% of young carers felt that the service helped them to reach their educational goals, the same as 2020, however, it should be noted that that response to the survey was low
- 88% of carers felt that the service enabled them to have a meaningful break from their caring role, of which 2% were young carers. Although meeting the 80% target, there was an 8% decline compared to 2020, and can be attributed: The impact of the pandemic on carers shielding the 'cared for' or themselves, issues recruiting staff in the sector and being unable to find a carer to look after the person they 'care for' for respite
- 94% of young and adult carers who use the Carers service, feel that they are supported, and a Crisis is avoided, a decline of 4% compared from 2020, again impacted by pandemic during the year
- 97% of carers felt they were better supported to develop contingency plans and plan for the future
- 94% of young and adult carers felt that their emotional wellbeing has improved due to using the Carers Service

Other groups

NHS KM are working with the Council and system partners to develop a Dementia Strategy to inform a needs assessment for dementia care.

Work with providers will continue to build changes into the local market, which will deliver savings and improvements in service delivery.

Disabled Facilities Grant (DFG) and wider services

What is your approach to bringing together health, social care and housing services together to support people to remain in their own home through adaptations and other activity to meet the housing needs of older and disabled people?

Medway Council understands how important support is to make sure vulnerable people can stay in their own home or find better accommodation to help them stay active and living independently. This may mean providing housing with support staff on site (supported housing) or having support staff visiting people in their home. Medway Council is currently reviewing whether there is the right type and right amount of housing related support and other help for people to stay in their homes for longer. The [Housing Strategy 2018-2022](#) aligns with the Homelessness Prevention Strategy and links to a range of council plans and strategies.

It is predicted that there will be 22% more people living in Medway by 2037. There will be more households in all age ranges but especially those aged 65 and older. Medway Council will need to account for this in our future plans. An example of this is our current program of extra care schemes with future developments being planned in collaboration with our partners in Adult Social Care. Medway also recognises the changing needs of residents and aims to ensure that all new affordable housing developments include units which are accessible for people who use wheelchairs or have other mobility issues.

The Care Act 2014 shifted the focus to earlier intervention that offers a more preventative approach to supporting people. The principle of the DFG service for residents across Medway is to '*help me live in my own home, easily and with dignity with the right adaptation when I need it*'.

An established person-centred approach in place supports the needs of the person. The individual need is met through the DFG team or the MICES team dependent on that need.

In Medway, the MICES and DFG teams collaborate to meet the complex health and social care needs of residents.

The DFG team supports MICES and hospital discharge by providing community equipment to those with a temporary or permanent health need, or disability on a temporary or permanent loan basis.

Equality and health inequalities

Briefly outline the priorities for addressing health inequalities and equality for people with protected characteristics under the Equality Act 2010 within integrated health and social care services. This should include

- *Changes from previous BCF plan*
- *How these inequalities are being addressed through the BCF plan and BCF funded services*
- *Where data is available, how differential outcomes dependent on protected characteristics or for members of vulnerable groups in relation to BCF metrics have been considered*
- *Any actions moving forward that can contribute to reducing these differences in outcomes*

The M&S HCP footprint has some of the highest levels of deprivation in the UK, with some wards being in the 10 percent most deprived areas in the country. Although Medway currently has a younger age profile than the England average, the number of people living in Kent and Medway is predicted to rise by almost a quarter by 2031. This population growth will have implications for health and care services.

The pandemic has had an on-going effect on the way services are delivered in Medway. In addition to the changes required to inform discharge and funding of operations, there are signs of a trend in reduced demand for residential services and a shift towards supporting more people in their own homes. To be responsive to the pandemic and the demands on services, the Council is working with all health partners to understand and alleviate the pressures around hospital discharge and acute and community care.

In Medway, 23% more people have an unplanned admission for a chronic condition that could be managed out of hospital, compared to the national average.

Medway Joint Strategic Needs Assessment March 2021 states that deprivation has a major impact on shaping the physical and mental health and wellbeing. Life expectancy in Medway has been consistently below the England average, and in recent years:

- has increased for females however, females are more likely to spend a greater proportion of life in poor health than males
- just below the England averages by 0.7 years for males, and 0.8 years for females.

The most deprived areas are more likely to have a lower life expectancy of up to ten years for a male and eight years for a female compared to the more affluent areas of Medway.

24% of children aged 4 to 5 years and 36% of 10- to 11-year-olds are classified as overweight or obese across Medway, with higher rates recorded in areas of deprivation. Nearly 70% of adults in Medway are classified as overweight or obese, which is significantly higher compared to England at 62%.

The number of people aged over 18 who smoke, is 4% higher than the national average. Smoking and obesity are known as the two key risk factors that contribute to morbidity and mortality across a range of conditions in adulthood. While smoking rates have fallen in Medway over the last decade, the prevalence remains high for manual occupations, and nearly half of adults with serious mental health illness smoke.

People with severe mental illness die on average fifteen to twenty years earlier than the general population, with smoking rates thought to be the largest contributor. In Medway, there is a higher rate of suicide, particularly in men, compared to the England average rate and a 2% higher prevalence of depression. People with learning disabilities have shorter lives compared to the general population.

The one-year cancer survival rates are 5% lower in Medway than the national average. Cancer contributes to a greater extent in females (54.7%) than males (32.7%). Several areas in Medway have higher rates of death from cancer of approximately between 20% and 40% higher than the national average for England.

Addressing Health Inequalities in Medway

The Levelling Up White Paper will set out a complete 'system change' of how government works that will be implemented to level up the UK via cross-government, cross-society efforts. This is the first time a government has placed narrowing spatial economic disparities at the heart of its agenda.

Medway's BCF Plan will ensure the initiatives which the fund finances will focus on addressing the needs of those most vulnerable in the community. The aim is to proactively help people access the services, advice and care they need to maintain their physical and mental wellbeing.

Activities that look to address health inequalities are linked to the population health management programme (PHM). M&S HaCP are the lead HaCP for the national programme. All levels of prevention are included: primary, secondary, and tertiary. A M&S HaCP health inequalities interactive map is being created and will include service provision and disease prevalence to calculate level of need and ensure equitable access.

The Medway Joint Health and Wellbeing Strategy links into several health and social care strategies and provides a high-level framework to improve the health wellbeing and health inequalities of the Medway residents. The focus is on five key outcomes:

- Giving every child a good start
- Enabling our older population to live independently and well
- Preventing early death and increasing years of healthy life
- Improving mental and physical health and well-being
- Reducing health inequalities

The Joint Local Care Steering Group identified transitions as a priority area and recommended a proposal to JCMG to secure BCF funding for additional capacity to map health pathways, thresholds, and services for transition across a wider remit for the HaCP

A Preparing for Adulthood Project Board has been established to improve the outcomes for service users transitioning from Children's Social Care to Adults' Social Care. This is to support people aged 16 and over with disabilities such as learning disabilities, autism, or physical disabilities. The objective is to develop a seamless process of transition to adulthood with clear signposting and information (such as education and providers) to young people, their families, and relevant stakeholders regardless of Care Act eligibility. This supports the life chances of children and young people with SEND by working with them and their parents and carers to effectively plan for and support their transition to adulthood.

As mentioned above, the 'Better Medway Services', the Medway Better Mental Health and Wellbeing and the Medway Health Champions also provide preventative services and also tackle health inequalities.

The Wellbeing Navigation Service, which we are in the process of recommissioning, aims to target areas of deprivation according to population health need as well as frequent attendees at GP surgeries. The service will work within and alongside, the PCNs, ASC and Housing and Benefits Teams within the Council.

The BCF Plan facilitates the Psychotherapy for Tier 3 Children Service psychotherapy support programme, which commenced in 2021. The service is a weight management with psychotherapy to support and engage with children and young people who are above a healthy weight and higher than the 98th percentile. Over 2 years the service aims to:

- increase understanding of a healthy lifestyle
- increase wellbeing and physical activity
- reduce the levels of overweight and obese within the cohort
- reduce the prevalence of long-term obesity related conditions
- reduce the use (and cost) of statutory services due to obesity related conditions
- improve family awareness and understanding of the impact of obesity

Other areas where the BCF Plan provides support to ensure equity of service and addressing the health inequalities are:

- Carers play an essential role in supporting the independence of those being cared for by remaining in their own home. As the population increases, increasing the resilience of carers will also be a priority.
- Voluntary services have provided vital support to carers and health and social since the COVID-19 pandemic. Carers First provide carers information advice and guidance, a young carers and carers support payment service, and have actively supported carers throughout the pandemic by offering wellbeing calls, shopping and picking up medications for vulnerable carers. They also helped

GPs to identify carers for the COVID-19 vaccination programme, and provided young carers with emergency contingency planning and virtual support throughout the COVID-19 pandemic.

Partnership Commissioning sits within the wider directorate of Public Health which enables our BCF funded team to consider the latest research and guidance in relation to health and health inequalities and produce strategies and plans to address these. Our Market Position Statements will be reviewed in 2022/23 and will address the changes in the market and in needs locally. Fair Cost of Care reviews are being undertaken.

We work closely with Healthwatch Medway to ensure our residents' voices are heard. Healthwatch informs strategic decision making, commissioning and design of services and evaluation of services.

The Kent and Medway Integrated Care System has developed a Turning the Tide Board, chaired by James Williams, Director of Public Health for Medway. The Turning the Tide Transformation Oversight Board is to drive implementation of a strategy which will help the system to address the impact Covid-19 is having on people from ethnic minority backgrounds and workforce and to support the Kent and Medway System in developing a sustainable response. This board has sub-groups focusing on:

- Data and information
- Social marketing, communication and behavioural insight
- Clinical management and risk management
- Health and social care workforce

An Overview of the Ethnic Minority Population in Kent and Medway:

- The outbreak of COVID-19 pandemic in March 2020 has highlighted the existing inequalities impacting on people from ethnic minority backgrounds across England, and the need to investigate them and understand them better. A recent report published by Public Health England has shown that mortality rates from COVID-19 in some ethnic minorities are nearly double than those in the White British population.
- During the 2011 Census the majority of the ethnic minority population in England, and also in Kent and Medway, was on average young, ageing between 20 and 39 years old. When compared with the SE region, the distribution of ethnic minorities by broad age group in Kent and Medway was very similar. However, Medway on its own had a slightly higher percentage of people from ethnic minority backgrounds aged 65-84 and 85+ years old, than the SE region and also Kent.
- The ethnic minorities with the highest number of social service users were Asian (690) and Mixed (492). Although the majority of service users were White British, Dartford, Gravesham, Maidstone, Shepway, and Thanet had a higher number of social service users from an ethnic minority group.
- The largest ethnic group in nursing and care home residents was Asian. Thanet (29%) and Gravesham (29%) had the highest percentage of people

from ethnic minority backgrounds resident in nursing and care home in Kent and Medway.

- The highest hospital activity rates for people from ethnic minority backgrounds in Kent and Medway were in Other ethnic group, which was higher than in White British. Hospital activity rates in Black and Other White population has been increasing over time and are currently higher than in White British population. It is very interesting how the rate of A&E attendances in Other White increased from 935 in 2018/19 to 1656 per 1,000 in 2019/20 which is very likely attributable to the outbreak of COVID-19.

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CABINET

18 OCTOBER 2022

COVERT SURVEILLANCE POLICY

Portfolio Holder: Councillor Adrian Gulvin, Portfolio Holder for Resources

Report from / author: Bhupinder Gill, Assistant Director Legal and Governance

Summary

In 2021 the Council updated its Covert Surveillance Policy as part of a cyclical process following changes in internal structures. Shortly afterwards, the Council were notified of an inspection to be conducted by the regulator, the Investigatory Powers Commissioner's Office (IPCO). The IPCO has recommended some changes to the policy and this report seeks approval of a revised policy.

1. Budget and policy framework

- 1.1. Approval of the Covert Surveillance Policy and Guidance is a matter for Cabinet whilst it is within the ambit of the Audit Committee to take on a reviewing role of the use of covert surveillance by the Council.

2. Background

- 2.1. The Council has a number of options available to it when investigating and prosecuting offences, the vast majority of investigation techniques are overt. There may be times however when it is necessary to undertake covert investigations. The use of such techniques is governed by the Regulation of Investigatory Powers Act (RIPA) 2000 as amended by the Protection of Freedoms Act 2012.
- 2.2. The current policy was last revised in late 2021 to take into account organisation changes.
- 2.3. The Council is inspected periodically by the Investigatory Powers Commissioner's Office ('IPCO'), and shortly after the last revision of the policy we were informed of such an inspection. Following an inspection the IPCO recommended some changes to the policy. Taking into consideration the recommendations made and that no substantive review of the policy had taken place for a significant period of time, it was considered opportune to undertake a thorough review of the policy and adopt a process of going back to basics and starting with a clean sheet.

- 2.4. The IPCO has been very supportive of our approach and has assisted us with our review, checking the redrafted policy and proposed documentation, confirming that they are content with the proposed draft. We have also taken the opportunity to review our procedures relating to the authorisation of investigations, documents, training and document retention.
- 2.5. Subject to approval of the policy by Cabinet, a programme of training for relevant officers, (those applying for, authorising and reviewing), will be conducted by officers followed by annual refresher training. The provision of such will be met from existing budgets.

3. Options

- 3.1. Cabinet is being asked to approve the revised policy. Members could choose not to update the policy but doing so creates risks that evidence obtained using covert surveillance could be inadmissible in court and the Council could be the subject of complaints made to the Investigatory Powers Tribunal and enforcement action by the IPCO.
- 3.2. Option 1 Cabinet agree to update the policy.
- 3.3. Option 2 Do nothing.

4. Advice and analysis

- 4.1. Option 1 is recommended. This helps ensure that investigations can be successfully prosecuted and mitigates the risk of complaints being made regarding the Council’s use of surveillance to the tribunal.
- 4.2. Option 2 is not recommended by officers as it is likely that this would lead to significant criticism in the next IPCO inspection as the update reflects recommendations contained within the Inspectors report from 2018.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Failure to update the policy	Leaving the policy as is means that it hasn’t addressed the concerns raised in the IPCO inspection – it is likely to impact the Council’s investigations and may lead to prosecutions being unsuccessful.	Update the policy	C3

6. Financial implications

- 6.1. If the policy is not updated there is a risk that the Council will be liable for compensation following a successful complaint to the tribunal.

7. Legal implications

- 7.1. In order to carry out surveillance activities the Council must comply with the Regulation of Investigatory Powers Act 2000 ('RIPA') as amended. Having an up to date policy ensures compliance with these statutory regimes and empowers the Council to actively investigate matters such as illegal tobacco sales.
- 7.2. The compliance with those statutes is monitored by the IPCO as regulator via an inspection regime and the updates to the policy follow recommendations arising from the last inspection.

8. Recommendation

- 8.1. It is recommended that the Cabinet approves the updated Covert Surveillance Policy, attached at Appendix 1 to the report.

9. Suggested reasons for decision

- 9.1. The updates to the policy address the ever increasing popularity of the use of social media and reflect updates to job titles for authorising officers.

Lead officer contact

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Appendices

Appendix 1 – Revised Policy.

Background papers

None

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Medway Council
The Regulation of Investigatory Powers Act 2000
October 2022

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Corporate Surveillance Guidance			
Version	2.0	Approved by	Assistant Director – Legal and Governance
Date last amended	220809	Approval date	
Lead officer		Review date	
Contact		Effective date	

1. Introduction

1.1 Summary

1.1.1 The Regulation of Investigatory Powers Act 2000 ('RIPA') brought into force theregulation of covert investigation by a number of bodies, including local authorities. RIPA regulates a number of investigative procedures, the most recent of which is the access to communications data.

1.1.2 This document is intended to provide officers with guidance on the use of covert surveillance and Covert Human Intelligence Sources ('Sources') under RIPA. Officers must take into account the Codes of Practice issued under RIPA and the Codes of Practice.

1.2 Background

1.2.1 The Human Rights Act 1998 requires the Council, and organisations working on its behalf, pursuant to Article 8 of the European Convention, to respect the private and family life of a citizen, his home and his correspondence.

1.2.2 The European Convention did not, however, make this an absolute right, but a qualified right. Accordingly, in certain circumstances, the Council may interfere in the citizen's right mentioned above, if such interference is:

- (a) in accordance with the law
- (b) necessary (as defined in this document); and
- (c) proportionate (as defined in this document).

1.2.3 RIPA provides a statutory mechanism for authorising certain types of surveillance. It seeks to ensure that any interference with an individual's right under Article 8 of the European Convention is necessary and proportionate. In doing so, RIPA seeks to ensure both the public interest and the human rights of individuals are suitably balanced.

1.2.4 If the correct procedures are not followed, evidence may be disallowed by the courts, a complaint of maladministration could be made to the Ombudsman, and/or the Council could be ordered to pay compensation. It is essential, therefore, that all involved with RIPA comply with this document and any further guidance that may be issued, from time to time, by the Assistant Director, Legal & Governance.

1.2.5 Each officer of the Council with responsibilities for the conduct of investigations, shall, before carrying out any investigation involving RIPA, undertake appropriate training to ensure that investigations and operations that he/she carries out will be conducted lawfully.

1.2.6 The Assistant Director, Legal & Governance, is appointed as the senior responsible officer to ensure the integrity of the process within the Council and its compliance with RIPA; to have oversight of reporting of errors to the relevant oversight commissioner; responsibility for engagement with the Investigatory Powers Commissioner's Office when they conduct their inspections and where necessary, oversight of the implementation of any post-inspection action plan. The senior responsible officer will also ensure that Members regularly review the Council's use of RIPA.

1.3 *Review*

1.3.1 RIPA and this document are important for the effective and efficient operation of the Council's actions with regard to surveillance. This document will, therefore, be kept under yearly review by the Assistant Director, Legal & Governance.

1.3.2 Authorising Officers must bring any suggestions for continuous improvement of this document to the attention of the Assistant Director, Legal & Governance, at the earliest possible opportunity.

1.4 *Scope*

1.4.1 RIPA covers the authorisation of directed surveillance and the authorisation of sources. An authorisation under RIPA will provide lawful authority for the investigating officer to carry out surveillance.

1.4.2 In terms of monitoring e-mails and internet usage, it is important to recognise the interplay and overlaps with the Council's e-mail and internet policies and guidance, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 and the Data Protection Act 1998. RIPA forms should be used where relevant and they will only be relevant where the criteria listed on the forms are fully met.

2. **General**

2.1 *Definition of Surveillance*

'Surveillance' includes:

- a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communication;
- b) recording anything monitored, observed or listened to in the course of surveillance
- c) surveillance by or with the assistance of a surveillance device

- d) the interception of postal and telephone communications where the sender or recipient consents to the reading of or listening to or recording of the communication. This is a form of directed surveillance.

2.2 *Confidential Material*

- 2.2.1 Particular care should be taken in cases where the subject of the investigation or operation might reasonably expect a high degree of privacy, or where confidential information is involved. Confidential information consists of matters subject to legal privilege, confidential personal information, confidential journalistic material and communications between an MP and a constituent.
- 2.2.2 Applications in which the surveillance is likely to result in the acquisition of confidential material will only be considered in exceptional and compelling circumstances with full regard to the proportionality issues this raises.
- 2.2.3 The Authorising Officer shall give the fullest consideration to any cases where the subject of the surveillance might reasonably expect a high degree of privacy, for instance in his or her home.
- 2.2.4 Where a likely consequence of surveillance would result in the acquisition of confidential material, the investigating officer must seek authority from the Chief Executive, or, in his absence, the Director of Place and Deputy Chief Executive.

3. Directed and intrusive surveillance

3.1 *Directed Surveillance*

Directed surveillance is surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or specific operation;
- b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation or operation); and
- c) otherwise, than by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation under RIPA to be sought for the carrying out of the surveillance.

3.2 *Intrusive Surveillance*

3.2.1 That surveillance becomes intrusive if the covert surveillance:

- a) is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle; or

- b) is carried out without that device being present on the premises or in the vehicle, is not intrusive unless the device is such that it consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the vehicle, or
 - c) is carried out in places ordinarily used for legal consultation, at a time when they are being used for such consultations
- 3.2.2 Therefore, directed surveillance turns into intrusive surveillance if it is carried out involving anything that occurs on residential premises or any private vehicle and involves the presence of someone on the premises or in the vehicle or is carried out by means of a surveillance device **OR** when directed surveillance is carried out in places ordinarily used for legal consultation, at a time when they are being used for such consultations.
- 3.2.3 For intrusive surveillance relating to residential premises or private vehicles, if any device used is not on the premises or in the vehicle, it is only intrusive surveillance if it consistently produces information of the same quality as if it were.
- 3.2.4 Where covert surveillance is carried out by a device designed or adapted principally for the purpose of providing information about the location of a vehicle, the activity is directed surveillance.
- 3.2.5 Commercial premises and vehicles are therefore excluded from intrusive surveillance. Currently, local authorities are **not** authorised to carry out intrusive surveillance.

4. Identifying directed surveillance

Ask yourself the following questions:

4.1 *Is the surveillance covert?*

- 4.1.1 Covert surveillance is any surveillance that is carried out in a manner calculated to ensure that the persons subject to the surveillance are unaware that it is or may be taking place.
- 4.1.2 If your activities are not hidden from the subjects of your investigation, you are not within the RIPA framework at all. In many cases, Officers will be behaving in the same way as a normal member of the public (e.g. in the case of most test purchases), and/or will be going about Council business openly (e.g. a market inspector walking through markets).
- 4.1.3 Similarly, surveillance will be overt if the subject has been told it will happen (e.g. where a noisemaker is warned (preferably in writing) that noise will be recorded if the noise continues, or where an entertainment licence is issued subject to conditions, and the licensee is told that officers may visit without notice or identifying themselves to the owner/proprietor to check that conditions are being met).

4.1.4 It should be noted that if the same outcome can be achieved by overt means, then those means need to be fully explored in the first instance. Covert surveillance must only be undertaken when there is no less invasive way of achieving the outcome.

4.2 *Is the surveillance for the purposes of a specific investigation or a specific operation?*

4.2.1 Although, the provisions of the Act do not normally cover the use of overt CCTV surveillance systems, since members of the public are aware that such systems are in use, there may be occasions when public authorities use overt CCTV systems for the purposes of a specific investigation or operation. For example, if the CCTV cameras are targeting a particular known offender. In such cases, authorisation for directed surveillance may be necessary.

4.3 *Is the surveillance in such a manner that is likely to result in the obtaining of private information about a person?*

4.3.1 Private information includes any information relating to a person's private or family life. The concept of private information should be broadly interpreted to include an individual's private or personal relationship with others. It includes an individual's business and family relationships. Family life itself should be treated as extending beyond the formal relationships created by marriage.

4.4 *Is the surveillance otherwise than by way of an immediate response to events or circumstances where it is not reasonably practicable to get authorisation?*

4.4.1 Directed surveillance does not include covert surveillance carried out by way of an immediate response to events or circumstances which, by their very nature, could not have been foreseen. For example, a police officer would not require an authorisation to conceal himself and observe a suspicious person that he came across in the course of a patrol.

4.4.2 However, if as a result of that immediate response, you undertake a specific investigation you will need authorisation.

5. Covert human intelligence sources

5.1 *Definition*

5.1.1 A person is a source if:

- a) he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c);
- b) he covertly uses such a relationship to obtain information or to provide access to any information to another person; or
- c) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

A source may include those referred to as agents, informants and officers working undercover.

A purpose is covert, in relation to the establishment or maintenance of a personal or other relationship, if and only if, the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the purpose.

A relationship is used covertly, and information obtained is disclosed covertly, if and only if it is used or disclosed in a manner that is calculated to ensure that one of the parties to the relationship is unaware of the use or disclosure in question.

The use of a source involves inducing, asking or assisting a person to engage in the conduct of a source, or to obtain information by means of the conduct of such a source.

This covers the use of professional witnesses to obtain information and evidence. For example, it will include professional witnesses retained by Housing to pose as tenants to obtain information and evidence against alleged nuisance perpetrators.

5.1.2 Carrying out test purchases will not require the purchaser to establish a relationship with the supplier with the covert purpose of obtaining information and, therefore, the purchaser will not normally be a CHIS. For example, authorisation would not normally be required for test purchases carried out in the ordinary course of business (e.g. walking into a shop and purchasing a product over the counter).

5.1.3 By contrast, developing a relationship with a person in the shop, to obtain information about the seller's suppliers of an illegal product will require authorisation as a CHIS. Similarly, using mobile hidden recording devices or CCTV cameras to record what is going on in the shop, or an adult is observing a juvenile test purchase, this will require authorisation as directed

surveillance, (where the adult is present only to ensure the minors safety then no authorisation is required). In all cases, a prior risk assessment is essential in relation to any young person used for a test purchase.

- 5.1.4 The Code of Practice states that the provisions of RIPA are not intended to apply in circumstances where members of the public volunteer information to the police or other authorities, as part of their normal civic duties, or to contact numbers set up to receive information (such as Crimestoppers, Customs Confidential, the Anti Terrorist Hotline, or the Security Service Public Telephone Number). Members of the public acting in this way would not generally be regarded as sources.
- 5.1.5 It should be noted, however, that if the information provided is recorded as potentially useful or actionable, there is potential duty of care to the individual and the onus is on the public authority to manage human sources properly. Authorising Officers should be alive to the possibility of 'status drift'. Authorising Officers, when deciding whether to grant an authorisation, should take account of the difference between a volunteer of information already known to the individual and the relevance of the exploitation of a relationship for a covert purpose.
- 5.1.6 An authorisation under RIPA will provide lawful authority for the use of a source.

5.2 *Security and Welfare*

- 5.2.1 Only the Chief Executive or, in his absence, the Director of Place and Deputy Chief Executive, is able to authorise the use of vulnerable individuals and juvenile sources. The Authorising Officer shall have regard to the special safeguards and provisions that apply to vulnerable individuals and juvenile sources, more particularly set out in the Covert Human Intelligence Source Code of Practice.
- 5.2.2 The Authorising Officer shall ensure that arrangements are in place for the proper oversight and management of sources, including appointing individual officers for each source. The person responsible for the day-to-day contact between the public authority and the source will usually be of a rank or position below that of the Authorising Officer.

- 6. Officers using a source shall consider the safety and welfare of that source (even after cancellation of the authorisation), and the foreseeable consequences to others of the tasks they are asked to carry out. The Authorising Officer shall carry out a risk assessment before authorising the source [Covert surveillance of social networking sites \(SNS\)](#)

- 6.1.1 Even though data may be deemed published and no longer under the control of the author, it is unwise to regard it as 'open source' or publicly available. The author has a reasonable expectation of privacy if access controls are applied. In some cases, data may be deemed private communication still in transmission.
- 6.1.2 Providing there is no warrant authorising interception in accordance with section 48(4) of the Act, if it is necessary and proportionate for a public authority to breach covertly access controls, the minimum requirement is an authorisation for directed surveillance. An authorisation for the use and conduct of a CHIS is necessary if a relationship is established or maintained by a member of a public authority or by a person acting on its behalf, i.e. the activity is more than mere reading of the site's content
- 6.1.3 Officers must not:
- Set up a false identity for a covert purpose without authorisation
 - Adopt the identity of a person known, or likely to be known, to the subject of interest or users of the site without authorisation and without the consent of the person whose identity is used, and without considering the protection of that person. The consent must be explicit.
 - Use their personal social network login details to view individuals under investigation
- 6.1.4 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely, if reasonable steps have been taken to inform the public or particular individuals that the surveillance is or may be taking place, this can be regarded as overt and a directed surveillance authorisation will not normally be available.
- 6.1.5 As set out in paragraph 6.6 below, depending on the nature of the online platform, there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for a covert purpose such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings.
- 6.1.6 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is

commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information.

- 6.1.7 Whether the Council interferes with a person's private life includes a consideration of the nature of the Council's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where the Council is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online.

Example 1: A simple internet search on a name, address or telephone number to find out whether a subject of interest has an online presence is unlikely to need an authorisation. However, if having found an individual's social media profile or identity it is decided to monitor it or extract information from it for retention in a record because it is relevant to an investigation or operation, authorisation should then be considered

Example 2: Initial examination of an individual's online profile to establish whether they are of relevance to an investigation is unlikely to need an authorisation.

Visiting a website would not normally amount to surveillance, but if during that visit it is intended to extract and record information to establish a profile including information such as identity, pattern of life, habits, intentions or associations, it may be advisable to have in place an authorisation even for that single visit. As set out in the following paragraph, the purpose of the visit may be relevant as to whether an authorisation should be sought.

Example 3: General monitoring of the internet in circumstances where it is not part of a specific, ongoing investigation or operation does not require RIPA authorisation. This includes any monitoring that is intended to identify themes, trends, possible indicators of criminality or other factors that may influence operational strategies or deployments. It may also include the discovery of previously unknown subjects of interest, but once it is decided to monitor those individuals as part of an ongoing operation or investigation, authorisation should be considered.

- 6.1.8 In order to determine whether a directed surveillance authorisation should be sought for accessing information on a website as part of a covert investigation

or operation, it is necessary to look at the intended purpose and scope of the online activity it is proposed to undertake. Factors that should be considered in establishing whether a directed surveillance authorisation is required include:

- Whether the investigation or research is directed towards an individual or
- Whether it is likely to result in obtaining private information about a person or group of people (taking account of the guidance at paragraph 3.6 above);
- Whether it is likely to involve visiting internet sites to build up an intelligence picture or profile;
- Whether the information obtained will be recorded and retained;
- Whether the information is likely to provide an observer with a pattern of lifestyle;
- Whether the information is being combined with other sources of information or intelligence, which amounts to information relating to a person's private life;
- Whether the investigation or research is part of an ongoing piece of work involving repeated viewing of the subject(s);
- Whether it is likely to involve identifying and recording information about third parties, such as friends and family members of the subject of interest, or information posted by third parties, that may include private information and therefore constitute collateral intrusion into the privacy of these third parties.
- Internet searches carried out by a third party on behalf of a public authority, or with the use of a search tool, may still require a directed surveillance authorisation

Example: Researchers within a public authority using automated monitoring tools to search for common terminology used online for illegal purposes will not normally require a directed surveillance authorisation. Similarly, general analysis of data by public authorities either directly or through a third party for predictive purposes (e.g. identifying crime hotspots or analysing trends) is not usually directed surveillance. In such cases, the focus on individuals or groups is likely to be sufficiently cursory that it would not meet the definition of surveillance. But officers should be aware of the possibility that the broad thematic research may evolve, and that authorisation may be appropriate at the point where it begins to focus on specific individuals or groups. If specific names or other identifiers of an individual or group

are applied to the search or analysis, an authorisation should be considered.

6.1.9 Each viewing of a company or an individual's Social Media profile for the purpose of investigation or evidence gathering must be notified to the SRO and will be recorded on the log held by the Legal Team. All Authorising Officers have access to view the log in the office on request.

7. Communications data

7.1 Definition

for obtaining communications data and the disclosure to any person of such data. For these purposes, communications data includes information relating to the use of a postal service or telecommunications system but does not include the contents of the communication itself, content of emails or interaction with websites.

Communications data includes subscribers details, names and addresses and telephone numbers of those contacted, billing addresses, account information, web addresses visited etc.

The Investigatory Powers Act 2016 (IPA) created new Communications Data terminology. Communications Data now comprises 'Entity Data' and 'Events Data'.

Entity Data broadly replaces 'Subscriber Data' under RIPA, s21(4)(c), e.g name of subscriber, address for billing, contact telephone number, subscriber account information etc.

Events Data identifies or describes events which consist of one or more entities engaging in an activity at a specific time or times. It includes call histories and activity, including itemized records of telephone calls, internet connections, dates and times/duration of calls etc. Event data refers to both 'Traffic Data' (S21(4)(a)) and 'Service Use Information' (S21(4)(b)) under RIPA. Where the purpose of the acquisition is to prevent or detect crime and the data required is Events data, the offence or conduct of the offence being investigated must meet at least one of the definitions of serious crime.

7.2 Serious Crime threshold

7.2.1 From 1st November 2018, an amendment to RIPA came into force adding a serious crime threshold to the acquisition of service or traffic data. This means that where an application is for the crime statutory purpose (S60A(7)(b)) to acquire event data, the crime must be a serious crime.

7.3 Definition of Serious Crime

- 12 months (or more) imprisonment
 - an offence that is capable of attracting a prison sentence of 12 months or more

- Corporate Body
 - an offence by a person who is not an individual
- S81 Offence
 - an offence falling within the definition of serious crime in S81(3)(b) of the IPA where the conduct involves the use of violence, results in substantial financial gain or is by a large number of persons in pursuit of a common purpose
- Communication Offence
 - communication
- Breach of Privacy
 - an offence which involves, as an integral part of it, a breach of a person's privacy

8. Authorisation procedure

8.1 General

- 8.1.1 Authorisation is required for the use of directed surveillance, for the conduct and use of sources and for the conduct in relation to a postal service or telecommunication system and the disclosure to any person of such data. Authorisation for directed surveillance can only be granted if the purpose of the surveillance is the prevention or detection of crime(s) punishable by 6 months imprisonment or more or relates to the sale or alcohol or tobacco to underage persons.
- 8.1.2 If the authorisation is approved by the Authorising Officer, each authorisation then needs to receive judicial approval before being acted upon. Once approved, the original authorisation and accompanying paperwork must be forwarded to the Legal Team to allocate the application a Unique Reference Number (URN) and for key details to be entered onto the central register. For further detail, see paragraph 12.1.
- 8.1.3 Any officer wishing to engage in conduct in relation to a postal service and telecommunication system for obtaining communications data and the disclosure to any person of such data must also seek authorisation, the procedure of which differs slightly and is outlined in paragraph 8.5.

8.2 Who can give Provisional Authorisations?

- 8.2.1 By law, the 'Authorising Officer' for local authority purposes must be of an appropriate level of seniority i.e. Directors Heads of Service, service manager or equivalent. An Authorising Officer may grant an authorisation, but this authorisation will not take effect until it receives judicial approval (See paragraph 7.4). Please note that certain provisional authorisations, namely

those relating to confidential information, vulnerable individuals and juvenile sources, can only be granted by the Chief Executive, or, in his genuine absence, the Director of Place and Deputy Chief Executive.

8.2.2 The Council's authorised posts are listed in Appendix 1. This appendix will be kept up to date by the Assistant Director, Legal & Governance and added to as needs require. If a Chief Officer wishes to add, delete or substitute a post, a request must be referred to the Assistant Director, Legal & Governance, for consideration as necessary. The Assistant Director, Legal & Governance, has the delegated authority to add, delete or substitute posts.

8.2.3 It will be the responsibility of Authorising Officers who have been duly certified to ensure their relevant members of staff are also suitably trained as 'applicants' so as to avoid common mistakes appearing on forms for RIPA authorisations.

8.2.4 Authorising Officers are certified to sign any RIPA forms. A certificate of training will be provided to the individual and a central register of all those individuals who have undergone training or a one-to-one meeting with the Assistant Director, Legal & Governance, on such matters, will be kept by the Assistant Director, Legal & Governance.

8.2.5 Authorising officers should not normally be responsible for authorising operations in which they are directly involved, although it is recognised that this may sometimes be unavoidable. Where an Authorising Officer authorises such an investigation or operation the central register will highlight this and the Commissioner or inspector will be notified of this during his or her next inspection.

8.2.6 Authorising Officers will also ensure that staff who report to them follow this guidance document and do not undertake or carry out any form of surveillance without first obtaining the relevant authorisations in compliance with this document.

8.2.7 Any equipment to be used in any approved surveillance must be properly controlled, recorded and maintained for audit purposes.

8.3 *Grounds for Authorisation – the 'necessary & proportionate' test*

8.3.1 An Authorising Officer has a number of obligations within the provisions of the Act, which must be met before carrying out any form of surveillance.

8.3.2 An Authorising Officer shall not grant an authorisation for the carrying out of

directed surveillance, or for the use of a source or for the obtaining or disclosing of communications data unless he believes:

- a) that the authorisation is necessary and
- b) the authorised investigation is proportionate to what is sought to be achieved by carrying it out

- 8.3.3 For local authority investigations, authorisation is deemed “**necessary**” in the circumstances of the particular case if it is for the purpose of preventing and detecting crime or of preventing disorder.
- 8.3.4 Conduct is not deemed “**proportionate**” if the pursuance of the legitimate aim listed above will not justify the interference if the means used to achieve the aim are excessive in the circumstances. Any conduct must meet the objective in question and must not be arbitrary or unfair nor must the impact on any individuals or group be too severe.
- 8.3.5 The conduct must also be the least invasive method of achieving the end and the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation must be assessed and taken into account (see Collateral Intrusion below).
- 8.3.6 Consideration must be given to the seriousness of the offence under consideration.
- 8.3.7 Authorisation for directed surveillance can only be granted if the purpose of the surveillance is the prevention or detection of crime(s) punishable by 6 months imprisonment or more, or relates to the sale or alcohol or tobacco to underage persons. Covert surveillance relating to dog fouling and schools admissions/suspected false addresses will not be deemed a proportionate activity.
- 8.3.8 Careful consideration needs to be made by authorising officers of all of these points. Such consideration needs to be demonstrated on the authorisation form in the relevant parts. Authorising Officers must exercise their minds every time they are asked to sign a form. They must never sign or rubber stamp the form without thinking about their personal and the Council’s responsibilities.
- 8.3.9 Any boxes not needed on the form/s must be clearly marked as being ‘not applicable’ or a line put through the same. Great care must also be taken to ensure accurate information is used and inserted in the correct boxes. Reasons for any refusal of an application must also be kept on the form and retained for future audits.

8.3.10 Authorising Officers should not be responsible for authorising investigations or operations in which they are directly involved.

8.3.11 Collateral Intrusion

8.3.12 Before authorising investigative procedures, the Authorising Officer shall also take into account the risk of intrusion into the privacy of persons other than those who are directly the subjects of the investigation or operation (collateral intrusion). The investigating officer shall take measures, wherever practicable, to avoid or minimise unnecessary intrusion into the lives of those not directly connected with the investigation or operation.

8.3.13 An application for an authorisation shall include an assessment of the risk of any collateral intrusion. The Authorising Officer shall take this into account, when considering the proportionality of the surveillance.

8.3.14 Where an operation unexpectedly interferes with the privacy of individuals who were not the subject of surveillance or covered by the authorisation in some other way, the investigating officer should inform the Authorising Officer.

8.4 *Judicial Approval of Provisional Authorisations and Renewals*

8.4.1 The Council is only able to grant a provisional authorisation or renewal to conduct covert surveillance. All provisional authorisations and renewals must be approved by the Magistrates Court before surveillance commences.

8.4.2 The Council must apply to the local Magistrates Court for an Order approving the grant or renewal of an authorisation. A template application form is included at Appendix 2 to this policy. In order to obtain judicial approval, the form must be completed and submitted having received provisional authorisation from an Authorised Officer and with any other relevant supporting documents.

8.4.3 The Council does not need to give notice of the application to the person(s) subject to the application or their legal representatives. If the Magistrates Court refuse to approve the application, they may also make an order quashing the provisional authorisation.

8.4.4 The Magistrates will consider the provisionally authorised application or renewal, and will need to satisfy themselves that:

- a) At the time of provisional authorisation, there were reasonable grounds for believing that the tests of necessity and proportionality were

satisfied in relation to the authorisation, and that those grounds still exist;

- b) That the person who granted provisional authorisation was an appropriately designated person;
- c) The provisional grant or renewal of any authorisation or notice was not in breach of any restrictions imposed under RIPA; and
- d) Any other conditions provided for by an order made by the Secretary of State were satisfied.

8.4.5 A further requirement in relation to renewal of covert human intelligence sources, is that judicial approval will only be granted if the Magistrates are satisfied that a review has been carried out, which considers:

- the use made of the source in the period since authorisation was granted (or the last renewal); and
- the tasks given to the source during that period, and the information obtained from the conduct or use of the source and
- for the purposes of making an Order, the Magistrates have considered the results of that review.

8.4.6 The Council's Trading Standards Team will generally make applications for judicial approval to the Magistrates Court on behalf of the Council. Any particularly complex authorisations or authorisations arising from other areas of the Council that require legal input or representation may be dealt with by the Council's Legal Team if necessary in the circumstances.

8.5 *Special Procedure for Authorisation in respect of Communications Data*

8.5.1 The introduction of the Office for Communications Data Authorisations (OCDA) means the acquisition of Communications Data by local authority officers is no longer subject to judicial approval by a Magistrate. OCDA assesses Communications Data applications from public authorities and makes decisions about those applications that strike a fine balance between the protection of privacy and the risk to public safety. OCDA acts as a hub of authorisation expertise, independently assessing applications, holding authorities accountable to robust safeguarding standards and challenging where required.

8.5.2 Applications for the obtaining and disclosure of communications data may only be made by officers of the Council.

8.5.3 Applications for communications data must be channelled through single points of contact ("SPoCs"). The SPoC is able to advise authorising officers as to whether an authorisation or notice is appropriate.

The Council use the services of the National Anti-Fraud Network (NAFN) for all Communications Data enquiries and as such NAFN performs the role of a SPoC

through their qualified SPoC officers. All applicants must be registered with NAFN via the NAFN website at www.nafn.gov.uk. Any initial internal queries can be directed to James Larkin Head of Internal Audit and Counter Fraud Shared Service (james.larkin@medway.gov.uk)

8.5.4 The SPoC is required to:

- provide quality assurance checks to ensure that applications consistently comply with IPA standards and to a sufficient level to meet OCDA and IPCO scrutiny
- monitor those applications which are returned for rework or rejected by OCDA and determine the reasons why
- provide organisational and/or individual training as and where necessary sharing best practice, advice and support
- be the point of contact between public authorities and OCDA

8.5.5 S60A of IPA provides for independent authorisation of communications data requests by the Investigatory Powers Commissioner (IPC). OCDA performs this function on behalf of the IPC. An authorising officer in OCDA can authorise any lawful request, for any of the specified purposes from any listed authority. For the Council, the sole purpose is the 'applicable crime purpose'.

8.5.6 The IPA provides a new requirement for a local authority making an application to ensure someone of at least the rank of Senior Responsible Officer is aware.

8.5.7 OCDA will only retain, for a limited period of time, the Communications Data applications which are sent to them and the decision document they issue back to public authorities. Public Authorities are therefore required to keep records of both the Communications Data applications that they issue as well as the decisions received from OCDA. Communications data, and all copies, extracts and summaries of it must be handled and stored securely. The requirements of the Data Protection Act 2018 and the principles of the Criminal Procedure and Investigations Act 1996 must be strictly followed.

8.5.8 Where the purpose of a Communications Data application is to identify a journalistic source, these must first be authorized by an Authorising Individual (OCDA AO or DSO) but must also be approved by an IPCO Judicial Commissioner (JC). The Applicant and SPOC should pay special consideration to these applications and inform their Senior Responsible Officer. The IPA does not alter the existing processes for Communications Data applications that may feature sensitive professions including medical doctors, lawyers, journalists, parliamentarians or ministers of religion. If the Communications Data could contain information relating to any of these professions, this must be noted in the application.

8.6 *Urgency*

Urgent authorisations are no longer available in relation to directed surveillance or covert human intelligence sources.

8.7 *Standard Forms*

All authorisations must be in writing.

The standard form for obtaining provisional and judicial approval is provided at Appendix 2 . All authorisations shall be sought using the standard forms as amended from time to time.

9. *Activities by other public authorities*

- 9.1 The investigating officer shall make enquiries of other public authorities e.g. the police whether they are carrying out similar activities if he considers that there is such a possibility in order to ensure that there is no conflict between the activities of this Council and those other public authorities.

10. *Joint investigations*

- 10.1 When some other agency has been instructed on behalf of the Council to undertake any action under RIPA, this document and the forms in it must be used (as per normal procedure) and the agency advised or kept informed, as necessary, of the various requirements. They must be made aware explicitly what they are authorised to do.
- 10.2 When some other agency (e.g. police, Customs & Excise, Inland Revenue etc.):
- (a) wish to use the Council's resources (e.g. CCTV surveillance systems), that agency must use its own RIPA procedures and, before any officer agrees to allow the Council's resources to be used for the other agency's purposes, he must obtain a copy of that agency's RIPA form for the record and/or relevant extracts from the same which are sufficient for the purposes of protecting the Council and the use of its resources
 - (b) wish to use the Council's premises for their own RIPA action, the officer should, normally, co-operate with the same, unless there are security or other good operational or managerial reasons as to why the Council's premises should not be used for the agency's activities. In such cases, the Council's own RIPA forms should not be used as the Council is only assisting and not being involved in the RIPA activity of the external agency being involved in the RIPA activity of the external agency.
- 10.3 In terms of (a), if the police or other agency wish to use the Council's resources for general surveillance, as opposed to specific RIPA authorisations, an appropriate letter

requesting the proposed use, remit, duration, details of who will be undertaking the general surveillance and the purpose of it must be obtained from the police or other agency before any Council resources are made available for the proposed use.

11. Duration, renewals and cancellation of authorisations

11.1 *Duration*

11.1.1 Authorisations must be reviewed in the time stated and cancelled once no longer needed. Authorisations last for:

- a) 12 months from the date of the judicial approval for the conduct or use of a source (4 months for juvenile CHIS authorisations)
- b) three months from the date of judicial approval for directed surveillance
- c) one month from the date of approval for communications data, or earlier if cancelled under Section 23(8) of the Act.

11.1.2 However, whether the surveillance is carried out/conducted or not in the relevant period, does not mean that the authorisation is spent. Authorisations do not expire, they have to be reviewed, or cancelled if no longer required.

11.2 *Reviews*

11.2.1 The Authorising Officer shall undertake regular reviews of authorisations to assess the need for the surveillance to continue. The results of a review should be recorded on the central record of authorisations.

11.2.2 Where the surveillance provides access to confidential information or involves collateral intrusion the officer should conduct frequent reviews.

11.2.3 The standard form to be used to record a Review can be found at Appendix 3 to this policy.

11.3 *Renewals*

11.3.1 Authorisations may be renewed more than once, if necessary, and the renewal should be kept/recorded as part of the central record of authorisations.

11.3.2 Authorisations can be renewed in writing shortly before the maximum period has expired. An authorisation cannot be renewed after it has expired.

11.3.3 The Authorising Officer must consider the matter afresh, including taking into account the benefits of the surveillance to date and any collateral intrusion that has occurred.

11.3.4 The renewal will begin on the day when the authorisation would have expired, provided the necessary judicial approval has been obtained.

11.3.5 A further requirement in relation to renewal of covert human intelligence sources, is that judicial approval will only be granted if the Magistrates are satisfied that a review has been carried out, which considers:

- the use made of the source in the period since authorisation was granted (or the last renewal); and
- the tasks given to the source during that period, and
- the information obtained from the conduct or use of the source and
- for the purposes of making an Order, the Magistrates have considered the results of that review.

11.3.6 The Authorising Officer who granted or last renewed the authorisation must cancel it if he is satisfied that the investigative procedure no longer meets the criteria upon which it was authorised.

11.3.7 The standard form to be used to record the approval of a Renewal can be found at Appendix 4 to this policy.

11.4 *Cancellations*

11.4.1 An Authorising Officer shall cancel a notice or authorisation as soon as it is no longer necessary, or the conduct is no longer proportionate to what is sought to be achieved. The duty to cancel a notice falls on the authorising officer who issued it.

11.4.2 In the case of a notice issued in respect of communications data, the relevant postal or telecommunications operator will be informed of the cancellation.

11.4.3 The standard form to be used to record the Cancellation of an authorisation can be found at Appendix 5 to this policy.

12. **Records**

12.1 The Council must keep a detailed record of all authorisations, reviews, renewals, cancellations and rejections in departments and a central register of all such forms will be maintained by the Assistant Director, Legal & Governance.

12.2 In relation to communications data, the designated SpOC will retain the forms and the Assistant Director, Legal & Governance, will have access to such forms as and when required.

12.3 *Central record of all Authorisations*

12.3.1 The Assistant Director, Legal & Governance, shall hold and monitor a centrally retrievable record of all provisional and judicially approved authorisations. The Authorising Officer must notify and forward a copy of any provisional notice or authorisation granted, renewed or cancelled and any judicial

approval received or refused within 1 week of the event to the Assistant Director, Legal & Governance to ensure that the records are regularly updated.

12.3.2 The record will be made available to the relevant Commissioner or an Inspector from the Investigatory Powers Commissioner's Office. These records will be retained for a period of 5 years from the ending of the authorisation. A record will be kept of the dates on which the authorisation notice is started and cancelled.

12.3.3 The Assistant Director, Legal & Governance, will monitor the submission of provisional and judicially approved authorisations and notices and give appropriate guidance, from time to time, or amend any provisional or draft document, as necessary. The records submitted to the Assistant Director, Legal & Governance, shall contain the following information:

- a) the type of authorisation or notice
- b) the date the provisional authorisation or notice was given;
- c) name and rank/grade of the authorising officer;
- d) the date judicial approval was received or refused;
- e) the unique reference number (URN) of the investigation or operation;
- f) the title of the investigation or operation, including a brief description and names of subjects, if known;
- g) if the authorisation or notice is renewed, when it was renewed and who authorised the renewal, including the name and rank/grade of the authorising officer and the date of judicial approval;
- h) whether the investigation or operation is likely to result in obtaining confidential information;
- i) review dates
- j) the date the authorisation or notice was cancelled.

12.4 *Records maintained in the Department*

12.4.1 The Authorising Officer shall maintain the following documentation, which need not form part of the centrally retrievable record:

- a) a copy of the application and provisional authorisation or notice together with a copy of any order of judicial approval or refusal, as well as any supplementary documentation and notification of the approval given by the Authorising Officer;
- b) a record of the period over which the surveillance has taken place;
- c) the frequency of reviews prescribed by the Authorising Officer;

- d) a record of the result of each review of the authorisation or notice;
- e) a copy of any renewal of an authorisation or notice, together with judicial approval or refusal and the supporting documentation submitted when the renewal was requested;
- f) the date and time when any instruction was given by the Authorising Officer.
- g) the unique reference number for the authorisation (URN)

12.4.2 Each form must have a URN. The Authorising Officers will issue the relevant URN to applicants. The cross-referencing of each URN takes place within the form for audit purposes. Rejected forms will also have URN's.

12.5 *Other Record of Covert Human Intelligence Sources*

12.5.1 Proper records must be kept of the authorisation and use of a source. An Authorising Officer must not grant a provisional authorisation for the use or conduct of a source unless he believes that there are arrangements in place for ensuring that there is at all times a person with the responsibility for maintaining a record of the use made of the source.

12.5.2 The records shall contain the following information:

- (a) the identity of the source;
- (b) the identity, where known, used by the source;
- (c) any relevant investigating authority other than the Council;
- (d) the means by which the source is referred to within each relevant investigating authority;
- (e) any other significant information connected with the security and welfare of the source;
- (f) any confirmation made by a person granting or renewing an authorisation for the conduct or use of a source that the information in paragraph (d) has been considered and that any identified risks to the security and welfare of the source have where appropriate been properly explained to and understood by the source;
- (g) the date when, and the circumstances in which, the source was recruited;
- (h) the identities of the persons who, in relation to the source;
 - i. hold day-to-day responsibility for dealing with the source and for the source's security and welfare
 - ii. have a general oversight of the use made of the source (not to be the person identified in (h)(i))
 - iii. have responsibility for maintaining a record of the use made of the source
- (i) the periods during which those persons have discharged those

- responsibilities;
- (j) the tasks given to the source and the demands made of him in relation to his activities as a source;
 - (k) all contacts or communications between the source and a person acting on behalf of any relevant investigating authority;
 - (l) the information obtained by the conduct or use of the source;
 - (m) any dissemination of information obtained in that way; and
 - (n) in the case of a source who is not an undercover operative, every payment, benefit or reward and every offer of a payment, benefit or reward that is made or provided by or on behalf of any relevant investigating authority in respect of the source's activities for the benefit of that or any other relevant investigating authority.

13. Retention and destruction

- 13.1 Material obtained from properly authorised surveillance or a source may be used in other investigations. Arrangements shall be in place for the handling, storage and destruction of material obtained through the use of covert surveillance, a source or the obtaining or disclosure of communications data.
- 13.2 Authorising Officers must ensure compliance with the appropriate data protection requirements and any relevant Corporate Procedures relating to the handling and storage of material.
- 13.3 Where the product of surveillance could be relevant to pending or future proceedings, it should be retained in accordance with established disclosure requirements for a suitable period and subject to review.

14. Consequences of ignoring RIPA

- 14.1 RIPA states that if authorisation confers entitlement to engage in a certain conduct and the conduct is in accordance with the authorisation, then it shall be lawful for all purposes.
- 14.2 Where there is interference with the right to respect for private and family life guaranteed under Article 8 of the European Convention on Human Rights, and where there is no other source of lawful authority, the consequence of not obtaining an authorisation under RIPA may be that the action is unlawful by virtue of section 6 of the Human Rights Act 1998.
- 14.3 Officers shall seek an authorisation where the directed surveillance, the use of a source or the obtaining or disclosure of communications data is likely to interfere with a person's Article 8 rights to privacy by obtaining private information about that person, whether or not that person is the subject of the investigation or operation.
- 14.4 Obtaining an authorisation will ensure that the action is carried out in accordance with law and subject to stringent safeguards against abuse.

15. Scrutiny of investigatory bodies

- 15.1 The Investigatory Powers Commissioner's Office independently scrutinises the use of RIPA powers by the investigatory bodies that are subject to it. The Commissioner will

inspect Councils to ensure compliance with RIPA and can audit/review the Council's policies and procedures, and individual authorisations. Further detail can be found at www.ipco.org.uk

- 15.2 There is also a statutory complaints system welcomed by the Council. The Investigatory Powers Tribunal has been established under RIPA to deal with complaints from members of the public about the use or conduct by public authorities of these powers. The Tribunal is separate from IPCO.
- 15.3 The Council welcomes this external scrutiny. It expects its officers to co-operate fully with these statutory bodies and to bring forward any proposals for improvement that may follow on from an inspection report or a Tribunal hearing.

IF IN DOUBT ADVICE MUST BE SOUGHT FROM THE ASSISTANT DIRECTOR, LEGAL & GOVERNANCE OR THE LEGAL TEAM

MEDWAY COUNCIL

List of Officers to issue authorisations under RIPA

Role	Directorate	Job Title	Person
Authorising Officer		Chief Executive	Neil Davies
Authorising Officer	BSD	Head of Legal Services	Vicky Nutley
Authorising Officer	BSD	Head of Internal Audit & Counter Fraud Shared Service	James Larkin
Authorising Officer	RCE	Head of Regulatory Services	Ian Gilmore

Unique Reference Number	
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MEDWAY COUNCIL
Part II of the Regulation of Investigatory Powers Act 2000

Application for Directed Surveillance Authorisation

Public Authority <i>(including full address)</i>	Medway Council, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR		
Name of Applicant		Unit/Branch /Division	
Full Address			
Contact Details			
Investigation/Operation Name (if applicable)			
Investigating Officer (if a person other than the applicant)			

DETAILS OF APPLICATION

1. Give rank or position of authorising officer in accordance with the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 No. 521. ¹ (as amended)

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¹ For local authorities: The exact position of the authorising officer should be given. For example, Head of Trading Standards.

2. Describe the purpose of the specific operation or investigation.**3. Describe in detail the surveillance operation to be authorised and expected duration, including any premises, vehicles or equipment (e.g. camera, binoculars, recorder) that may be used.****4. The identities, where known, of those to be subject of the directed surveillance.**

- Name:
- Address:
- DOB:
- Other information as appropriate:

5. Explain the information that it is desired to obtain as a result of the directed surveillance.

6. Identify on which grounds the directed surveillance is necessary under Section 28(3) of RIPA. Delete those that are inapplicable. Ensure that you know which of these grounds you are entitled to rely on (SI 2010 No.521).

- In the interests of national security;
- For the purpose of preventing or detecting crime or of preventing disorder;
- In the interests of the economic well-being of the United Kingdom;
- In the interests of public safety;
- for the purpose of protecting public health;
- for the purpose of assessing or collecting any tax, duty, levy or other imposition, contribution or charge payable to a government department;

7. Explain why this directed surveillance is necessary on the grounds you have identified [Code paragraph 4.4].

8. Supply details of any potential collateral intrusion and why the intrusion is unavoidable. [Bear in mind Code paragraphs 4.11 to 4.16.]

Describe precautions you will take to minimise collateral intrusion.

9. Explain why this directed surveillance is proportionate to what it seeks to achieve. How intrusive might it be on the subject of surveillance or on others? And why is this intrusion outweighed by the need for surveillance in operational terms or can the evidence be obtained by any other means [Code paragraphs 4.5 to 4.7]?

Unique Reference Number

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10. Confidential information [Code paragraphs 9.23 to 9.53].

INDICATE THE LIKELIHOOD OF ACQUIRING ANY CONFIDENTIAL INFORMATION:

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11. Applicant's Details

Name (print)		Tel No:	
Grade/Rank		Date	
Signature			

12. Authorising Officer's Statement. [Spell out the "5 Ws" – Who; What; Where; When; Why and HOW– in this and the following box.]

I hereby authorise directed surveillance defined as follows: *[Why is the surveillance necessary, whom is the surveillance directed against, Where and When will it take place, What surveillance activity/equipment is sanctioned, How is it to be achieved?]*

Unique Reference Number	
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13. Explain why you believe the directed surveillance is necessary [Code paragraph 4.4].

Explain why you believe the directed surveillance to be proportionate to what is sought to be achieved by carrying it out [Code paragraphs 4.5 to 4.7].

14. (Confidential Information Authorisation.) Supply detail demonstrating compliance with Code paragraphs 9.23 to 9.53.

Date of first review

Programme for subsequent reviews of this authorisation: [Code paragraph 4.34-4.39]. Only complete this box if review dates after first review are known. If not or inappropriate to set additional review dates then leave blank.

Name (Print)		Grade / Rank	
Signature		Date and time	
Expiry date and time [e.g.: authorisation granted on 1 April 2022 - expires on 30 June 2022, 23.59]			

Unique Reference Number	
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15. Urgent Authorisation [Code paragraph 5.10-513]: Authorising officer: explain why you considered the case so urgent that an oral instead of a written authorisation was given.

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16. If you are only entitled to act in urgent cases: explain why it was not reasonably practicable for the application to be considered by a fully qualified authorising officer.

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Name (Print)		Grade/ Rank		
Signature		Date and Time		

Urgent authorisation Expiry date:		Expiry time:	
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<i>Remember the 72 hour rule for urgent authorities – check Code of Practice.</i>	e.g. authorisation granted at 5pm on June 1 st expires 4.59pm on 4 th June		
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Unique Reference Number	
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MEDWAY COUNCIL
Part II of the Regulation of Investigatory Powers Act 2000

Review of a Directed Surveillance Authorisation

Public Authority <i>(including address)</i>	Medway Council, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR
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Applicant		Unit/Branch /Division	
Full Address			
Contact Details			
Operation Name		Operation Number* <small>*Filing Ref</small>	
Date of authorisation or last renewal		Expiry date of authorisation or last renewal	
		Review Number	

Details of review:

1. Review number and dates of any previous reviews.	
Review Number	Date

2. Summary of the investigation/operation to date, including what private information has been obtained and the value of the information so far obtained.

3. Detail the reasons why it is necessary to continue with the directed surveillance.

4. Explain how the proposed activity is still proportionate to what it seeks to achieve.

5. Detail any incidents of collateral intrusion and the likelihood of any further incidents of collateral intrusions occurring.

6. Give details of any confidential information acquired or accessed and the likelihood of acquiring confidential information.

Unique Reference Number	
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7. Applicant's Details			
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Name (Print)		Tel No	
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Grade/Rank		Date	
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Signature			
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8. Review Officer's Comments, including whether or not the directed surveillance should continue.
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9. Authorising Officer's Statement.
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I, [insert name], hereby agree that the directed surveillance investigation/operation as detailed above [should/should not] continue [until its next review/renewal][it should be cancelled immediately].

Name (Print)		Grade / Rank	-----
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Signature	-----	Date	-----
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10. Date of next review.	
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MEDWAY COUNCIL
Part II of the Regulation of Investigatory Powers Act 2000
Renewal of a Directed Surveillance Authorisation

(Please attach the original authorisation)

Public Authority <i>(including full address)</i>	Medway Council, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR
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Name of Applicant		Unit/Branch /Division	
Full Address			
Contact Details			
Investigation/Operation Name (if applicable)			
Renewal Number			

Details of renewal:

1. Renewal numbers and dates of any previous renewals.	
Renewal Number	Date

2. Detail any significant changes to the information as listed in the original authorisation as it applies at the time of the renewal.

3. Detail the reasons why it is necessary to continue with the directed surveillance.

4. Detail why the directed surveillance is still proportionate to what it seeks to achieve.

5. Indicate the content and value to the investigation or operation of the information so far obtained by the directed surveillance.

6. Give details of the results of the regular reviews of the investigation or operation.

Unique Reference Number	
-------------------------	--

7. Applicant's Details

Name (Print)		Tel No	
Grade/Rank		Date	
Signature			

8. Authorising Officer's Comments. This box must be completed.

--

9. Authorising Officer's Statement.

I, [insert name], hereby authorise the renewal of the directed surveillance operation as detailed above. The renewal of this authorisation will last for 3 months unless renewed in writing.

This authorisation will be reviewed frequently to assess the need for the authorisation to continue.

Name (Print)	Grade / Rank	-----
Signature	-----	Date	-----
Renewal From:	Time:	Date:	

Date of first review.	
Date of subsequent reviews of this authorisation.	

MEDWAY COUNCIL

Part II of the Regulation of Investigatory Powers Act 2000

Cancellation of a Directed Surveillance authorisation

Public Authority <i>(including full address)</i>	Medway Council, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR
--	--

Name of Applicant		Unit/Branch /Division	
Full Address			
Contact Details			
Investigation/Operation Name (if applicable)			

Details of cancellation:

1. Explain the reason(s) for the cancellation of the authorisation:

Unique Reference Number	
-------------------------	--

2. Explain the value of surveillance in the operation:

3. Authorising officer's statement.
--

I, [insert name], hereby authorise the cancellation of the directed surveillance investigation/operation as detailed above.

Name (Print)

Grade

Signature

Date

4. Time and Date of when the authorising officer instructed the surveillance to cease.

Date:		Time:	
--------------	--	--------------	--

5. Authorisation cancelled.	Date:	Time:
------------------------------------	--------------	--------------

List of officers requiring RIPA training

Directorate	Service Area	Job Title	Person	Training attended (date)
BSD	Audit and Fraud	Head of Internal Audit and Fraud Shared Service	James Larkin	
BSD	Audit and Fraud	Counter Fraud Manager	Nikki Ashby	
BSD	Audit and Fraud	Counter Fraud Officer	Jordan White	
BSD	Audit and Fraud	Counter Fraud Officer	Matthew Openshaw	
BSD	Audit and Fraud	Counter Fraud Intelligence Analyst	Cathryn Tateson	
BSD	Audit and Fraud	Counter Fraud Intelligence Analyst	Melissa Sams	
BSD	Revenue & Benefits	Corporate Debt Manager	Karen Powell	
BSD	Revenue & Benefits	Revenues Manager	Ian Johnson	
BSD	Revenue & Benefits	Benefits Manager	Gemma Gilley	
RCE	Business Change	Smart City Delivery Manager (CCTV Single Point of Contact)	Matt Pinder	
RCE	Frontline Regulatory Services	Environmental Health Team Leader	David Brown	
RCE	Frontline Regulatory Services	Senior Street Scene Enforcement Officer	Tony Lee	
RCE	Frontline Regulatory Services	Environmental Enforcement Officer	David Hughes	
RCE	Frontline, Regulatory Services	Environmental Enforcement Officer	Mark McCree	
RCE	Frontline Regulatory Services	Team Leader	Sarah Foster	
RCE	Frontline, Regulatory Services	Environment Protection Officer	Rochelle Roberts	
RCE	Frontline Regulatory Services	Community Safety Team Leader	Trisha Rooks	
RCE		Head of Culture & Libraries	Paul Cowell	
RCE	Planning	Senior Planner	Carly Stoddart	
RCE	Planning	Senior Enforcement Assistant	Alison Munck	

RCE	Planning	Enforcement Officer	Lorraine Crane	
RCE	Planning	Planning Enforcement Assistant	Amy Shardlow	

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CABINET

18 OCTOBER 2022

UNION PLACE CAR PARK, CHATHAM

Portfolio Holder: Councillor Adrian Gulvin, Portfolio Holder for Resources

Report from: Sunny Ee, Assistant Director, Regeneration

Author: Des Andrews Senior Valuation Surveyor

Summary

This report seeks delegated authority for the Director of Place and Deputy Chief Executive, in consultation with the Portfolio Holder for Resources to:

- (i) Appropriate the above car park for planning purposes.
- (ii) Declare the car park surplus to requirements, so that it can be disposed of for development.

1. Budget and policy framework

- 1.1 The capital receipt from the disposal, is likely to exceed £100,000 and this is therefore a matter for Cabinet.

2. Background

2.1. **Car park at Union Place, Chatham**

- 2.1.1 This car park site, as shown edged black on the attached plan at appendix A, to this report, is currently a pay and display car park, which is accessed from Union Place and then over private land at the rear of the adjacent former bingo premises.

- 2.1.2 The car park has 49 spaces and has seen a reduction in income over recent years, with both the Covid 19 pandemic and the closure of the adjacent former bingo premises. As a result, on average, only 45 Pay & display tickets are issued each month (around 0.3 transactions per space per day) and the average net income over the financial years of, 2021/22 and 2022/23 (we have not included the income for 2020/21 in the average due to Covid 19 and lockdowns, meaning that the figure for this year was low) from the car park is

only £15,634 per annum. It is considered that the demand for this car park can be catered for in other Council car parks.

2.1.3 It is recommended that Cabinet delegates authority to the Director of Place and Deputy Chief Executive, in consultation with the Portfolio Holder for Resources to:

- Appropriate the above car park for planning purposes.
- Declare the car park surplus to requirements, so that it can be disposed of for development.

3. Options

3.1 The site can either be retained or appropriated and then disposed of.

4. Advice and Analysis

4.1 Union Place car park is not well used and the income from it is low, if the car park was to close, then the demand for it could be accommodated at other Council car parks. Disposal of the site, will enable it to be developed, which will generate a capital receipt.

4.2 Disposal of the car park will enable a more comprehensive development of the area to take place, rather than just the former Bingo Hall site being developed in isolation.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Legal Challenge	The Council faces a Judicial Review on the Grounds it has not obtained best consideration from the disposal.	Appropriate the site for planning purposes and then offer it for sale on the open market and sell to the highest realistic bidder.	D3
Complaints about the loss of parking.	Local businesses and residents complain about the loss of parking.	As set out above, the car park is not well used and it is considered that those displaced from using the car park, will be able to be accommodated in other car parks.	D3

6. Consultation

- 6.1 The relevant service departments, and the Portfolio Holders for Resources and the Portfolio Holder and Front Line Services have been consulted about the disposal of the car park and have no objections.

7. Climate change implications

- 7.1 There are none directly relating to this report.

8. Financial implications

- 8.1 Disposal of the car park will generate a significant capital receipt, likely to be in excess of £100,000. The net average income of £15,634 pa will be lost as a result of the disposal of the Union Place car park, and if this is not recouped by customers using alternative Council car parks, this will be addressed through the 2023/24 budget build process.

9. Legal implications

- 9.1 The Council has a fiduciary duty and under Section 123 of the Local Government Act 1972, the Council is required to obtain best consideration when it disposes of or grants leases for over seven years of land and property, unless it is using the general disposals consent 2003 and the undervalue is less than £2,000,000 and the disposal will help to secure the promotion or improvement of the economic or environmental well-being of the area, or a specific approval is obtained from the Secretary Of State.
- 9.2 By appropriating the site for planning purposes, it can be disposed of using S233 of the Town & Country Planning Act 1990. This will enable the Council to disregard any bids, that would not secure the redevelopment of the site (such as those for existing use, which might be higher than the development value) without acting unlawfully.

10. Recommendations

- 10.1 It is recommended that the Cabinet agrees to, delegate authority to the Director of Place and Deputy Chief Executive, in consultation with the Portfolio Holder for Resources:
- 10.1.1 To appropriate the Union Place Car Park, Chatham for planning purposes.
- 10.1.2 Declare the car park surplus to requirements, so that it can be disposed of using Section 233 of the Town and Country Planning Act 1990 for development on the best terms reasonably obtainable.

11. Suggested reasons for decisions

- 11.1 To secure a capital receipt, and to enable development.

Lead officer contact:

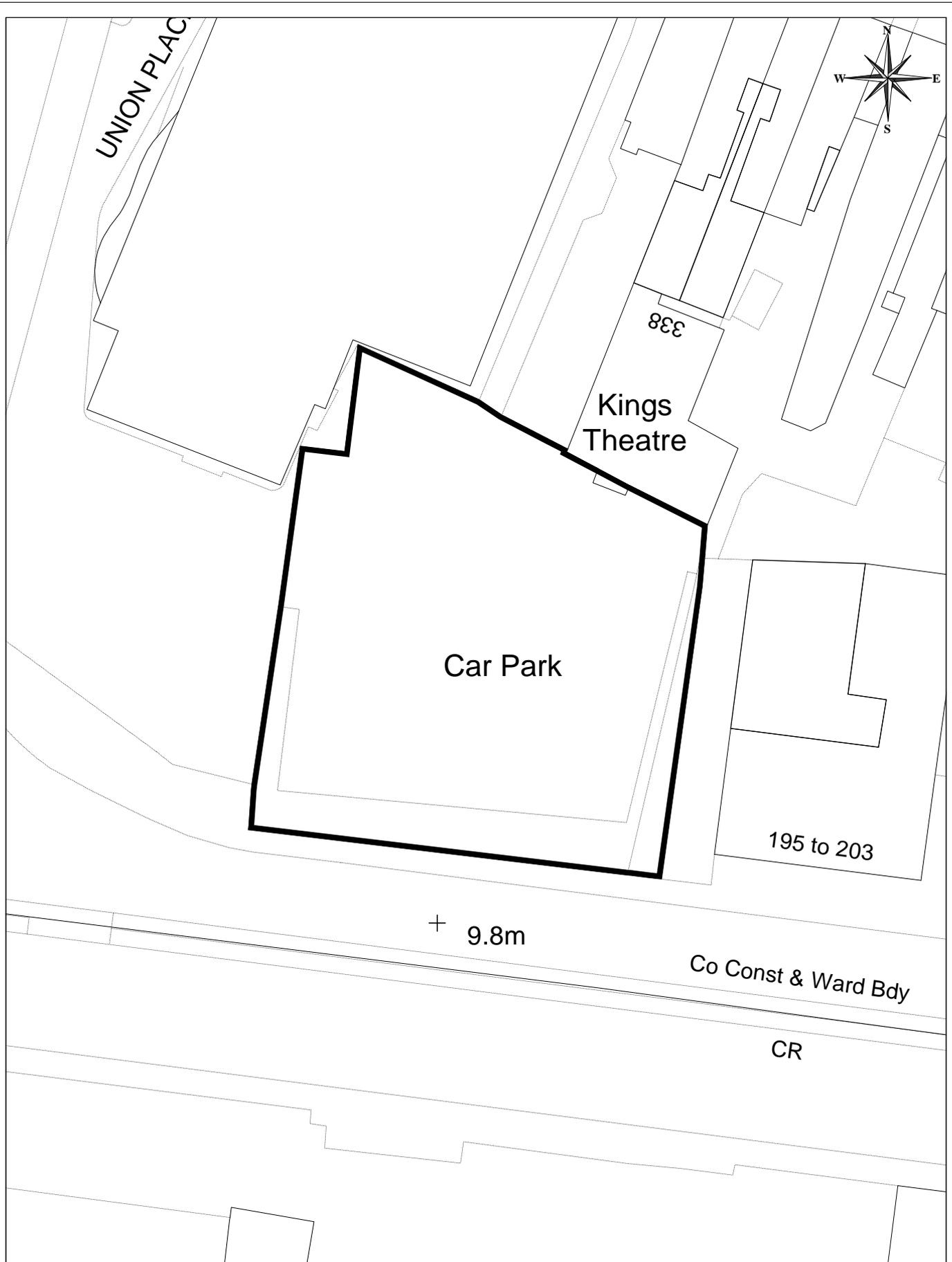
Des Andrews Senior Valuation Surveyor des.andrews@medway.gov.uk
01634 332084

Appendices

Appendix A: Plan of the Car Park at Union Place Chatham edged black

Background papers.

None



**Union Place Car Park
Chatham
Appendix A**

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CABINET

18 OCTOBER 2022

SPLASHES SPORTS CENTRE

Portfolio Holder: Councillor Howard Doe, Deputy Leader and Portfolio Holder for Housing and Community Services

Report from: Dee O'Rourke, Assistant Director Culture and Community

Author: Bob Dimond, Head of Sport Leisure, Tourism and Heritage

Summary

This report seeks Cabinet approval to recommend full Council to approve an addition to the capital budget to fund the development of the new Splashes sports centre and delegate authority to the Leader to enter into the contract.

1. Budget and policy framework

- 1.1. The provision of Leisure Services is a matter for Cabinet. Additions to the Capital programme are decisions for full Council.
- 1.2. Development of Splashes sports centre aligns with the objectives of the Medway Council plan – supporting Medway people to realise their potential – healthy and active communities.
- 1.3. Development of Splashes sports centre also aligns with Medway's stated ambition to be recognised as a child-friendly city.

2. Background

- 2.1. In July 2020, the Council approved the addition of £5m to the Capital Programme to fund the refurbishment of the Splashes sports centre. However, after extensive structural surveys were carried out at Splashes sports centre to ascertain the condition of the building, it was found to have major structural faults beyond economic repair. It was advised the building should be taken out of use immediately and in June 2021 the Cabinet approved the demolition of the building, at a cost of £186,000, which was funded from the original £5m capital scheme.

- 2.2. In July 2021, Cabinet agreed to instruct officers to develop detailed proposals for a new Splashes sports centre in Rainham to provide modern, family-friendly sports and physical activity facilities in the east of Medway, complementing other Council sports facilities.
- 2.3. Further to Cabinet approval, a professional design team, Space&Place, was appointed through open tender to design the new centre. They began work in November 2021, submitting the formal planning application in March 2022.
- 2.4. Projections from the professional design team at this point indicated the redevelopment could be delivered within a budget envelope of £17.85m. Based on this projection Cabinet were asked to recommend full Council to approve an additional £12.850 million to the Splashes Replacement Scheme within the capital programme to meet this budgetary expectation. This addition was approved by full Council at its meeting on 21 July 2022.
- 2.5. In parallel with the full Council approval and following planning permission being granted, a formal Invitation to Tender was issued to procure the main works contractor. Unfortunately, due to economic volatility internationally, caused primarily by rocketing fuel costs and the war in Ukraine, there has been a knock-on effect on the construction industry across the UK, leading to challenges across all areas of the supply chain, as well as significant increases in labour costs. This has meant that the completed tenders received in August 2022 were several million pounds higher than those projected earlier in the year.
- 2.6. As result of these highly unusual circumstances, the capital budget approved by full Council in July 2022 is no longer sufficient to award a contract for the development of the new Splashes sports centre. There is a risk that these macro-economic conditions may become more challenging in the coming months and years and that attempting to procure these works at a later date could result in even higher tenders being received.

3. Options

- 3.1. The range of options available for Cabinet to consider are:
- 3.2. A) Not proceeding with the development of a new Splashes sports centre.
- 3.3. B) Delaying development until it can be assessed whether market costs will realign to those originally projected.
- 3.4. C) Redesigning the proposed centre to seek and enable a development within the existing allocated budget envelope.
- 3.5. D) Recommending to Council a further addition to the capital budget to meet the increased costs of the development.

4. Advice and analysis

- 4.1. Option A) As set out in the Cabinet paper of July 2021 and supported by subsequent full Council funding approval in July 2022, the Council has a stated desire to create a family-friendly Splashes sports centre which complements other Council facilities and attracts visitors from across Medway and also from outside the area. Option A would not deliver these objectives.
- 4.2. Option B) There is ongoing uncertainty in the market about the longer-term projection for pricing. Costs may go down, but they may increase and therefore this option does not bring any greater certainty to the Council of either when work would start or what the final cost may be. Thus, a request for further funding may still have to be brought forward at a later stage. It is also recognised that the previous Splashes sports centre has been closed since March 2020 and an ongoing delay would leave limited sport and physical activity facilities in the east of Medway.
- 4.3. Option C) This would limit the Council's capital spend on the project to that already approved. However, it would mean a fundamental redesign of the centre which would require a new planning application. To achieve this would incur greater cost at the professional design stage, further limiting the budget available for development of the centre and would also lead to delays in being able to tender the works while a fresh planning application was submitted for approval. As with Option B this would mean an ongoing delay in delivering sport and physical activity facilities in the east of Medway.
- 4.4. Option D) This requires an addition to the capital budget in order to proceed with the development of the new Splashes sports centre, but would enable delivery of a stated Council objective in line with the previously agreed timescale.
- 4.5. The cost and nature of the project mean that it falls within the Council's definition of a Key Decision. Pursuant to paragraph 2.1.2 of the Contract Procedure Rules, all such procurements are deemed to be a high risk and must be referred to the Cabinet for determination.
- 4.6. If the Cabinet decide to proceed with option D, requesting the Council to increase the funding available, a decision on the contract award will need to be made. Waiting for a Cabinet meeting after the Council meeting will add further delays to the process, thus Cabinet is requested to delegate authority to the Leader to determine the contract award and instruct officers to complete such agreements as are necessary for the development to be delivered.
- 4.7. A Diversity Impact Assessment is not required for this report. However, a DIA will be completed when finalising the planned programme of activity for the new Splashes sport centre if funding is approved.

5. Risk management

5.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of the services it provides to the community. Using the following table this section should therefore consider any significant risks arising from your report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Development costs	Tenders for the building works are over budget	Tender returns have been received so there is a clear indication of market value. Early approval brings the greatest cost-certainty, accepting there could be ongoing volatility in the sector	C3
Tender applications	Insufficient quality of applications received	Tender returns received demonstrate there is sufficient quality	D3
Capital funding	Full Council does not approve the addition to the Capital budget	Cabinet has previously approved the principle of building a new Splashes sports centre. Previous funding of £17.85m for the project has been added to the capital budget.	D1
Project delivery	The project is not delivered within the anticipated timeframe	The project is on programme to enable works to start on site in early 2023. The timeframe is reviewed by the Splashes project board. Accepting unforeseen incidents may occur in a large capital project there is no reason to suggest at this stage there will be a delay in the project, subject to the decisions of Cabinet and full Council.	E3
Affordability	Capacity to fund the project.	The Council faces financial pressures on many fronts and servicing the costs of the borrowing will need to compete against those other calls on limited resources.	A2

6. Consultation

- 6.1. As proposed in the Cabinet report of July 2021, public exhibitions were held in Rainham Library and Twydall Community Hub during May 2022, and visitors were encouraged to comment on the planning application. In addition, a media release was sent out including the link to the planning application for those wishing to comment.

7. Climate change implications

- 7.1. The appointed professional design team have extensive experience of delivering energy-efficient sports centres and have fully understood and engaged with the Council's desire to reduce energy consumption as part of Medway's climate change agenda.
- 7.2. In order to achieve this, the proposed centre delivers a range of improvements and initiatives which will mean the new centre uses half the energy of the previous Splashes sports centre.
- 7.3. Measures include rooftop photovoltaics, air source heat pumps, recycling heat to pre-heat the swimming pools, maximising solar gain to warm spaces, highly insulated walls and roof complemented with triple glazed windows, and water recycling and recovery systems.

8. Financial implications

- 8.1. Full Council has already approved borrowing of £17.85 million to deliver the new leisure centre on the Splashes site. Circa £2.3 million has been spent to date, including £186,000 for demolition and almost £2.0m on architects and project management. This expenditure to date, together with other client side budgets for communications, ICT, fixtures, fitting and equipment and provision for risk, bring the total commitment before the construction contract is let to £4.7 million.
- 8.2. Following a procurement exercise the bids for the construction contract have come in significantly higher than the budget available and a further £7.0 million is required in order to let a contract.
- 8.3. The revenue cost of servicing £24.85 million of borrowing, assuming an interest rate of between 4% and 5% is estimated at in excess of £1.7 million per annum, taking the cost over 30 years to £51.0 million.
- 8.4. Prior to the closure of the original facility, Splashes was subsidised, operating with a revenue budget of £306,184 per annum. This pressure was removed from the Council's 2021/22 budget when Splashes was closed. The latest estimates suggest that the net operating budget would need to be in excess of £500,000, taking into account:
 - The adverse impact of the 'cost of living crisis' on income projections;

- General inflation running at more than 9%;
- projected increases in the national living wage;
- Inflation on energy costs estimated at between 75% and 100%.

8.5. Ultimately, the net revenue impact of the operating costs and financing costs on the Council's budget would represent a pressure of at least £2.2 million per annum, although the major part of this would not impact until the 2024/25 financial year. Equivalent savings would need to be identified through the budget setting process in order to fund this additional cost.

8.6. It should be noted that if the scheme does not progress, all expenditure incurred to date on demolition and design fees would need to be written off against general reserves, as there would be no asset against which to justify the borrowing.

9. Legal implications

9.1. The provision of leisure facilities is a discretionary function of local authorities, and they are not mandated to provide them, unlike many other functions. The Council has the power to provide leisure centres such as Splashes under the provisions of Section 19 of the Local Government (Miscellaneous Provisions) Act 1976.

9.2. All additions to the Capital Programme are a matter for full Council and this report asks full Council to add a further £7.0 million to the Capital Programme to fund the replacement of the Splashes sports centre. If the Capital programme (some or all) is to be serviced by the Council from its revenue budget, the Council has to be sure that it can meet the costs of servicing the loan, in addition to fulfilling its other functions.

9.3. The Council will face budgetary pressures when considering its revenue budget later this municipal year. When setting the budget, members will need to exercise judgement in balancing competing needs in terms of mandatory and discretionary services. Members should have regard to the advice provided by the Council's Chief Operating Officer (the statutory S151 Officer).

9.4. A procurement exercise has been conducted, the details of which appear elsewhere in this report. Once the contract is awarded, the council will be contractually bound to see the project through to completion, subject to any cancellation provisions contained within the contact. Such provisions normally only permit terminations in specific circumstances, which may not apply at a future date, and usually include the award to damages (compensation) to the innocent party.

10. Recommendations

10.1. Cabinet is asked to decide whether to:

- a) proceed and therefore agree to recommend that Full Council approve an addition of £7.0 million to the Splashes Redevelopment Scheme in the Capital Programme to enable development of the new Splashes sports centre.
- b) agree to authorise officers to proceed with a redesign of the proposed centre to seek and enable a development within the existing allocated budget envelope.
- c) agree to delay development for a prolonged period until it can be assessed whether market costs will realign to those originally projected.
- d) agree to not proceed with the Splashes Redevelopment Scheme.

10.2. Subject to the decision made above, if Cabinet determine to proceed with 10.1a, then Cabinet is also requested to delegate authority to the Leader to determine the contract award and instruct officers to complete such agreements as necessary for the delivery of the project.

11. Suggested reasons for decisions

11.1. An addition to the capital budget of £7.0 million will allow the development of Splashes sports centre to proceed in accordance with Cabinet approval from July 2021, and in line with tender returns received.

Lead officer contact

Bob Dimond, Head of Sport Leisure, Tourism and Heritage, Gun Wharf,
01634 338238 bob.dimond@medway.gov.uk

Appendices

Exempt appendix

Background papers

None

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CABINET

18 OCTOBER 2022

CAPITAL ADDITIONS REPORT- THE BROOK THEATRE

Portfolio Holder: Councillor Adrian Gulvin, Portfolio Holder for Resources

Report from: Sunny Ee, Assistant Director, Regeneration

Author: Beth Westwood, Regeneration Programme Manager

Summary

The Brook Theatre has been awarded grant funding from the Future High Street Fund (FHSF) (£300,000) and the Levelling Up Fund (LUF)(£6.5m) to undertake refurbishment works. The Re:Fit works programme is also being undertaken, which focuses on upgrading elements relating to the operations of the Brook Theatre. Initial building surveys (Phase 1) have been undertaken to facilitate these upgrades and have recommended further surveys (Phase 2) are carried out throughout the building. This report seeks to add £250,000 to the Capital Programme to undertake the Phase 2 surveys.

1. Budget and policy framework

- 1.1. The Council received grant funding from the Future High Street Fund (£300,000) to improve the functionality of the spaces to support the development of Chatham's creative sector. As a condition of the grant funding from the Department of Levelling Up, Housing and Communities (DLUHC), the funding must be spent by March 2024.
- 1.2. The Council received further funding from the Levelling Up Fund (£6.5m) to improve the building's facilities and undergo refurbishment works to digitally upgrade and future proof The Brook Theatre, to support Chatham's creative sector by upgrading spaces and providing affordable office and co-working facilities, alongside digitally enhanced rehearsal and performance spaces to develop their practice and enhance their business. The grant funding deadline has been extended to March 2025.
- 1.3. The Brook will also see improvements made through the Re:Fit programme which are LED Lighting upgrades, installation of a heat pump and energy efficient boilers, upgraded controls and new theatrical lighting. These works will be completed prior to any refurbishment works.

- 1.4. It is necessary to undertake the Phase 2 surveys as soon as possible to enable the procurement of a Principal Contractor within programme and with cost certainty.

2. Background

- 2.1. The initial investigations and specialist surveys (Phase one) have commenced. The cost for phase one is estimated at £60,000 and is funded through the Building Repair and Maintenance Fund (BRMF).
- 2.2. It is recommended that Phase 2 intrusive surveys are undertaken throughout the building, to gain a detailed understanding of any works required, enabling these works to be accurately accounted for during the procurement of a Contractor. One Principal Contractor will be appointed to undertake all works throughout the building.
- 2.3. The Brook Theatre is a Grade II listed building, as such careful consideration for any works to the building is required, knowing the results of the surveys as soon as possible will facilitate early engagement and consultation with the relevant statutory bodies, including Conservation and Planning.
- 2.4. The Phase 2 surveys will cost £250,000 and consist of opening up works, which is envisaged to take approximately 2-3 months, due to the need to carefully remove and record all areas included within the survey. The majority of the Phase 2 surveys can be undertaken while the theatre remains open, Portfolio Holders will be updated on logistics to achieve this, an options paper will be presented regarding the inaccessible areas while the building remains open.
- 2.5. Once findings from the surveys are known, a separate Capital Additions paper will be submitted identifying the required investment to undertake remediation and repair works. The LUF and FHSF funding streams have specific outputs, as outlined in Section 1 and cannot be utilised to fund these repair works.
- 2.6. Officers will progress conversations with insurance providers, to determine whether this is an appropriate avenue to meet the cost of the works.

3. Options

- 3.1. Option 1- Cabinet recommend to Full Council the addition of £250,000 to the Capital Programme, to undertake the Phase 2 intrusive surveys at the Brook Theatre.
- 3.2. Option 2- Cabinet decline to recommend to Full Council the addition to the Capital Programme.

4. Advice and analysis

- 4.1. Option 1 will enable the Phase 2 surveys to be undertaken, this will enable cost certainty when requesting the capital addition and procuring a contractor to undertake the remediation works required. Without addressing the remediation works, the LUF and FHSF programmes would be unable to proceed.
- 4.2. Option 2 would significantly put at risk the grant funding awarded to the Brook Theatre to undertake refurbishment works. The grant funding has strict deadlines and milestones for delivery and spend, which must be adhered to, to ensure the funding is defrayed.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
FHSF and LUF project objectives not being met within the allocated timescales	FHSF needs to be spent by March 24 on specific refurbishment outputs, with LUF needing to be spent by March 25 or these grants would need to be repaid to the funder.	The approval of the capital additions request would support the project to be delivered within programme.	B1
Additional capital funding is not secured	If additional funding is not added to the Capital Programme, the works programme for the grant funding cannot be undertaken, which would be a critical risk to the grant funding.	The capital additions request is added to the Capital Programme.	B1
Need for significant building works to be undertaken	Phase 2 Surveys could identify need for significant works to be undertaken, which cannot be funded from existing funding streams and would therefore require a further addition to the capital programme.	Options to fund any further works required, including insurance where relevant, will be considered in due course.	B2

6. Consultation

- 6.1. The Conservation Officer has been consulted on the Stage 1 opening up works and has agreed for these works to take place. The Conservation Officer will be kept informed as the surveys progress.

7. Financial implications

- 7.1. The budget for the Phase 1 surveys is within the Council's Building Repair and Maintenance Fund (BRMF) within the existing budget and the FHSF and LUF improvement works are both within the existing capital programme. The cost of phase 2 intrusive surveys cannot be met from any of these existing funding streams, there is no other funding and no suitable virement available from the revenue budget or capital programme so the cost of these surveys will need to be funded from reserves and represent an addition to the capital programme.

8. Legal implications

- 8.1. Additions to the capital programme are a matter reserved for Full Council and this report asks Cabinet to recommend that an addition is made to fund the refurbishment of the Theatre.
- 8.2. The redevelopment has utilised grant funding secured through both the Future High Streets programme and the Leveling Up Fund and therefore a failure to deliver on this could result in the a breach of the conditions contained within the Grant Determination Agreements for those grants, which could potentially mean that funding needs to be repaid.
- 8.3. Although the potential for repayment of the grants is a significant factor it does not prevent the Cabinet from exercising option 2 and declining to make the recommendation to Full Council if they are not satisfied with the information contained within the report.
- 8.4. As the Theatre is a Grade II listed building carrying out works without the required consents would constitute a criminal offence therefore it is vital that the Conservatiion officer is kept appraised as detailed above and that the necessary approvals are sought for any works which are undertaken in due course.

9. Recommendation

- 9.1. The Cabinet is asked to recommend to Full Council the addition of £250,000 to the Council's capital programme, funded from reserves, to enable the Phase 2 Intrusive Surveys to be carried out at the Brook.

10. Suggested reasons for decision

- 10.1. Although there is no immediate health and safety risk to occupants of the building, the structural survey recommends that phase two is undertaken within 6-12 months. Therefore, the addition of £250,000 to the Capital programme in November will enable a clearer picture of the condition of the building and identify appropriate long-term measures that need to be implemented.

Lead officer contact

Beth Westwood, Regeneration Programme Manager,
Tel: 01634 338156 Email: elizabeth.westwood@medway.gov.uk

Appendices

None

Background papers

None

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CABINET

18 OCTOBER 2022

MOSAIC - CHILDREN'S URGENT FORMS DEVELOPMENT

Portfolio Holder: Councillor Mrs Josie Iles, Portfolio Holder for Children's Services – Lead Member

Report from: Lee-Anne Farach, Director of People – Children and Adults Services

Author: Donna Marriott, Assistant Director Children's Social Care
Rebecca Hood, Children and Adults Systems Manager

Summary

This report sets out an urgent proposal to rebuild the Children's Services side of the Children & Adults Social Care System, Mosaic, by removing unworkable licenced forms and replacing with bespoke simplified forms that would need to be fully designed with the service and built using codes that map data across to all the performance reporting, which will ultimately better embed the Council's practice model framework.

The report asks Cabinet to recommend that Council agrees to the addition of £1.7m to the revenue budget to be funded from reserves.

1. Budget and policy framework

- 1.1. The decisions in this report are within the Council's policy and budget framework, and are for Cabinet determination, with the exception of the addition of monies to the revenue budget from reserves which is a matter for Full Council.
- 1.2. It is imperative that the service remove barriers to good practice by simplifying case management recording, and that progress is made at pace in the face of Ofsted monitoring visits and the full inspection.

2. Background

- 2.1. During the 2019 Ofsted Inspection of Local Authority Children's Services (ILACS), it was recommended that Children's Services review their practice model framework. Subsequently the service agreed to introduce Signs of Safety, a widely used framework that aims to reduce the need for children to

enter care. It is a framework developed to encompass a strengths-based approach to casework. The service also made a decision to implement Signs of Safety accredited forms that reflect the framework in the Mosaic system. This required a significant change in system configuration to support recording on the children's database.

- 2.2. Approval was granted to Children's Services to purchase the licence to use the suite of 20 Signs of Safety accredited forms from Elia, the Signs of Safety owner, via Access, the Mosaic supplier, for these forms to be implemented in the Mosaic database. The licence was for a two-year period starting on 26th June 2020 and was due for renewal on 26th June 2022 for a further two years.
- 2.3. The Signs of Safety forms implementation in Mosaic, had an impact on the local and statutory performance reports, which required 68 SQL database reports to be converted in Mosaic to include the Signs of Safety data.
- 2.4. Children's services have been using the accredited Signs of Safety forms in Mosaic since 1st April 2021, and almost immediately raised concerns about the significant challenges experienced by users. This included the forms not meeting service requirement, recording is onerous and difficult to understand. They are not helping practitioners to analyse or record effectively. This has been a repeated criticism in external reviews of the service by the regulator Ofsted and other external organisations.
- 2.5. As the Signs of Safety forms are accredited, local changes to them cannot be made without Elia's prior consent. Elia was approached to consider requests to alter forms to meet Medway's requirements. Unfortunately, this was not successful.
- 2.6. This led to discussions with other local authorities who use Mosaic and Signs of Safety, who have shared that they are having a similar experience and have either moved away or in the process of moving away from Signs of Safety accredited forms.
- 2.7. Children's Services are clear that this is having a negative impact on staff morale and our capability to improve practice and there is a need to significantly simplify the forms if we are going to move the service forward and out of intervention.
- 2.8. Ongoing work to address the challenges with Elia has not been successful. Elia maintains that they are unwilling to support the extent of changes needed. Options for moving this forward have been explored and it has been reiterated that the Council cannot amend the Elia Signs of Safety forms without leading to potential legal challenge as Elia own the intellectual property rights.
- 2.9. The service has considered whether it could work with Elia to reach a middle ground in the development of the forms. However, Access has given notice to end their contract with Elia. This means that whilst Access may support Medway with technical issues on the existing Signs of Safety forms, any

further development work would not be supported including changes necessary for any policy or legislation.

- 2.10. It is therefore clear that maintaining the Elia Signs of Safety forms is no longer viable. They are significantly hampering practice, preventing improvement and reduce the potential to move successfully through our next Ofsted inspection.
- 2.11. We cannot risk this having an impact on Children's Service improvement, so an alternative solution must be considered.

3. Options

- 3.1. The Signs of Safety forms are a unique set of forms that are licensed and trademarked to Elia. There are no alternative products from other suppliers that could be considered. Therefore, the options are:

- 3.2. **Do nothing**

This is not a viable option as the forms will remain in their current state. Elia do not consent to Medway altering forms 'in-house' due to intellectual property rights. Access's withdrawal to work with Elia means there will be no further form developments which places children's services and the Council at risk of not moving out of intervention. This option is not recommended.

- 3.3. **Medway Council's Children & Adults Systems Team reconfigure Mosaic**

The Children & Adults Systems Team have the knowledge and technical skills to complete this work. However, they also support three other systems used by Adult Services, Youth Services, Education and SEND. If the team were to reconfigure Mosaic and build the new forms for Children's Services, in the timescale required, they would not be able to maintain, support and develop the other systems and divisions. The Care Reforms and CQC Assurance Review of Adult Social Care will require significant changes to Mosaic, in addition to the critical systems work that is needed for Education which cannot be paused or stopped.

- 3.3.1. In addition, the lack of SQL Database Report Writers due to vacancies and continuous challenges in recruiting to the posts, means the database report conversions and testing would not be at the pace required, which would delay go live, which places Children's Services and the Council at risk of moving out of intervention. This is not a viable option.

- 3.4. **Commission an external team to reconfigure Mosaic**

Due to the technical expertise required to build the forms in Mosaic, resource must be procured from a specialist IT agency who provide consultants with the knowledge and calibre required to build forms, configure the system along with the SQL skills and Mosaic database table knowledge to convert and test reports. This would create a dedicated project team delivering specified 'in-house' forms and SQL reports.

- 3.4.1. The use of an external team will allow the reconfiguration to be carried out at the pace required by Children's Services and will enable the Children & Adults

Systems Team to provide the support needed to Adults, Education and Youth Services.

This is the recommended option.

4. Advice and analysis

- 4.1. The service cannot continue using the Signs of Safety forms.
- 4.2. Following recent negotiations, agreement to support the move away under cover of a licence from Elia has been negotiated to lessen the impact and ensure that intellectual property rights are not breached.
- 4.3. Elia have agreed in writing to our request to use the accredited forms as a basis of the urgent redesign work. This is subject to removal of the Signs of Safety logo and having a licence agreement in place with them, until the service is able to move entirely away from the Signs of Safety forms. The licence will be in place for a year where it will be reviewed and if necessary, would be extended until Medway have transitioned away from their forms and onto our own in-house forms.
- 4.4. Considering the above, Mosaic system configuration urgently needs to commence to simplify the assessment and planning forms given the detrimental impact this is having on practice.
- 4.5. The preferred option, set out at paragraph 3.4, is to commission a dedicated project team of experienced external technical IT resource and a project manager, to fully develop the forms and convert reports.
- 4.6. The outline plan and estimated timeline for the project can be seen at Appendix 1. This includes resource requirement for the duration of the project.
- 4.7. Details of the project team, including the number, the roles and estimated cost are detailed in table 1 below. The costs are based on day rates paid to external consultants, as there is not the resource available with the necessary skills to employ on a fixed term contract.

4 Systems Analysts/specialists	£583,000
Business Intelligence resource	£41,340
6 report writer/ testers	954,000
Project Manager	£94,444
Project Support officer	£29,900
	£1,702,686

(Table 1)

- 4.8. £1,702,686 is the worst-case scenario and has been calculated based on the resource used and length of time it took for Signs of Safety to be implemented in Mosaic during 2020-2021. It is important to note that whilst this was being implemented, other systems and performance work across Adults Services, Education and Youth Services were paused.

- 4.9. The cost may reduce if the number of SQL database report writers is not necessary. Unfortunately, this cannot be determined until the 'User Acceptance Testing' phase, as per Appendix 1, is complete. The C&A Senior Systems Administrator will work with the dedicated team to ensure that the smartest approach is used, so that work is not prolonged unnecessarily.
- 4.10. The project will deliver clear benefits. Simplifying forms will remove barriers to good practice, improving analysis, clearer plans and will reduce the amount of time spent undertaking case recording. It will have a positive impact on staff morale. The Service will have direct control over future developments of forms including changes necessary for any policy or legislative changes.
- 4.11. A Diversity Impact Assessment is attached at Appendix 2. There are no adverse impacts for any of the protected characteristic groups.

5. Risk management

- 5.1. There are risks associated with the recommended option. The significant ones are detailed in the table below.
- 5.2. If the Council can source the project team and tightly project manage the scope, build and implementation of the project, our confidence level of a successful implementation can be high.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Difficulties with procurement of resource	Risk that difficulties with procurement of the resource delays the start of implementation	Early planning of procurement and optimise timing of gateway decision.	C2
Lack of skilled resource	Availability of skilled external consultants to undertake configuration work	Review and amend the timescale for implementation. Consider increasing day rates. Early conversations with agencies setting out our requirement for resource.	C2
Quality of work individual external technical IT resource	The quality of the work of the external technical IT resource may not be to the required standard.	Competency testing at interview. Senior Systems Admin sign-off of all configuration work	D2
No ICT equipment for external consultants	ICT do not have spare equipment to loan- purchase of equipment required.	Amend timeline to take account of equipment lead time	C2
Project is not delivered on time	The project has drift and delay and is not delivered on time or budget	Appoint a project manager to coordinate plans, track progress, escalate issues, manage	C2

Risk	Description	Action to avoid or mitigate risk	Risk rating
		engagement and communications.	
Poor specification and the revised form does not deliver the intended benefits.	The service may not engage with the project to specify the new forms, and project fails to deliver a solution that works for families and supports simplified recording	Engage nominated workers to attend 'discovery' workshops to specify new forms. Engage nominated workers in User Acceptance testing. Attendance of technical staff at discovery workshops.	D2
Timing of reporting re-configuration	Risk that the timing of the report conversion work clashes with statutory returns	Review and amend the timeline if necessary. Smart specifications to reduce requirement for changes to the reports.	D2

6. Consultation

- 6.1. Detailed discussions have been undertaken with staff to understand the issues and the onerous nature of the recording which has informed the proposal put forward. There is widespread support for moving away from the current forms.
- 6.2. Consultation has been undertaken with Elia to address the challenges with the forms and to understand any scope there may be to amend existing forms.
- 6.3. Medway's DfE Improvement Adviser has facilitated senior level discussions with other local authorities who are having a similar experience with Signs of Safety forms to Medway. Senior leaders have also been consulted within the Council.
- 6.4. Consultation with procurement has been undertaken to advise on procuring the resources from recruitment agencies.

7. Climate change implications

- 7.1. There are no direct climate change implications resulting from this report.

8. Financial implications

- 8.1. The Cabinet will be asked to recommend that Council agrees to the addition of £1.7m to take forward the development of the forms as laid out in the proposal. Based on the current timeline, phasing over the financial years is £214,000 in 2022-23, £1,167m in 2023-24 and £322,000 in 2024-25. This is to be funded from reserves.

8.2. The cost of the licence with Elia will be no higher than the £15k per year previously paid to Access, provision for which is already in the base budget.

9. Legal implications

9.1. Elia is the owner of Signs of Safety which is the current solution used by the service. Under the terms of the Contract with Medway, Access agreed to grant to a Licence to Use the Licensed Solution (Signs of Safety Forms). This current solution is provided under a separate licensing arrangement which adds the accredited forms into Mosaic which is an established software package we have under licence from Access.

9.2. The Council was in a 2-year agreement for the Signs of Safety Forms as a licensed solution with Access. This ceased on the 26 June 2022. In addition to the Service's dissatisfaction with the current solution they are aware that Access has since relinquished their involvement with Elia.

9.3. The Intellectual Property Rights embodied in the Licensed Solution and/or the documentation remain vested solely Elia. The ownership remains with Elia after the expiry of this Licence. The contract terms state that Medway shall make no attempt to (or allow any third parties to attempt to) modify, amend, alter, or interfere with the Licensed Solution without the prior written permission of Elia. The Service have discussed their proposal with Elia who have provided caveated agreement to the adaptation of some of the forms provided that these are not made to any new forms and that any branding is removed.

9.4. The solution being recommended by the service involves Medway, reconfiguring the signs of safety forms and reporting to sit better within Mosaic. To the extent that this has been agreed by Elia this is unlikely to be in breach of their Intellectual Property rights but the Service will need to be diligent in ensuring that they do not breach of any of the caveats contained within Elia's agreement to the adaptation of their product. Elia have agreed in writing to the Council's request to use the accredited forms as a basis of the urgent redesign work. This is subject to removal of the signs of safety logo, and also having a licence agreement in place with them until the service is in a position to move entirely away from the signs of safety forms. The licence agreement will be for one year in the first instance, with agreement to extend if necessary.

9.5. Without the renewal of the licensing agreement the conditional agreement with the Intellectual Property owner to adapt the forms would be rescinded and therefore any adaptations to the forms would be in breach of their rights.

10. Recommendations

- 10.1. The Cabinet is recommended to approve the option detailed at paragraph 3.4 of the report, commission external resource to reconfigure Mosaic, develop forms and database reports.
- 10.2. The Cabinet is requested to recommend full Council to approve the addition of £1.7m to the revenue budget, to be funded from Council reserves, in line with phasing detailed at paragraph 8.1 of the report.

11. Suggested reasons for decisions

- 11.1. The recommendations will enable the service to transition away from the existing Signs of Safety forms and work to develop simplified forms and drive sustainable strengths-based practice improvement.

Lead officer contact

Donna Marriott, Assistant Director, Children's Social Care, Gun Wharf,
Tel: 01634 331205; Donna.Marriott@medway.gov.uk.

Appendices

Appendix 1 - Outline plan and timeline

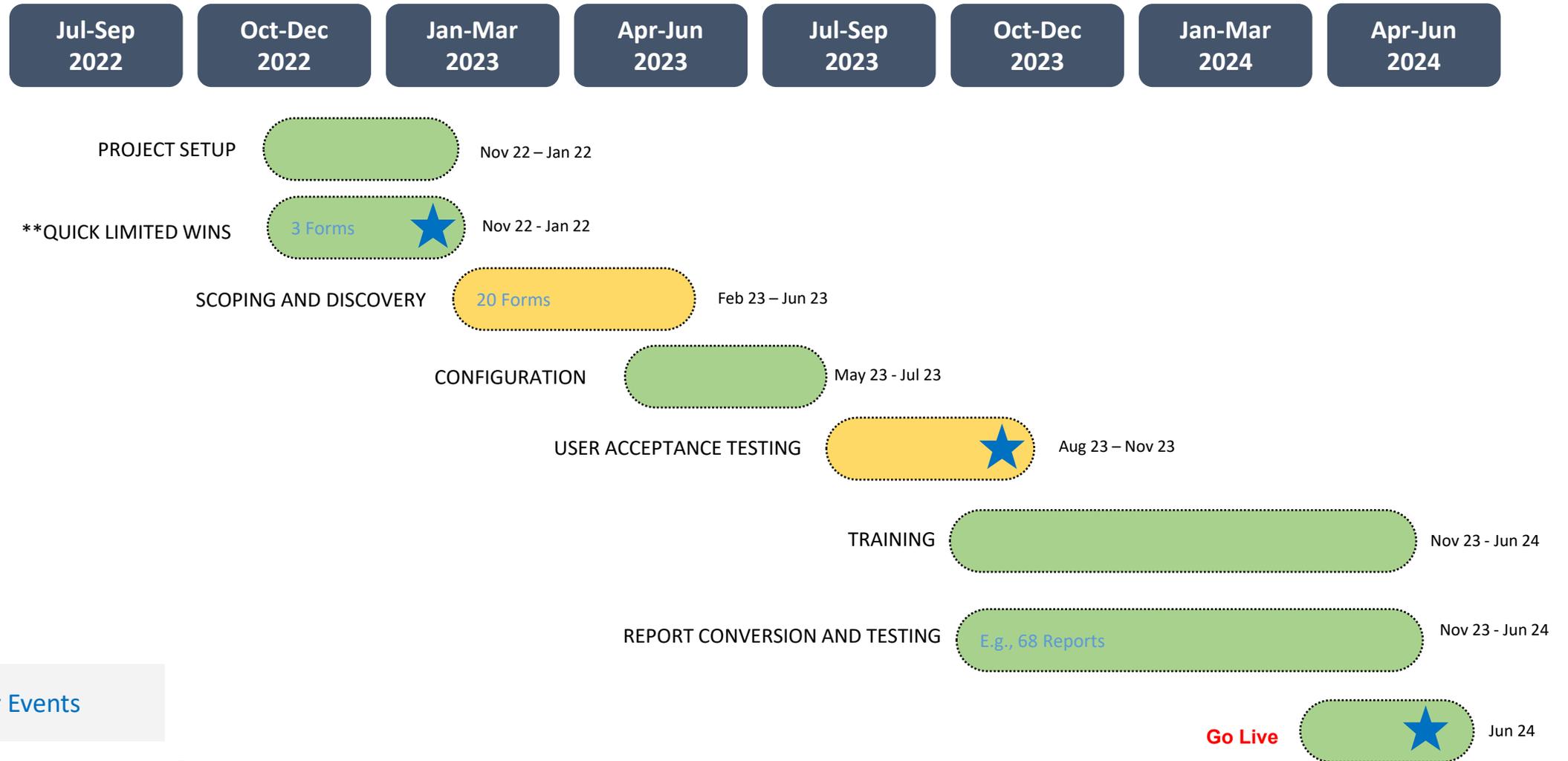
Appendix 2 – Diversity Impact Assessment

Background papers

None

Forms and Workflow – Timeline

APPENDIX 1



★ Key Events

Jan 2022 – Quick Limited wins on 3 forms**
 Nov 2023 – Report Analysis & Impact known
 Jun 2024 - Go Live

The Approach

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Project setup (1 Project Manager and 1 Project Support Officer £124,344)

- Project manage to ensure deadlines met, project on time and managing costs.
- Organisation and coordination of all engagement comms
- Coordinate and smart scheduling the form scoping and discovery & User Acceptance Testing workshops
- Write & present papers for boards

Scoping and discovery workshops (4 System Analysts £583,000, 1 Business Intelligence resource £41,340)

- Specify the simplified forms. essential that it has the **full engagement of nominated users** in Children's Services and the Performance and Business Intelligence Team,
- facilitated by a lead analyst in the project team.
- Work smart at this stage to minimise the amount of reports requiring conversion.
- Senior technical lead (systems team) will be at all workshops to provide challenge and **sign off** on the form proposals.

Forms configuration (continue to use 4 System Analysts)

- To configure the full suite of forms, test thoroughly and **go live with all forms together**.

User acceptance testing of forms (continue to use 4 System Analysts)

- **Engagement of nominated users** in Children's Services will be expected to support robust user acceptance testing.
- These sessions will be organised and coordinated by the project manager/Project Support Officer.
- System Analysts to amend Mosaic forms following testing

Report conversion and testing (6 SQL Database Report Writers £954,000)

- Could be a significant amount of work to convert reports from new forms – but aim is to work smartly during the scoping and discovery workshops to reduce the number of reports requiring redevelopment
- Statutory reports will be prioritised.
- Testing of reports will be undertaken as reports become available and there will be a **formal sign off process** for each individual report.

Training (in-house)

- a rolling programme of training will be provided for all practitioners.
- system training if workflows have changed.

Diversity impact assessment

TITLE
MOSAIC - CHILDREN'S URGENT FORMS DEVELOPMENT
DATE
18 th October 2022
LEAD OFFICER.
Donna Marriott, Assistant Director, Children's Social Care
1 Summary description of the proposed change What is the change to policy / service / new project that is being proposed? How does it compare with the current situation?
The proposal is a change to the Children's Social Care Mosaic case management system. Redesigning and replacing existing forms and output reports within that system. There are no policy changes or changes to service.
2 Summary of evidence used to support this assessment Eg: Feedback from consultation, performance information, service user. Eg: Comparison of service user profile with Medway Community Profile
There is no change in policy or service. This is a system change.

3 What is the likely impact of the proposed change? Is it likely to: Adversely impact on one or more of the protected characteristic groups Advance equality of opportunity for one or more of the protected characteristic groups Foster good relations between people who share a protected characteristic and those who don't (insert Yes when there is an impact or No when there isn't)

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Age	No	No	No
Disability	No	No	No
Gender reassignment	No	No	No
Marriage/civil partnership	No	No	No
Pregnancy/maternity	No	No	No
Race	No	No	No

Diversity impact assessment

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Religion/belief	No	No	No
Sex	No	No	No
Sexual orientation	No	No	No
Other (eg low income groups)	No	No	No

4 Summary of the likely impacts

Who will be affected?

How will they be affected?

There is no change in policy or service. This is a system change.

The system change will simplify practice which all protected characteristic groups will benefit from should they have any involvement with social work practitioners.

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

What alternative ways can the Council provide the service?

Are there alternative providers?

Can demand for services be managed differently?

There are no adverse impacts for groups with protected characteristics resulting from this change. There is no change in policy or service. The simplifying of practice resulting from the system changes may make for clearer understanding of plans for all those in protected characteristic groups.

6 Action plan

Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
None – no adverse impacts	n/a	n/a

Diversity impact assessment

<p>7 Recommendation</p> <p>The recommendation by the lead officer should be stated below. This may be: to proceed with the change, implementing the Action Plan if appropriate, consider alternatives, gather further evidence</p> <p>If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.</p> <p>That the proposed change goes ahead.</p>
<p>8 Authorisation</p> <p>The authorising officer is consenting that the recommendation can be implemented, sufficient evidence has been obtained and appropriate mitigation is planned, the Action Plan will be incorporated into the relevant Service Plan and monitored</p>
<p>Assistant Director</p> <p>Donna Marriott, Assistant Director Children's Social Care</p>
<p>Date of authorisation</p> <p>15-08-2022</p>

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CABINET

18 OCTOBER 2022

UPDATE ON PLANS RELATING TO THE FUTURE OF THE FIRST FLOOR OF THE PENTAGON CENTRE

Portfolio Holder: Councillor Adrian Gulvin, Portfolio Holder for Resources

Report from: Sunny Ee, Assistant Director Regeneration

Author: Beth Westwood, Regeneration Programme Manager

Summary

This report is for information purposes, to provide an update on the plans for the first floor of the Pentagon Centre, which include an NHS Healthy Living Centre (HLC), Innovation Hub and ancillary projects.

1. Budget and policy framework

- 1.1. In February 2019, Cabinet recommended to Full Council the acquisition of the head lease of the Pentagon Centre and in so doing granted delegated authority to the Chief Legal Officer in consultation with the Leader and Portfolio Holder for Resources, to carry out the re-configuration and improvement works to the Pentagon Centre and to manage and let the centre. On 21 February 2019, the Council added £45 million to the capital programme to fund the acquisition.
- 1.2. Full Council in Feb 2022 added £10,348,000 to the Capital Programme to fund the HLC, on the provision that the NHS would reimburse the full amount. The Council was also awarded grant funding from the Future High Street Fund (FHSF), to assist with the delivery of the HLC and Innovation Hub on the first floor of the Pentagon Centre. The outputs of the projects must be delivered by 31 March 2024.

2. Background

- 2.1. In February 2019 the Council approved a £45 million addition to the capital programme to acquire the head lease of the Pentagon Centre. The Council acquired the Pentagon Centre in 2019 at a total cost of almost £37 million. £3 million was vired to fund the subsequent acquisition of the Mountbatten House

sub-lease and the circa £5 million balance of the original borrowing approval allocated to fund 'future capital works to the Pentagon Centre'.

- 2.2. The Council's 2019/20 revenue budget assumed that the centre would generate net revenue income from rents of circa £2.65 million per annum, offset by the annual £1.65 million cost of servicing a £45 million loan.
- 2.3. The Council acquired the Pentagon Centre in April 2019, knowing that the ground floor was trading well and that the first floor would need investment. Various options have been considered for the redevelopment of the first floor. The favoured option for development of the first floor is for it to be used as:
 - An NHS HLC, this will provide a much-needed medical facility in Chatham, providing a catalyst for ancillary medical uses.
 - An Innovation Hub, which will be primarily funded from the FHSF.

3. Progress update

- 3.1. In line with the delegated authorities for the FHSF and Pentagon Centre future Capital works budget, the design works for the HLC have commenced, with RIBA 1-2 completed and RIBA 3-4 design underway.
- 3.2. Approval to tender the works under a two-stage tender process was given in July 2022, this will help to secure supply chain lead in times and increase cost certainty for the works.
- 3.3. The tender for a third-party operator for the Innovation Hub is live, with an operator to be appointed by October 2022. This will enable the operator to input into the design.
- 3.4. Works are under way to a vacant unit on the Ground floor, so that the Council's Youth Service WREC room can move into this unit and vacate the first floor.
- 3.5. As part of the redevelopment of Mountbatten House, the public toilets for the centre will be relocated to the first floor.
- 3.6. Current tenants on the first floor have been notified and where they want to and where possible they have been relocated within the Pentagon Centre. Discussions are taking place with the remaining occupiers of the first floor.

4. Advice and analysis

- 4.1. The delivery of plans to re-use the first floor of the Pentagon, will provide useful community facilities, improve the net income from the centre and improve footfall. When acquiring the Pentagon Centre, it was known that the first floor required investment to secure an anchor tenant, and thus enable a consistent income.
- 4.2. The design for the Healthy Living Centre will progress up to RIBA 4, while formal agreements with the NHS are reached.

- 4.3. The delivery of the Innovation Hub will continue, in accordance with the funding agreement with FHSF.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Programme	The funding streams to deliver the project must be spent by March 24	Progress with design to keep to delivery programme	C2

Further details are contained in the exempt appendix to this report.

6. Consultation

- 6.1. As per the terms of the delegated authorities which are in place, the Leader and Portfolio Holder for Resources have been consulted throughout the projects.

7. Climate change implications

- 7.1. Utilising the first floor of the Pentagon Centre to accommodate the HLC represents a reduced carbon footprint when compared with the alternative – building a new facility.

8. Financial implications

- 8.1. The Council as landlord is responsible for the cost of designs up to RIBA 4, circa £1m, with half of this being funded from the FHSF and the remaining amount from existing capital budgets allocated to the first floor of the Pentagon Centre.
- 8.2. The NHS has agreed to fund the actual capital works up to the cost of £10,348,000, to be spent by the 31 March 2024, with this being paid to the Council in phases as the works are completed.
- 8.3. The NHS will pay a market rent for the completed facility. Further details are contained in the exempt appendix to this report.

9. Legal implications

- 9.1. The Council has a fiduciary duty and under Section 123 of the Local Government Act 1972, the Council is required to obtain best consideration when it grants leases for over seven years of land and property, unless it's using the general disposals consent 2003, the undervalue is less than £2,000,000 and the disposal will help to secure the promotion or improvement

of the economic or environmental well-being of the area, or a specific approval is obtained from the Secretary Of State.

- 9.2. The Council has a legal duty under NHS Act 2006 section 2B(1) to take the steps that it considers appropriate to improve the health of people in its area, including providing health facilities for the people in its area.

10. Recommendations

- 10.1. It is recommended that Cabinet notes the contents of this report.

11. Suggested reasons for decision

- 11.1. Progressing the delivery of plans to re-use the first floor of the Pentagon, will provide useful community facilities, improve the net income from the centre and improve footfall.

Lead officer contact

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Appendices

Exempt appendix 1 – Update on plans relating to the future of the first floor of the Pentagon Centre.

Exempt appendix 2 – 1st floor general arrangement plan

Background papers

None



CABINET

18 OCTOBER 2022

KYNDI - SIX MONTHLY PROGRESS REPORT

Portfolio Holder Councillor Gary Hackwell, Portfolio Holder for Business Management

Report from / author: Phil Watts, Chief Operating Officer and Corporate Client for Kyndi

Summary

This provides Cabinet with a six-monthly progress report on Kyndi's trading performance Quarter 4 for financial year 2021- 2022 and Quarter 1 for financial year 2022-2023.

1. Budget and policy framework

1.1 Cabinet through six monthly progress reporting are responsible for reviewing the trading and financial performance of Kyndi. The last reporting cycle to Cabinet on Kyndi was on the 22 March 2022.

2. Background

2.1 Kyndi operates as a Local Authority Trading Company (LATCo) that is owned by Medway Council (Single Shareholder) and was established in 2016 originally as Medway Commercial Group (MCG) then rebranded in 2020 into Kyndi.

2.2 Kyndi trading market is CCTV Services and Telecare that includes being the Contractor for the CCTV Partnership between Medway Council (Host Authority) and Gravesham Borough Council.

2.3 As part of the Budget Setting Report for 2022/2023 to Cabinet on the 8 February 2022 Cabinet agreed to the Recruitment Agency being transferred back to Medway Council from the 1 April 2022.

3. Governance

3.1 Kyndi Board is appointed to by Medway Council in its capacity as single shareholder for Kyndi and is composed of four non-executive directors being two Council Appointments and two External Appointments. The Chair of Kyndi and Veto Rights on Kyndi Board Decisions is held by one of the Council Appointments.

3.2 For this reporting cycle to Cabinet (January – June 2022), the two Council Appointments were Councillor Howard Doe who was Chair of Kyndi and Councillor

Wendy Purdy. Both Councillor Howard Doe and Wendy Purdy have now resigned from Kyndi. New appointments to the Kyndi Board are in the process of being made by Medway Council.

- 3.3 Board Meetings are held on a quarterly cycle to ensure good governance protocols are embedded and opportunities for Business Growth are approved to safeguard commercial risk and operational effectiveness.
- 3.4 The Chief Operating Officer is the appointed Corporate Client for Kyndi and attends Board Meetings with the responsibility to safeguard the single shareholder interests of Medway Council and act as a strategic conduit between Medway Council and Kyndi on Business Growth opportunities between the two parties.
- 3.5 Services provided by Kyndi sit within the portfolio themes of the Portfolio Holders for Adult Services and Resources.

4. CCTV Services

- 4.1 The relationship between Kyndi's CCTV Service and clients is robust; and the estate is managed proactively and effectively. Communication flows freely in both directions and a suite of management reports are provided monthly to enable informed decisions regarding the effective deployment or decommissioning of assets (where deemed necessary, in terms of service need).
- 4.2 The CCTV management team are supportive of the CCTV Partnership (currently comprising of Medway and Gravesham local authorities) and are instrumental in fostering these relationships, and actively seeking new members. The Partnership Board meetings have been reinstated following the pandemic, with decisions being taken in readiness for the Council budget build for 2023/24.
- 4.3 A comprehensive review of all surveillance camera systems is underway, covering fixed CCTV, body worn video (BWV), automatic number plate recognition (ANPR) and "dash cams". As part of the review, Council Officers, alongside Kyndi counterparts, are in the process of geo-locating each camera location onto the corporate GIS system.
- 4.4 The Council has undertaken a tranche of capital improvement works to upgrade CCTV cameras from legacy analogue systems to modern digital platforms in Twydall, Strood, Rochester and parts of Chatham. 19 cameras have been updated so far this year, with more planned over the next 6 months.
- 4.5 The Council and Medway Task Force were successful in bidding for Safer Streets (SS4) Funding from the Police and Crime Commissioner's Office (PCC) to install four state-of-the-art, next generation, CCTV cameras on each floor of Rochester Multi Story Car Park. Kyndi is currently in the midst of reconfiguring the entire system in the car park to accommodate the new cameras, with works due to completed by October 2022.
- 4.6 Kyndi have invested in the upgrade of their Veracity (Video Management and Alarm receiving platform) system at the CCTV Control Centre in Strood.

5. Telecare Services/Assistive Technologies

- 5.1 Technology has a key role to play in supporting adult social care. It is vital that technology is not seen as a way of replacing the highly skilled and dedicated social care workforce, but rather as a tool that can enhance the level of care and support offered to the residents of Medway that are in need.
- 5.2 The Council recognises the potential for assistive technology to supplement the work done by care staff. Projects will be taken forward with Kyndi to work with the adult social care service to identify the problems and issues technology could support with solving.
- 5.3 Potential annual savings of £160,235.66 (£122,547.17 in year savings) have been identified to date from assistive technology projects, for example, trialing the Canary Care system over a period of time with a small number of people, provided evidence that a small number were coping well and no package of care was required; others required residential care due to evidence of wandering from the property which put them at high risk; the system was able to evidence where requests for waking night support were made that were not required; and we are awaiting results for other clients whose situations are currently being monitored.
- 5.4 A breakdown of the numbers of people cannot be provided, because each of these are under 5, which could lead to people being identified.
- 5.5 Kyndi and Adult Partnership Commissioning are beginning to identify alternative additional technologies available on the market to meet needs identified within Adult Social Care, such as addressing social isolation.

6. Recruitment

- 6.1 Kyndi staff for the temp agency transferred on TUPE to Medway Council on 1st April 2022. The temporary placements held with Kyndi transferred over on 1st July. Due to procurement procedures it has been necessary to continue to use the Kyndi PSL, so a contract variation has been agreed for this until December 31st. Medway are currently out to procure via a Dynamic Purchasing system.

7. Financial Performance

- 7.1 Subject to Final Accounts Kyndi's year-end forecast for 2021-2022 is £677K and represent the second positive trading year for Kyndi.
- 7.2 Financial performance for Quarter 1 for 2022 – 2023 is £47K and the year-end forecast, subject to continued good trading activity, is £160K. The reduced year-end forecast for 2022-2023 compared to the prior year is the result of the Recruitment Agency transferring back to Medway Council from the 1st April 2022.

8. Trading Performance

- 8.1 Appendix 1 provides a Trading Performance for this reporting cycle.

9. Risk Management

9.1 Kyndi Board review Strategic & Operational Risks on a Quarterly cycle to ensure appropriate levels of Governance Controls around Risk. The key risks to be reported to Cabinet are shown in the table below:

Risk	Description	Action to avoid or mitigate risk	Risk rating
Shareholder control	Lack of appropriate governance levels present shareholder risk on subsidiary company performance	Six-Monthly progress reports presented to Cabinet. Corporate Client (Chief Operating Officer) attends Kyndi Board represent shareholder interests.	C2
Business Strategy	Inadequate business planning will impact on commercial performance.	Kyndi's Business Strategy was approved by Cabinet at its October 2020 Meeting (Decision Number 130/2020) delivery of which is managed through the Kyndi Quarterly Board Meeting Cycle.	C2

10. Finance and Legal implications

10.1 Local Authorities have powers to establish Local Authority Trading Companies under the Local Government Act (2003) and Localism Act (2011).

10.2 Cabinet act as the Single Shareholder on behalf of Medway Council for Kyndi and are responsible for reviewing trading and financial performance on a six-monthly cycle.

11. Recommendation

11.1 The Cabinet is asked to note the six-monthly performance report for Kyndi for the period Quarter 4 (2021-2022) and Quarter 1 (2022 – 2023).

12. Suggested reasons for decision

12.1 When Cabinet agreed to establish Kyndi (previously MCG) it was also agreed that regular monitoring reports would be provided to Cabinet.

Lead officer contacts

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Appendices

Appendix 1 – Kyndi Six-Monthly Performance Report

Background Papers

None

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Kyndi enables independent, worry free living at home, for longer.



Kyndi

Cabinet Report: October 2022

Appendix 1

6 Monthly Performance

Update Report

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Executive Summary

Kyndi operates as a Local Authority Trading Company (LATCo) that is owned by Medway Council (Single Shareholder) and was established in 2016 originally as Medway Commercial Group (MCG) then rebranded in 2020 to Kyndi. Kyndi's trading areas of activity are Telecare, CCTV & Recruitment. As part of the Budget Setting Report for 2022 / 2023 to Cabinet on the 8th February 2022, Cabinet agreed to the Recruitment Agency being transferred back to Medway Council from the 1st April 2022.

Kyndi operates out of both the Innovation Centre (Head Office), and the Bunker on the former Civic Centre site (CCTV Monitoring) and co-location space at Medway Hospital for Telecare. Its establishment level for Quarter 4 is 32.5 FTE headed by an Interim Chief Executive Officer who is a long-term secondment from Medway Council.

Cabinet are responsible for reviewing the trading and financial performance of Kyndi on a six-monthly cycle. The last reporting cycle to Cabinet on Kyndi was on the 22nd March 2022 and covered the trading period quarters 2 and 3 of financial year 2021-2022. This report to Cabinet covers the trading periods of Quarter 4 for financial year 2021-2022 and Quarter 1 for financial year 2022-2023.

Kyndi Board is appointed by Medway Council in its capacity as single shareholder for Kyndi and is composed of four Directors being two Council Appointments and two External Appointments. The two Council Appointments for this reporting period were Councillor Doe who was the appointed Chair of Kyndi and Councillor Purdy. Board Meetings are held on a quarterly cycle to ensure good governance protocols are embedded and opportunities for business growth are approved to safeguard commercial risk and operational effectiveness. The Chief Operating Officer is the appointed Corporate Client for Kyndi and attends Board Meeting with the responsibility to safeguard the single shareholder interests of Medway Council and act as a strategic conduit between Medway Council and Kyndi on Business Growth opportunities between the two parties.

Quarter 4 Performance

For Quarter 4 the Business focus has been on strengthening operational governance and delivery of strong trading performance in the three Business Areas of Activity of CCTV, Telecare and Agency Recruitment to build shareholder confidence and brand value for the business. During Quarter 4 Kyndi continued to operate a Hybrid Workplace Model aligned to central government guidelines and there were no significant absences through COVID-19 that impacted on operational effectiveness for the Business.

Financial performance for Quarter 4 was strong with total revenue secured of £12,884,615 delivering Net Profit of £677K for 2021-2022 representing the second profitable trading year for Kyndi. Net profitability was driven by strong performance in Recruitment (COVID Tester Project - Central Government funded), Capital Projects (CCTV) along with lower headcount costs and cost control efficiencies. Telecare, however, in revenue and profit terms underperformed but this has been partly mitigated through the Phase 1 rollout of the Assistive Technology Pilot as a fixed contract model. As a result of strong financial performance for

2020-2021 Kyndi were able to make a loan overpayment in Quarter 4 of £300K to give a residual outstanding loan value of £1,997,314 at year-end.

Quarter 1 Performance

For Quarter 1 the Business focus has been on ensuring effective operational governance and delivery of strong trading performance in the Business Areas of Activity of CCTV, Telecare to deliver shareholder confidence and brand value for the business. During Quarter 1 Kyndi migrated to a Business as Usual Model and there were no significant absences through COVID-19 that impacted on operational effectiveness for the Business.

Aligned to the transfer of Agency Recruitment back to Medway Council Kyndi have moved to a smaller Head Office Model at Innovation Centre to deliver operational efficiencies. Financial performance for Quarter 1 was positive with total revenue secured of £814K delivering Net Profit of £47K across Kyndi's two core trading areas of CCTV & Telecare. Subject to continued good trading performance Kyndi has a year-end target of securing revenue of £2.5 million and net profit of £160K and if achieved this will represent the 3rd profitable trading year for the Kyndi business.

The reduced year-end forecast for 2022-2023 compared to the prior year is the result of the phased transfer of the Recruitment Agency to Medway Council from the 1st April 2022. As a result of strong financial performance for 2021-2022 Kyndi were able to make a second loan overpayment in Quarter 1 of £300K to give a residual outstanding loan value of £1.7 million a further overpayment of £200K scheduled for Quarter 2 of this financial year.

Forward View

The Forward view for Kyndi for the next six months is:

- Securing year-end net profit of £160K
- Securing growth opportunities aligned to the core trading areas of CCTV & Telecare
- Appointment of a new Chief Executive Officer and operating model for the business for trading year 2023-2024
- Securing Telecare Service Association (TSA) re-accreditation in December 2022
- Delivering a marketing strategy to drive brand value and market share for trading year 2023-2024

Telecare

Quarter 4 Overview

Kyndi provide a range of Telecare and Telehealth products (Assistive Technology) and services including a 24/7 monitoring centre to support personal safety, wellbeing and independent living. Operating primarily within Medway we had a client base of 3,200 at the commencement of 2021 / 2022 with a target increase in clients of 300 to 3500. Kyndi's client base is comprised of individual clients within their own homes either privately or public funded, Housing Associations, Supported Accommodation Providers and charitable enterprises such as Alms-Houses.

Financial Performance

Kyndi's revenue target for Telecare was securing revenue of £942K by the end of 2021-2022. Table 1 below details the breakdown on actual performance.

	Quarter 4	Quarter 4 Target	Variance	Full Year	Full Year Target	Variance
Revenue	£237K	£248K	£11K	£852K	£942K	£90K
Net Profit	£99K	£100K	£1K	£400K	£427K	£27K

Revenue shortfall was due to underperformance with securing new private clients against target set. This shortfall was offset through in-year business efficiencies, product upselling (additional products) and higher than forecast non-private client growth that delivered net profit of £400K being £27K below the Telecare target.

Operational Performance

Kyndi's operational performance is driven at a high level through the following metrics:

1. Installation Performance
2. Client Breakdown
3. Hospital Discharge

1. Installations

The product installation target of 100 units per month (1200 per annum) of its most common stock item (Lifeline & Pendant) drives the revenue target above, however, this target doesn't reflect any upselling of additional sensors which provide more revenue than the lifeline and pendant alone. There was a shortfall of installations due to underperformance with securing new private clients against target set but in financial terms due to upselling the impact has not been as great. Table 2 below details Installation Performance

	Quarter 4	Quarter 4 Budget	Variance	Full Year	Full Year Budget	Variance
Installations	288	300	12	938	1200	262

2. Client Breakdown

The revenue target is predicated by an equal split between Adult Social Care (ASC) clients and private clients but as Table 3 below demonstrates there has been more ASC clients installed in the past quarter as support to our colleagues in the discharge team has increased. Table 3 below details Client Breakdown

	Quarter 4	Target	Variance	Full Year	Target	Variance
Net ASC	27	38	11	99	150	51
Net Private	13	37	24	121	150	29
Total Net Growth	40	75	35	220	300	80

Full year growth in client base was an increase of 220 users a shortfall of 80 but due to the number of users opting for Lifelines and additional devices revenue and net profit remained strong.

3. Acute Hospital Discharge

Kyndi's operational performance is also measured on the support it provides to the discharges at the Medway Maritime Hospital which it carries out via a Full-Time Telecare Account Manager based at the Trust.

The effects of the Full-Time Telecare Account Manager based permanently at Medway Maritime Foundation Trust and in the Community, settings were embedded during Quarter 4 with the resulting increase in Hospital Discharge Telecare installations increasing and an improvement in facilitating the speed of discharges requiring Assistive Technology interventions.

There are 4 pathways that a patient follows when being discharged from hospital;

- Pathway 0 - requires no intervention and patient is safe to go home
- Pathway 1 - requires intervention in terms of care or assistive technology
- Pathway 2 - requires a form of step down or rehabilitation bed
- Pathway 3 - requires a long-term package of care

On average Medway Hospital and our ASC colleagues discharge 250 patients per month home requiring care or some form of assistance a normal cohort of pathway 1. Table 4 below details the support that we gave to these patients over Quarter 4 last year. This represents nearly 80% of clients that required some form of Telecare to facilitate a safe discharge.

Table 4 below demonstrates the levels of support provided to the most vulnerable residents returning home from Medway Hospital Quarter 4.

	Pathway 1 Discharges needing Telecare	Kyndi Support	Percentage Support
January	84	67	80%
February	64	53	83%
March	92	68	74%
Total	240	190	79%

Business Growth & Accreditation

Assistive Technology (AT) Pilot

The AT Pilot commenced in Quarter 4 with an initial cohort being identified by Medway Council (Adult Social Care). The cohort identified for the pilot were existing Telecare clients who were subject to annual care review or those requesting an increase in physical care call support from Medway Council. Benefits from the AT Pilot are to be measured from Quarter 1 onwards in financial year 2022-2023.

Kyndi have worked closely with colleagues within ASC to ensure they system supports the needs of the end users and all cost savings will be ratified by the ASC teams.

Telecare Services Association (TSA) Audit

The TSA accreditation is the industry accrediting body who independently assess our practices and procedures each year to ensure that the service we are providing is at a level that guarantees that our service users are safe. It is the industry standard for all Telecare service providers.

Our audit in Quarter 4 was a full in-depth 3-day audit covering all our operating procedures from assessment to installation and maintenance as well as call handling etc. It involves interviews with call handling staff, the Telecare installation team and our outreach team operating at the hospital and in the community. This audit was passed, and our accreditation was achieved for a further year.

Telecare

Quarter 1 Overview

Kyndi provide a range of Telecare and Telehealth products (Assistive Technology) and services including a 24/7 monitoring centre to support personal safety, wellbeing and independent living. Operating primarily within Medway we had a client base of 3,420 at the commencement of 2022/23 with a target increase in clients of 540 to 3960 for the full year. Kyndi's client base is comprised of individual clients within their own homes either privately or public funded, Housing Associations, Supported Accommodation Providers and charitable enterprises such as Alms-Houses.

Telecare Trading Performance

Kyndi's revenue target for Telecare was securing revenue of £969K by the end of 2022-2023 with Quarter 1 revenue target set at £276K Table 1 below details the breakdown on actual performance.

	Quarter 1	Quarter 1 Target	Variance
Revenue	£217K	£276K	£61K
Net Profit	£107K	£109K	£2K

The lower than budgeted performance in Revenue has not impacted proportionately on Net Profit performance due to business efficiencies and higher than forecast outturn within the community therapy teams.

Operational Performance

Summary

Kyndi's operational performance is driven at a high level through the following metrics:

1. Installation Performance
2. Client Breakdown
3. Hospital Discharge

1. Installation

The product installation target of 115 units per month (1380 per annum) of its most common stock item (lifeline & pendant) drives the revenue target above however, this target doesn't reflect any upselling of additional sensors which provide more revenue than the lifeline and pendant alone.

Kyndi's operational performance is driven through delivering net growth of 45 new clients per month (540 per annum). Tables 2 and 3 show installation performance and client breakdown.

	Quarter 1	Quarter 1 Budget	Variance
Installations	263	345	82

2. Client Breakdown

The revenue target is predicated by an equal split between ASC clients and private clients but as Table 3 below demonstrates there has been more ASC clients installed in the past quarter as support to our colleagues in the discharge team has increased. This over achievement has closed the installation gap for quarter 1.

	Quarter 1	Quarter 1 Target	Variance
Net ASC	99	70	29
Net Private	25	65	40
Total Net Growth	124	135	11

3. Acute Hospital Discharge

Kyndi's operational performance is also measured on the support it provides to the discharges at the Medway Maritime Hospital which it carries out via a Full-Time Telecare Account Manager based at the Trust.

The effects of the Full-Time Telecare Account Manager based permanently at Medway Maritime Foundation Trust and in the Community, settings continued to be successful during Quarter 1 with the resulting increase in Hospital Discharge Telecare installations increasing and an improvement in facilitating the speed of discharges requiring Assistive Technology interventions.

There are 4 pathways that a patient follows when being discharged from hospital;

- Pathway 0 - requires no intervention and patient is safe to go home
- Pathway 1 - requires intervention in terms of care or assistive technology
- Pathway 2 - requires a form of step down or rehabilitation bed
- Pathway 3 - requires a long-term package of care

On average Medway Hospital and our ASC colleagues discharge 250 patients per month home requiring care or some form of assistance a normal cohort of pathway 1. The table below details the support that we gave to these patients over Quarter 4 last year. This represents nearly 80% of clients that required some form of Telecare to facilitate a safe discharge and may include installation of additional sensors being fitted to an existing client's lifeline hence, the higher figure than installations above. Table 4 below demonstrates the levels of support provided to the most vulnerable residents returning home from Medway Hospital Quarter 4.

	Pathway 1 Discharge needing Telecare	Kyndi Support	Percentage Support
April	72	56	78%
May	65	49	75%
June	84	74	88%
Total	221	176	81%

Telecare Business Opportunities - Quarter 1

AT Pilot Update

Phase 1 of the AT Pilot has driven Adult Social Care savings of £160,235.66 including one case saving £22K per annum. These cost savings have been independently ratified by the Adult Social Care review teams and are made up of a mix of cost savings and cost avoidance.

Table 5 below shows the split between the cost avoidance and actual cost savings.

Assistive Technology Savings	Phase 1
Delayed entry into care facilities cost avoidance	£75,920.00
Reduced care calls cost savings	£84,315.66
Total Savings	£160,235.66

Telecare Services Association (TSA) Audit

The TSA accreditation is the industry accrediting body who independently assess our practices and procedures each year to ensure that the service we are providing is at a level that guarantees that our service users are safe. It is the industry standard for all Telecare service providers.

Following our successful audit last quarter Kyndi have put in place an Action Plan starting in Quarter 1 to ensure that all of the documentation required for this year's audit (Dec 2022) is in place by the end of October. There are monthly TSA working group meetings which review progress and this work will ensure accreditation for the next 3 years.

Almshouses Growth

An Almshouse is a type of residential accommodation (usually a house or flat) which belongs to a charity and is provided exclusively to meet the charity's purposes (for example, the relief of financial need or infirmity) and is occupied usually by someone from a specific area or occupation.

Kyndi have managed to attract a further three Almshouses providing call monitoring and other services. This has led us to monitoring every Almshouse in Medway and now a further two in Kent. Table 6 below demonstrates the baseline and opportunity within this sector.

Almshouses	Baseline	Kyndi Clients	Kyndi Clients Quarter 4 2021 / 2022	Kyndi Clients Quarter 1 2022 / 2023
Medway	5	4	4	5
North & East Kent	8	0	0	2
Total	13	4	4	7

Safe & Well Calls

Kyndi will now be able to further support the most vulnerable in our community by offering a "Safe & Well" call service. Our team can schedule calls with individuals to check in with them and reassure them if necessary. Kyndi now look after 30 clients for one of our Almshouses providing enhanced peace of mind to their residents and families and securing this as an additional service to our standard monitoring activities.

Monitoring

Quarter 4 Overview

The monitoring centre provides 24/7 X 365 days per annum monitoring for a number of services including CCTV camera monitoring, Out-Of-Hours Call handling and Lone Working Solutions. The Centre provides services to the Medway Council CCTV Partnership (Community Safety Partnership) between Medway and Gravesham, with Medway Council being the Accountable Body.

The primary purpose of the CCTV partnership system is to support Medway Council and its partners within the Community Safety Partnership (CSP). The partnership CCTV system enables the Police to respond quickly to a range of incidents. The Kyndi monitoring centre provide recorded CCTV coverage 7 days a week, 24 hours a day, 365 days a year. Fully trained and licensed Kyndi staff carry out the monitoring of the cameras. The majority of cameras can pan, tilt and zoom (PTZ) through 360° allowing the operators full control. All the recording equipment has been upgraded to a digital solution, which permits live viewing, recording and the facility to play back immediately.

Financial Performance

Kyndi's revenue target for Monitoring was securing revenue of £1,085K by the end of 2021-2022. Table 5 below details the breakdown on actual performance.

	Full Year	Full Year Target	Variance
Revenue	£1158K	£1085K	£73K
Net Profit	£249K	£162K	£87K

Revenue Surplus was driven by securing growth in CCTV Projects above target that supported net profit above budget forecast of £249K.

Operational Performance

Headline Operational performance is set out in Tables 6 & 7 with table 6 being camera numbers & operational compliance and Table 7 being the activity numbers for incidents and arrests.

	Number of Cameras 2021 / 2022	New Cameras Installed	Year-end Number of Cameras	Hours of Monitoring	Number of Cameras Operational at Year-end	Compliance
Medway CSP Cameras	87	0	87	24/7	87	100%
Medway Other Cameras	336	10	346	24/7	338	97%
Gravesham CSP Cameras	0	54	54	24/7	53	100%
Other Commercial Cameras	475	65	540	24/7	54	100%
Total	475	65	540	24/7	532	98%

Table 7 demonstrates this Monitoring Centre activity in Quarter 4

Quarter 4	Number of Incidents	Police CCTV Requests	Arrests Resulting from CCTV
Total	448	165	65

Business Growth & Accreditation

Kyndi have replaced and increased the number of cameras across Medway & Gravesham as shown in Table 8 below.

	Number of Cameras 2021 / 2022	Quarter 4 Growth	Number of Cameras Upgraded	Year-end Number of Cameras
Medway CSP Cameras	87	0	4	87
Medway Other Cameras	336	10	0	346
Gravesham CSP Cameras	52	1	0	53
Other Commercial Cameras	0	54	0	54

The monitoring Centre is accredited via the Surveillance Camera Commissioner on behalf of the Information Commissioners Office and to support this there has been a complete refresh of

the Centre's policies & procedures carried out by an independent assessor and we have carried the annual refresh of the centre's Business Continuity Management Plan.

Kyndi supported our Medway Council colleagues in providing a clear view as to which areas of the infrastructure would require upgrading and when based upon a 3-year plan. This assisted with capital spend planning and built in resilience for the whole camera system. Kyndi's monitoring centre in quarter 4 underwent an external Health & Safety Executive spot check for operational compliance audit which it passed successfully with no failures.

Monitoring

Quarter 1 Overview

The monitoring centre provides 24/7 X 365 days per annum monitoring for several services including CCTV camera monitoring, Out-Of-Hours Call handling and Lone Working Solutions. The Centre provides services to the Medway Council CCTV Partnership (Community Safety Partnership) between Medway and Gravesham, with Medway Council being the Accountable Body.

The primary purpose of the CCTV partnership system is to support Medway Council and its partners within the Community Safety Partnership (CSP), the CCTV system enables the Police to respond quickly to a range of incidents the Kyndi monitoring centre provide recorded CCTV coverage 7 days a week, 24 hours a day, 365 days a year. Fully trained and licensed Kyndi staff carry out the monitoring of the cameras. The majority of cameras can pan, tilt and zoom (PTZ) through 360° allowing the operators full control. All the recording equipment has been upgraded to a digital solution, which permits live viewing, recording and the facility to play back immediately.

Financial Performance

Kyndi's revenue target for Monitoring was securing revenue of £1,085K by the end of 2021-2022. Table 9 below details the breakdown on actual performance for Quarter 1

Table 9 below details the financial performance for Monitoring set against the Full Year budget.

	Quarter 1	Quarter 1 Target	Variance
Revenue	£289K	£299K	£10K
Net Profit	£77K	£76K	£1K

The small Revenue shortfall of £10K is due to the scheduling of the capital works and will be made up by the end of Quarter 2.

Operational Performance

Headline Operational performance is set out in Tables 10 & 11 with Table 10 being camera numbers & operational compliance and Table 11 being the activity numbers for incidents and arrests.

	Year-end Number of Cameras 2021 / 2022	Quarter 1 Growth	Quarter 1 End Number of Cameras	Hours of Monitoring	Number of Cameras Operational at Year-end	Compliance
Medway CSP Cameras	87	0	87	24/7	87	100%
Medway Other Cameras	346	2	348	24/7	341	98%
Gravesham CSP Cameras	53	1	54	24/7	54	100%
Other Commercial Cameras	54	2	56	24/7	56	100%
Total	540	5	545	24/7	538	99%

Table 11

Quarter 1	Number of Incidents	Police CCTV Requests	Arrests Resulting from CCTV
Total	499	178	57

Business Growth & Accreditation

Kyndi have replaced and increased the number of cameras across Medway & Gravesham as shown in Table 12 below.

	Number of Cameras 2021 / 2022	Quarter 1 Growth	Number of Cameras Upgraded	Year-end Number of Cameras
Medway CSP Cameras	87	0	0	87
Medway Other Cameras	346	2	0	348
Gravesham CSP Cameras	53	1	0	54
Other Commercial Cameras	54	2	0	56

The monitoring Centre is accredited via the Surveillance Camera Commissioner on behalf of the Information Commissioners Office and to support this there has been a complete refresh of the Centre's policies & procedures carried out by an independent assessor. In addition, Kyndi have undergone a full health & safety audit to ensure full operational compliance.

Recruitment

Overview

The Kyndi Recruitment model operates as a single-supply chain for Medway Council providing:

- Temporary Workers - supplied to all service areas of Medway Council via our Preferred Supplier Agency List (PSL) or directly through Kyndi Recruitment
- Permanent Recruitment - supply candidates for all permanent opportunities from Admin staff through to Assistant Director Level
- Asymptomatic COVID LFT Project - supply and oversee all Project staff from Operations Managers, Site Leads and Logistics Operators through to General Assistants. This project has been running since Dec 2020 and continued until the end of March 2022

Recruitment is managed through Key performance (KPIs) based on client agreed targets for recruitment to the service, such as acknowledging all new roles within 1 hour of receipt, advertising new roles to our PSL Agency list within 24 hours and ensuring all candidates are fully compliant for the start of their assignments.

Financial Performance

Tables 1 & 2 below details the financial performance for Recruitment for Quarter 4 of 2021-2022 and Quarter 1 of 2022-2023.

	Quarter 4	Quarter 4 Target	Variance	Full Year	Full Year Target	Variance
Revenue	£2.8M	£2.1M	£749K	£10.8M	£9.5M	£1.3M
Net Profit	£251K	£146K	£105K	£837K	£718K	£119K

Strong revenue performance in Quarter 4 was driven by high demand for Agency Placements and the COVID Tester Project resulting in net profit above forecast target.

	Quarter 1	Quarter 1 Target	Variance
Revenue	£308K	£345K	£36K
Net Profit	£33K	£29K	£4K

Revenue performance for Quarter 1 reflects the phased transfer of Recruitment back to Medway Council from the 1st of April 2022 with retained service provision for Quarter 1 principally relating to the COVID-Tester Project and any direct Kyndi Agency Placements with 3rd party agency staff directly engaged by Medway Council.

Finance

Overview

Subject to Final Accounts Kyndi's year-end net profit forecast for 2021-2022 is £677K and represent the second positive trading year for Kyndi. Financial performance for Quarter 1 for 2022-2023 is net profit of £47K and the year -end forecast subject to continued good trading activity is £160K.

The reduced year-end forecast for 2022-2023 compared to the prior year is the result of the tapering down of Recruitment as a result of the Business Function transferring back to Medway Council from the 1st April 2022.

The net profit figures summarised above for the 3 trading operations of the business reflect a trading profit position for the operations and do not take into account any Head Office cost apportionment.

Quarter 4 Performance

Table 1 provides a breakdown on Financial performance across Kyndi's Trading Areas of Activity of Monitoring (CCTV), Telecare and Recruitment. Profitability was strong for Recruitment driven by high demand levels and Monitoring (CCTV) for commissioned capital project works. Telecare by comparison underperformed against targets set driven by market trading conditions. As a result of overall strong trading performance Kyndi repaid £300K of the working capital Loan in Quarter 4 (February) that reduced the Loan balance to below £2 million.

Table 1 Quarter 4 Performance.

GBP	Quarter 4 FY22	Full Year
Revenue	£3,388,069K	£12,884,615K
Gross Margin	£663,582K	£2,548,599K
Total Labour Costs	£295,176K	£1,244,413K
Total Expenses	£114,020K	£491,624K
Operating Profit	£254,386K	£812,561K
Profit Before Tax	£225,718K	£676,511K

Quarter 1 Performance

Table 2 provides a breakdown on Financial performance across Kyndi's Trading Areas of Activity of Monitoring (CCTV), Telecare and Recruitment for Quarter 1 of financial year 2022-2023.

GBP	Quarter 1 FY23
Revenue	£813,718K
Gross Margin	£442,711K
Total Labour Costs	£265,161K
Total Expenses	£104,630K
Operating Profit	£72,919K

Profit Before Tax	£47,284K
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All three Trading Areas continue to trade profitably but overall profit at the end of Quarter 1 net profit was below target by £3K and options to address this to ensure that the year-end target of £160K net profit is achieved are being taken forward by the Kyndi Management Team in Quarter 2.

Kyndi made a second overpayment of £300K of the working capital Loan in Quarter 1 (June) that reduced the Loan Balance to £1.7 million and is on target to make a further overpayment of £200K of the Working Capital Loan in Quarter 2 of this financial year.

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CABINET

18 OCTOBER 2022

EXCLUSION OF THE PRESS AND PUBLIC

Portfolio Holder: Councillor Alan Jarrett, Leader of the Council

Report from: Bhupinder Gill, Assistant Director -
Legal and Governance

Author: Teri Reynolds, Democratic Services Officer

Summary

This report summarises the content of exempt appendices, which, in the opinion of the proper officer, will contain exempt information within one of the categories in Schedule 12A of the Local Government Act 1972. It is a matter for the Cabinet to determine whether the press and public should be excluded from the meeting during consideration of these documents.

1. Recommendation

- 1.1 The Cabinet is required to decide whether to exclude the press and public during consideration of the following document because consideration of these matters in public would disclose information falling within one of the descriptions of exempt information contained in Schedule 12A to the Local Government Act 1972, as specified below, and, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Report Title	Splashes Sports Centre
Agenda Item	16
Summary	The Exempt Appendix sets out projected costs of the new build of the Sports Centre
Category of exempt information (Schedule 12A of the Local Government Act 1972)	Not for publication under paragraph 3 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs of any particular person (including the authority holding that information).

Report Title	Update on Plans Relating to the Future of the First Floor of the Pentagon Centre
Agenda Item	19
Summary	The Exempt Appendices provide details regarding the NHS negotiations and cost implications for the development of the first floor of the Pentagon Centre.
Category of exempt information (Schedule 12A of the Local Government Act 1972)	Not for publication under paragraph 3 of Schedule 12A of the Local Government Act 1972 – Information relating to financial or business affairs of any particular person (including the authority holding that information).

- 1.2 Members are advised that the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires 28 clear days' notice of a Cabinet meeting to be held in private.
- 1.3 Notice of intention to conduct business in private was originally issued on 25 July 2022 (agenda item No.19) and on 10 October 2022 (agenda item No.16). No representations have been received.
- 1.4 This report confirms the previous notice of intention to conduct this business in private.

Lead Officer Contact

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Appendices

None

Background Papers

[Forward Plan – Cabinet 23 August](#)
[Forward Plan – Cabinet 18 October – Update No.1](#)

NOT FOR PUBLICATION

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

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