

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

18 OCTOBER 2018

PETITIONS

Report from: Richard Hicks, Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive

Author: Steve Platt, Democratic Services Officer

Summary

To advise the Committee of any petitions received by the Council which fall within the remit of this Committee including a summary of the response sent to the petition organisers by officers.

1. Budget and policy framework

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 1.2 The petition scheme is set out in full in the Council's Constitution at:
<https://www.medway.gov.uk/downloads/file/2657/401 - council rules>
- 1.3 Any budget or policy framework implications will be set out in the specific petition response.

2. Background

- 2.1 The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

- 2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.
- 2.3 For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

3 Completed petitions

- 3.1 A summary of the response to a petition relevant to this Committee that has been accepted by the petition organiser is set out below.

Subject of petition	Response
Petition for a safe crossing in Eastcourt Lane, Twydall, for children and parents walking to and from schools. 205 signatories	The Council's Road Safety Team will carry out a pedestrian/vehicle count on Eastcourt Lane at the start of the new academic year (September 2018) during school drop-off and collection time. Consideration will then be given to suitable options, based upon the observations made by the Road Safety Team and existing collision data. Once that exercise has taken place, feedback will be provided in early October.

4. Petition referred to this Committee

- 4.1 The following petition has been referred to this Committee because the petitioner organiser has indicated that he is dissatisfied with the response received.

4.2 Petition for the CCTV camera outside the Twydall post office to be repaired.

- 4.3 This petition was received at the Council meeting held on 19 July 2018. The supporting statement read:

“We, the undersigned, note the increase in anti-social behaviour around the Twydall shops and call on the Council to ensure that all of its CCTV cameras are fully operational to provide assurance to the public, to act as a deterrent to anti-social behaviour and as a means of evidence recording should it occur.”

- 4.4 On 1 August 2018, the Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive responded as follows:

“This camera was installed at the inception of Medway's CCTV infrastructure in 1999. The camera is currently recording, but has limited movement. It developed a problem and is now unfortunately beyond economical repair. This means parts are unable to be purchased to fix the fault, and the camera needs to be replaced.

We are currently in the process of auditing all of our CCTV camera stock, which will ensure we prioritise those cameras that meet the requirements of the Surveillance Camera Code of Practice. Nationally, the Government is fully supportive of the use of surveillance cameras in public places whenever that use is in pursuit of a legitimate aim; is necessary to meet a pressing need; is proportionate; effective, and compliant with any relevant legal obligations.

Part of this audit is to ascertain whether cameras remain necessary and proportionate in line with this Surveillance Camera Code of Practice, which contains a number of guiding principles. The principles cover access to – and use of – images captured in line with clear policies and procedures. While voluntary, the principles also reflect the legal requirements contained in the Information Commissioners Office (ICO) CCTV Codes of Practice (2008).

The strongest theme running through these principles is ‘purpose’. The code states the use of a surveillance camera system must ‘always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need’. In other words, there has to be a clear operational requirement as to why the system is necessary. The code also specifies data captured must be capable of meeting this ‘specified purpose’.

With the number of CCTV cameras we have in Medway, this is a huge piece of work ensuring we comply with legislation; this is currently taking place in consultation with our partners that make up the Community Safety Partnership. Once the audit is complete then a decision will be made as to which cameras need repairing or replacing, in line with the Surveillance Camera Code of Practice that I have referenced.”

- 4.5 The petition organiser subsequently requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The request stated:

“I note the Council’s current review into CCTV but I’m afraid this is not a satisfactory answer, as it provides no guarantee that the CCTV cameras at Twydall shopping parade will be repaired/replaced.

It is vital that this important shopping area continues to benefit from CCTV coverage, to ensure that crime and anti-social behaviour issues in and around the shops can be tackled effectively.

I would therefore like to refer the petition to the relevant Overview and Scrutiny Committee please.”

- 4.6 In response, the Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive has further commented as follows:

We are aware that some of the cameras in Twydall are currently not working, and that some are beyond repair. However, the comprehensive review of the CCTV estate that is being carried out needs to take account of the whole CCTV infrastructure, this includes the fibre optic cabling. Until this review is complete and all funding options have been explored it is not possible to replace these cameras at this moment in time.

5. Petition against the removal of secure motorcycle parking from Commercial Road, Strood – Update

- 5.1 At the last meeting of the Committee held on 16 August, the Committee considered a petition against the removal of secure motorcycle parking from Commercial Road, Strood, and noted that a site visit would be arranged for a date in September to assess the requirements for secure motorcycle parking provision at Commercial Road Car Park.
- 5.2 The Committee agreed that a verbal update would be provided to this meeting of the Committee on the outcome of the site visit.
- 5.3 Officers met with the petitioner at the car park on 21 September, along with Councillors Filmer and Etheridge.

The views of the petitioner were discussed and it was resolved that the following alterations would be made:

- The existing motorcycle parking bay will be enlarged and posts installed, to which motorcycles can be secured.
- One car parking bay adjacent to the existing motorcycle bay is to be relocated within the wider car park to allow more space for manoeuvring

Officers are currently progressing the above changes and arranging for the alterations to be carried out as part of the wider work currently taking place on Commercial Road.

6. Risk Management

- 6.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

7. Financial and Legal Implications

- 7.1 Any financial implications arising from the issues raised by the petitions will be taken into account as part of the review of these matters.
- 7.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme.

8. Recommendations

- 8.1 The Committee is requested to note the petition response and appropriate officer action in paragraph 3 of the report.
- 8.2 The Committee is requested to consider the petition referral request and the Director's comments at paragraph 4 of the report.

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Appendices:

None

Background papers:

None