

CABINET

7 MARCH 2023

CCTV PARTNERSHIP AGREEMENT 2021-2024

Portfolio Holder: Councillor Adrian Gulvin, Portfolio Holder for Resources

Report from: Paul Boyd, Chief Information Officer
(Head of CCTV Partnership)

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(CCTV Single Point of Contact for Medway Council)

Summary

This report provides Cabinet with details of the CCTV Partnership Agreement between Medway Council (Host Authority) and Gravesham Borough Council (Partner Authority). The Partnership Agreement covers the period from April 2021 to April 2024.

1. Budget and policy framework

- 1.1. Local Authorities have the power to provide and maintain closed-circuit television (CCTV) in accordance with the Criminal Justice and Public Order Act (CJPOA) 1994.
- 1.2. In exercise of their powers under the CJPOA 1994, Section 111 of the Local Government Act 1972, Section 1 of the Localism Act 2011, and powers enabling them in that behalf; Medway Council and Gravesham Borough Council have established a CCTV Partnership to provide CCTV services across their respective areas.
- 1.3. Both Councils are required to agree to the terms of the CCTV Partnership Agreement, covering a three-year term from 1 April 2021 to 1 April 2024.
- 1.4. Kyndi Ltd provide CCTV Services on behalf of the CCTV Partnership, including 24/7 monitoring and maintenance.

2. Background

- 2.1. The CCTV Partnership has been in existence since 2012.
- 2.2. In November 2015, Cabinet agreed to commence and establish the alternative delivery model for the Medway Council Control Centre (MCCC), being a Local Authority Trading Company (LATCo), with Medway Council being the shareholder. Medway Commercial Group Ltd (known as "MCG") commenced trading from 1 April 2016 and rebranded as Kyndi Ltd in March 2021.
- 2.3. During the COVID pandemic, the CCTV Partnership Board did not meet to vote on the draft Partnership Agreement and the document remained unsigned.
- 2.4. In March 2022, there was a change in key personnel with the appointment of a new Single Point of Contact (SPoC) and Head of the CCTV Partnership. The Board governance cycle was swiftly reinstated following these changes.
- 2.5. In June 2022, the draft Partnership Agreement was voted upon by the Board and agreed.

3. Options

- 3.1. Option 1: Approve the Agreement
Approval of the CCTV Partnership Agreement provides continuity to the existing relationship with Gravesham Borough Council and ensures CCTV is delivered in an efficient and effective manner by the Council's LATCo (Kyndi).
- 3.2. Option 2: Do not approve the Agreement
If the agreement is not approved it will have an effect on how the partnership runs as there will be no documents governing the arrangement and there may be legal implications if there are any disputes.

4. Advice and analysis

- 4.1. Each of the Councils in the CCTV Partnership Agreement is a local authority which has the power to provide and maintain closed-circuit television in accordance with the CJPOA 1994.
- 4.2. The Councils have agreed to establish a contracting arrangement to provide the CCTV Services across their respective administrative areas.
- 4.3. In pursuance of their intention to establish a contracting arrangement the Councils have agreed that their respective CCTV Functions shall be undertaken in accordance with the terms of the Memorandum of Agreement, which is included as Appendix 1 of this report.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
No agreement in place governing the CCTV Partnership	May result in operational difficulties; including dealing with any disputes that may arise.	Both Local Authorities to ratify CCTV Partnership Agreement	B2

Likelihood:	Impact:
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

6. Consultation

- 6.1. The CCTV Partnership Board was consulted upon the Memorandum of Agreement.

7. Financial implications

- 7.1. The Partnership Agreement enables both Councils to provide CCTV Services in a cost-effective manner and that no party to the agreement will make a profit from the arrangements. However, this shall not prevent Medway from retaining a surplus in any one year on behalf of the CCTV Partnership which shall be used solely for CCTV Partnership costs in future years.
- 7.2. For each financial year commencing on 1 April 2021, the Head of the CCTV Partnership shall prepare a draft business plan and a revenue budget for approval by the CCTV Partnership. The draft business plan and budget shall be submitted to each of the Councils not later than 1 June in the year prior to it taking effect for their approval before it is adopted by the Board.
- 7.3. In addition to the budget for the next year, the Head of the CCTV Partnership shall submit indicative budgets for each of the two subsequent years. This will include an annual uplift to be agreed by the CCTV Partnership Board on an annual basis prior to budget setting.
- 7.4. If the amount allocated by any Council is not sufficient to pay for that Council's share of the Shared Costs and the costs of the Operational Staff allocated to that Council, the CCTV Partnership will reduce the resources allocated to that

Council and that Council will be responsible for any consequent redundancy costs.

7.5. For 2022/23, the total CCTV Partnership Agreement budget was £649,061. The Medway Council share was £475,917 and the Gravesham Council share was £173,144.

7.6. For 2023/24, the total CCTV Partnership Agreement budget is proposed to be £688,005 which is a 6% increase on the budget for 2022/23. The Medway Council Share will be £504,272 and the Gravesham Council share will be £183,533.

8. Legal implications

8.1. There is no Statutory Duty to deliver CCTV. However, Section 17 of the Crime and Disorder Act 1998 places an obligation on local authorities to consider the crime, disorder and environmental issues affecting the local area and ensure their activities do all they reasonably can to prevent them. The implementation and monitoring of CCTV is one such activity delivered by the CCTV Partnership that ensures this obligation is met.

9. Recommendation

9.1. The Cabinet is asked to note the report and approve the CCTV Partnership Agreement, as set out at Appendix 1 to the report.

10. Suggested reasons for decision

10.1. To ensure that all legal obligations under the CCTV Partnership Agreement are regularised.

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Appendices

CCTV Partnership Agreement 2021 – 2024 and appendices to the agreement – to follow

Background Papers

None