



# Public Document Pack

## Cambridge City Council

### COMMUNITY SERVICES SCRUTINY COMMITTEE

**To: Scrutiny Committee Members:** Councillors Kerr (Chair), Kightley (Vice-Chair), Al Bander, Blackhurst, Brown, Moghadas (Labour Spokes for Arts, Sport and Public Places), O'Reilly (Labour Spokes for Community Development and Health), Reiner and Todd-Jones (Labour Spokes for Housing).

**Alternates:** Councillors Dryden and Tucker

**Non-voting Co-optees:**

Diane Best (HMB – Leaseholder Representative), Brian Haywood (HMB – Tenant Representative), Kay Harris (HMB - Tenant Representative) and Tom Dutton (PCT Representative).

**Executive Councillors:**

Executive Councillor for Housing, Councillor Smart  
Executive Councillor for Arts, Sport and Public Places, Councillor Cantrill  
Executive Councillor for Community Development and Health, Councillor Bick

*Despatched: Monday 3<sup>rd</sup> October 2011*

**Date:** Thursday, 13 October 2011  
**Time:** 1.30 pm  
**Venue:** Committee Room 1 & 2 - Guildhall  
**Contact:** Toni Birkin **Direct Dial:** 01233 457086

### AGENDA

**1 APOLOGIES**

To receive any apologies for absence.

**2 MINUTES** (*Pages 1 - 16*)

To approve the minutes of the meeting on 30<sup>th</sup> June 2011 (*Pages 1 - 16*)

**3 DECLARATIONS OF INTEREST**

Members are asked to declare at this stage any interests that they may have in an item shown on this agenda. If any member of the Committee is unsure whether or not they should declare an interest on a particular matter, they should seek advice from the Head of Legal Services **before** the meeting.

#### **4 PUBLIC QUESTIONS (SEE INFORMATION BELOW)**

##### **Items for decision by the Executive Councillor, without debate**

These Items will already have received approval in principle from the Executive Councillor. The Executive Councillor will be asked to approve the recommendations as set out in the officer's report.

There will be no debate on these items, but members of the Scrutiny Committee and members of the public may ask questions or comment on the items if they comply with the Council's rules on Public Speaking set out below.

##### **Items for debate by the Committee and then decision by the Executive Councillor**

These items will require the Executive Councillor to make a decision *after* hearing the views of the Scrutiny Committee.

There will be a full debate on these items, and members of the public may ask questions or comment on the items if they comply with the Council's rules on Public Speaking set out below.

#### **Decisions of the Executive Councillor for Housing**

##### **Items for debate by the Committee and then decision by the Executive Councillor**

**5 COMPENSATION FOR HOME LOSS** (*Pages 17 - 26*)

**6 HEATSEEKERS SCHEME** (*Pages 27 - 84*)

#### **Decisions of the Executive Councillor for Arts, Sport and Public Places**

##### **Items for decision by the Executive Councillor, without debate**

**7 INSTALLATION OF IMPROVED STAGE LIGHTING AT CAMBRIDGE CORN EXCHANGE** (*Pages 85 - 92*)

**8 WULFSTAN WAY PUBLIC ART COMMISSION** (*Pages 93 - 104*)

**Items for debate by the Committee and then decision by the Executive Councillor**

- 9 COMMUNITY OLYMPIC PUBLIC ART COMMISSION** *(Pages 105 - 116)*
- 10 LEISURE GRANTS PRIORITIES** *(Pages 117 - 124)*
- 11 TREE PLANTING ON CITY PARKS AND OPEN SPACES** *(Pages 125 - 134)*
- 12 CONTRACTS FOR THE SUPPLY OF SERVICES TO THE CAMBRIDGE FOLK FESTIVAL** *(Pages 135 - 138)*
- 13 CHANGE OF USE OF CITY COUNCIL MOORING - CHYPPS PLAY BOAT MOORING REQUIREMENTS** *(Pages 139 - 146)*

**Decisions of the Executive Councillor for Community Development and Health**

**Items for debate by the Committee and then decision by the Executive Councillor**

- 14 REVIEW OF USE OF THE REGULATION OF INVESTIGATORY POWERS ACT** *(Pages 147 - 176)*
- 15 COMMUNITY COHESION AND INCLUSION INITIATIVES** *(Pages 177 - 190)*
- 16 INTERIM REPORT CCTV REVIEW 2011-2012** *(Pages 191 - 210)*
- 17 REPLACEMENT OF CCTV CAMERAS** *(Pages 211 - 218)*
- 18 DECISIONS MADE BY EXECUTIVE COUNCILLORS**
- 18a Latimer Close Scheme Approval** *(Pages 219 - 232)*

At the date of publishing this agenda, the Executive Councillor for Housing had agreed, in principle, to take this decision.

However, as required under the Councils urgent decision protocol prior consultation is required with the Scrutiny Committee Chair and Spokesperson. The consultation period will be completed by the time that the Committee meets and an update on the final decision taken will be given.

## Information for the Public

**QR Codes**  
(for use with Smart  
Phones)

**Location** The meeting is in the Guildhall on the Market Square (CB2 3QJ).

Between 9 a.m. and 5 p.m. the building is accessible via Peas Hill, Guildhall Street and the Market Square entrances.

After 5 p.m. access is via the Peas Hill entrance.

All the meeting rooms (Committee Room 1, Committee 2 and the Council Chamber) are on the first floor, and are accessible via lifts or stairs.

## **Public Participation**

Some meetings may have parts, which will be closed to the public, but the reasons for excluding the press and public will be given.

Most meetings have an opportunity for members of the public to ask questions or make statements.

To ask a question or make a statement please notify the Committee Manager (details listed on the front of the agenda) prior to the deadline.

- For questions and/or statements regarding items on the published agenda, the deadline is the start of the meeting.
- For questions and/or statements regarding items NOT on the published agenda, the deadline is 10 a.m. the day before the meeting.

Speaking on Planning Applications or



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for  
disabled  
people**

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A loop system is available in Committee Room 1, Committee Room 2 and the Council Chamber.

Adapted toilets are available on the ground

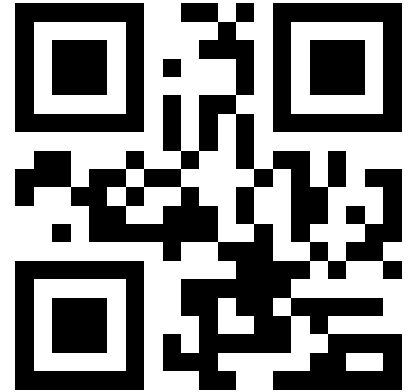
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## COMMUNITY SERVICES SCRUTINY COMMITTEE

30 June 2011  
2.00 - 4.31 pm

### Executive Councillors:

Councillor Cantrill, Executive Councillor for Arts, Sport and Public Places

Councillor Bick, Executive Councillor for Community Development and Health

Councillor Smart, Executive Councillor for Housing

**Scrutiny Committee Members:** Councillors Kerr (Chair), Al Bander, Blackhurst, Brown, Moghadas, O'Reilly, Reiner and Todd-Jones

**Non-voting co-optees:** Diane Best and Brian Haywood

### Officers Present:

Liz Bisset, Director of Customer and Community Services

Chris Humpris, Principal Accountant

Alan Carter, Head of Strategic Housing

Debbie Kaye, Head of Active Communities

Trevor Woollams, Head of Community Development

Toni Ainley, Head of Streets and Open Spaces

Paul Necus, Head of Specialist Services

Alistair Wilson, Green Spaces Manager

Toni Birkin, Committee Manager

## FOR THE INFORMATION OF THE COUNCIL

### 11/39/CS Apologies

Apologies were received from Councillor Kightley and Tenant Representative Kay Harris

### 11/40/CS Minutes

The minutes of the meeting of 17<sup>th</sup> March 2011 and the special meeting of 26<sup>th</sup> May 2011, were approved and signed as correct records.

### Change to Published Agenda Order

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used her discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

### 11/41/CS Declarations of Interest

Councillor	Item	Interest
Blackhurst		Personal interest as a Member of Trumpington Residents Association and his wife is Secretary of that Association which has links to Trumpington Pavilion, part of the leisure management contract.
Al Bander		Personal interest as a Member of Trumpington Residents Association which has links to Trumpington Pavilion, part of the leisure management contract.

### 11/42/CS Public Questions (See information below)

Public questions are detailed with the relevant agenda items.

### 11/43/CS 2010/11 Revenue and Capital Outturn, Carry Forwards and Significant Variances

#### Matter for decision:

The officer's report presented a summary of the 2010/11 outturn position (actual income and expenditure) for services within the Arts and Recreation portfolio (now Arts, Sport and Public Places), compared to the final budget for the year.

#### Decision of Executive Councillor for Arts, Sport and Public Places:

- I. Agreed the carry forward requests, totalling £186,140 as detailed in Appendix C of the report, to be recommended to Council for approval.
- II. Agreed to seek approval from Council to carry forward capital resources to fund rephased net capital spending of £415,000 from 2010/11 into 2011/12 and of £135,000 from 2011/12 into 2010/11 as detailed in Appendix D of the report.



**Reason for the Decision:**

As detailed in the Officer's report.

**Any alternative options considered and rejected:**

Not Applicable

**Scrutiny Considerations:**

In response to member's questions the Principal Accountant explained that a consultant had been employed to investigate business rent rebates and had achieved significant savings for the council.

Staff restructures were discussed. A conservative approach had been adopted and was on target with its timeframes.

The Scrutiny considered and endorsed the recommendations in the report 5 votes to 0.

The Executive Councillor for Arts, Sport and Public Places approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None****11/44/CS Future Leisure Management Options and Arrangements****Public Speaker****Stuart Newbold – Cherry Hinton Residents Association**

The Royal British Legion (RBL) currently owns a building in Cherry Hinton that is not meeting current needs. The building is listed as a community facility and this is causing difficulties with any plans to redevelop the site, possibly for housing use.

The RBL would like to work with the Cherry Hinton Village Centre (CHVC) to share profits and develop facilities. Forming a Community Trust could facilitate partnership working with the Council to deliver the objectives of both organisations.

The Executive Councillor for Arts, Sport and Public Places responded. The strategy for sport and leisure facilities was to work with local communities and

groups to provide a range of facilities. The aspiration was to use the current cost as a baseline while adding capacity and enhancing the role of the Council as a provider. CHVC was used by people from across the City, primarily as a Sports venue. The Executive Councillor expressed a willingness to meet local groups and examine options.

**Matter for decision:**

The City Council is considering how its leisure facilities and associated activities will be run from October 2013 onwards. Work has begun to identify relevant and affordable options that would enable continuation of a range of quality services for residents and visitors in the future.

**Decision of Executive Councillor for Arts, Sport and Public Places:****Agreed**

- I. To authorise the Director of Customer and Community to undertake a procurement exercise and to award contracts for an external leisure consultancy agency and external legal advisors to provide expert guidance to the Council in connection with the implementation of new arrangements for the management of the Council's leisure facilities.
- II. To instruct Officers to commence work on the development of a procurement strategy including contract specifications, contract evaluation and award processes for any future leisure management provision, in line with the recommended approaches identified in sections 3.9 and 3.10 of this report, subject to guidance from appointed consultants and legal advisors.
- III. To instruct officers to bring to Community Services Scrutiny Committee in January 2012 a report for approval authorising procurement of external or alternative management arrangements for the leisure management portfolio from October 2013 onwards.

**Reason for the Decision:**

The Council has a current leisure management contract in place to run its portfolio of leisure facilities within the city. Sport and Leisure Management Ltd (SLM) is the current provider and this contract with the Council will expire at the end of September 2013.

**Any alternative options considered and rejected:**

To end the end of the contract term all of the facilities return to direct management by the City Council and all Cambridge based SLM staff are transferred under TUPE to the City Council. The primary benefit to the Council would be direct control of the service. However, this option is deemed not viable and is not recommended, primarily due to the considerable increased

costs to the Council above the current baseline. These would include loss of National Non Domestic Rate Relief (NNDR), VAT savings, and additional VAT Exempt issues, along with increased staffing on costs and pension arrangements. There may also be a negative impact on the Council's VAT de minimus position.

### **Scrutiny Considerations:**

The Head of Arts and Recreation introduced the report regarding Future Leisure Management Options and arrangements.

The committee made the following comments;

- I. Community engagement has generated suggestions for improved use of facilities, such as out of season use of Jesus Green Pool.
- II. Right to acquire would be discussed with legal and the consultants at a later stage of the project.
- III. In response to member questions the officer confirmed that the consultant had suggested a 10 to 15 year contract, as this is the norm. It also adds value as procurement is expensive and allows carbon reduction measures to generate a payback for the provider and the Council. The contract would have break clauses.

Consulting on alternative management arrangements for CHVC was discussed. The officer stated that such facilities required specialist management. The risks of alternative structure were too great and the costs, in terms of subsidies, would be very high.

Councillor Cantrill confirmed that the option being recommended represented the best solution as it would encourage enhanced facilities and deliver value of money. The decision represents a balance between the specification, financial constraints and the level of resources across the City. While the council is happy to listen to community groups it was unlikely that a community management structure would be considered. The Council had a duty of care to provide high quality sports facilities to all users.

Councillor Todd-Jones proposed the following amendment to add and additional recommendation:

As part of the procurement exercise and strategy, to instruct officers to examine the option of separating out the management of Cherry Hinton Village Centre from the current management contract to enable consideration of alternative management models for the Cherry Hinton Village Centre

The amendment was lost by 3 votes to 5.

The Scrutiny considered and endorsed the recommendations in the report 5 votes to 0.

The Executive Councillor for Arts, Sport and Public Places approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None**

## **11/45/CS Cherry Hinton Hall Grounds Improvements**

### **Public Speakers**

#### **1. Andrew Varley on behalf of City Farms**

The City Farm group were grateful that the proposal had been taken seriously. They were disappointed that the farm could not be located in Cherry Hinton Hall but were keen to explore other options. What level of support could be expected from the council in future?

The Executive Councillor responded. Whilst there is support for the plan to have a City Farm, it did not fit with the Master plan for Cherry Hinton Hall and the needs of other users such as the Folk Festival. Officers would work with the group to identify an alternative location. Practical support would be available long term with the aspiration that this project could meet other City Council objectives and mitigate allotment supply.

#### **2. Bob Daines on behalf of Friends of Cherry Hinton Hall**

The Friends of Cherry Hinton Hall are keen to take the Master plan forward and will work with other users to achieve the best results, as this will attract other users to the special space that is Cherry Hinton Hall. The City Farm project has merit but does not belong in Cherry Hinton Hall.

#### **3. Stuart Newbold on behalf of Friends of Cherry Hinton Hall**

The Friends of Cherry Hinton Hall would like to express their gratitude for the work of active communities team and the consultants, Phil Backs Associates.

**Matter for decision:**

- I. Community Service Scrutiny Committee of the 14<sup>th</sup> October 2010 recommended on that Officers commissioned an independent report on the site feasibility of a City Farm at Cherry Hinton Hall.
- II. The finalised report at Appendix A - 'A City Farm for Cambridge' (The Report) has researched and provided a comprehensive overview of the consultation completed to date and through a series of new individual stakeholder meetings specifically relating to the City Farm proposal, provided details of the differing, and opposing views on the proposition at Cherry Hinton Hall.
- III. 'A City Farm for Cambridge' concludes with recommendations on whether or not Cherry Hinton Hall is a feasible site for a City Farm as well as providing indicative suggestions as to other possible sites within, and close to Cambridge City, outlining the possible factors and criteria which should be considered in assessing these.

### **Decision of Executive Councillor for Arts, Sport and Public Places:**

#### **Agreed**

- I. To instruct Officers to proceed with project appraisals and funding applications in respect of the hard, soft landscape and public buildings of the central area of Cherry Hinton Hall Park as outlined in the original Masterplan.
- II. To instruct Officers to work with the Folk Festival Management where possible to mitigate the impact of these proposals on the festival layout. This not to compromise any strategically placed landscape features outlined in the original Masterplan which will enable the Council to preserve and enhance the grounds, ensuring the primary function of a public park continues for current and future generations.
- III. To provide support to the City Farm group in researching the possibility of locating a City Farm at an alternative site within the city.

#### **Reason for the Decision:**

In conclusion the report recommended that a City Farm was not feasible at Cherry Hinton Hall for the following reasons:-

- I. Incompatibility with the continuation of the Folk Festival annually at the Hall;
- II. Although the City Farm concept was supported well during the Masterplan consultation in 2010 there was equally strong support to develop the masterplan which had already been presented. This has created a divergence of opinion, weakening the likelihood of gaining wider community support needed for success; and
- III. The risk and implications to the Council should the City Farm venture not be successful.

**Any alternative options considered and rejected:**

Not applicable.

**Scrutiny Considerations:**

Members expressed support for the Master plan. The timeframe was explained and a further version of report would return to this committee when costings were completed. Alternative funding sources were being explored.

The Scrutiny Committee considered and endorsed the recommendations in the report unanimously.

The Executive Councillor for Arts, Sport and Public Places approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None****11/46/CS 2010/11 Revenue and Capital Outturn, Carry Forwards and Significant Variances****Matter for decision:**

The officer's report presented a summary of the 2010/11 outturn position (actual income and expenditure) for services within the Community Development and Health portfolio compared to the final budget for the year.

**Decision of Executive Councillor Community Development and Health:**

- I. Agreed the carry forward requests, totalling £155,810 as detailed in Appendix C of the report, are to be recommended to Council for approval.
- II. Agreed to seek approval from Council to carry forward capital resources to fund rephased net capital spending of £85,000 from 2010/11 into 2011/12 and rephase budget of £10,000 from 2011/12 into 2010/11 as detailed in Appendix D of the report.

**Reason for the Decision:**

As detailed in the officer's report

**Any alternative options considered and rejected:**

Not applicable.

**Scrutiny Considerations:**

The Principal Accountant introduced the report. Members questioned the low take up of Safer City Grants. This was thought to be due to a lack of understanding and awareness of the grants. It was suggested that there was a role for Area Committees in promoting such grants.

The Scrutiny Committee considered and endorsed the recommendations in the report by 5 votes to 0.

The Executive Councillor for Community Development and Health approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None****11/47/CS Community Facilities in East Area****Matter for decision:**

A new approach to allocating funding to enhance the provision of local community facilities was considered by East Area Committee in August 2010 and had been operating consensually between ward councillors and the Executive Councillor for Community Development and Health since this time.

The Community Services Scrutiny Committee was asked to support this approach by waiving its right to pre-scrutinise decisions about the allocation of funding from developer contributions for enhancing local community facilities within East Area.

**Decision of Community Services Committee:**

Agreed to recognise that scrutinising the policy framework remains part of the pre-scrutiny function but agreed to waive its pre-scrutiny function for making decisions (including project appraisals, where required) about funding improvements to 'off-site' community facilities in the East Area that are funded from developer contributions.

**Reason for the Decision:**

The policy of allocating developer contributions for the provision and improvement of community facilities had been in place for several years. The allocation of off-site contributions, by area, provides a response to the

challenge of providing and enhancing facilities as close as possible to the location of the development. It also speeds up the decision making process and enhances the Council's approach to the localism agenda, enabling local residents to shape provision in their neighbourhood.

**Any alternative options considered and rejected:**

Not applicable

**Scrutiny Considerations:**

The Head of Community Development introduced the report. Members this approach as it had help clear a back-log of projects and was welcomed.

In response to member questions, the officer explained that off-site referred to developer S106 contributions towards facilities and improvement to be delivered in the area but not on the development site. Lessons had been learnt from the North Area Committee pilot and from the work already completed using this approach in the East Area. This would contribute to future work on devolved decision making.

Councillor Todd-Jones proposed the following amendment to the recommendation (additional wording underlined and in italic):

*The scrutiny committee recognises that scrutinising the policy framework remains part of the pre-scrutiny function* but agrees to waive its pre-scrutiny function for making decisions (including project appraisals, where required) about funding improvements to 'off-site' community facilities in the East Area that are funded from developer contributions.

The amendment was agreed unanimously.

The Scrutiny Committee considered and endorsed the amended recommendations unanimously.

**11/48/CS 2010/11 Revenue and Capital Outturn, Carry Forwards and Significant Variances**

**Matter for decision:**

The officer's report presented a summary of the 2010/11 outturn position (actual income and expenditure) for services within the Housing portfolio compared to the final budget for the year.

**Decision of Executive Councillor for Housing:**



- I. Agreed the carry forward requests, totalling £120,990 as detailed in Appendix C of the report, are to be recommended to Council for approval.
- II. Agreed to seek approval from Council to carry forward capital resources to fund rephased net capital spending of £7,000 from 2010/11 into 2011/12, as detailed in Appendix D of the report.
- III. Agreed to seek approval from Council to rephase capital expenditure of £32,000 in respect of investment in disabled facilities grants into 2011/12.
- IV. Agreed to seek approval from Council to rephase capital expenditure of £423,000 from 2010/11 into 2011/12, in respect of investment in the creation of the Assessment Centre, and to increase the overall budget sum by a further £125,000 to meet identified additional costs of the project, resulting in £2,797,000 being available to be spent in 2011/12 and 2012/13 to complete the project. The additional £125,000 investment had been fully funded by an increase in the CLG contribution towards the project.
- V. Agreed to seek approval from Council to carry forward capital resources to fund rephased capital spending of £6,159,000 between 2010/11 and 2011/12, in relation to investment in the Housing Revenue Account, as part of the Housing Capital Investment Plan, as detailed in Appendix E and the associated notes, with the resulting need to increase the use of revenue funding of capital expenditure by £951,000 in 2011/12.
- VI. Agreed to seek approval from Council to rephase anticipated capital income of £308,000, from 2010/11 to 2011/12, in the form of the final tranche of Homes and Communities Agency Grant (£25,000) and an element of prudential borrowing (£283,000), both required to complete the 7 units of new build affordable housing.

**Reason for the Decision:**

As detailed in the officer's report.

**Any alternative options considered and rejected:**

Not Applicable

**Scrutiny Considerations:**

The Principal Accountant introduced the report. The committee made the following comments:

- I. Members questioned the carry forward requests, which were unusually large even when Brandon Court figures were removed.
- II. Improved budget management was suggested as a way forward.

The Director of Community Services confirmed that all directors were examining the detail of slippages. A late arriving grant for CLG had skewed the figures for the end of year.

The Scrutiny Committee considered and endorsed the recommendations in the report by a vote of 5 to 0.

The Executive councillor for housing approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None**

### **11/49/CS Shared Home Improvement Agency (HIA)**

#### **Matter for decision:**

The report recommended the establishment of a shared home improvement agency with South Cambridgeshire District Council and Huntingdonshire District Council from April 2012. The City Council would be the lead authority for the shared service.

#### **Decision of Executive Councillor for Housing:**

- I. Approved the implementation of a shared home improvement agency with South Cambridgeshire District Council and Huntingdonshire District Council.
  
- II. Delegated authority to the Director of Customer and Community Services, in consultation with the Director of Resources and the Head of Legal Services, to agree a legal protocol to govern the shared service.

#### **Reason for the Decision:**

The shared service is proposed to offer the best opportunity to sustain the current levels of service for city residents giving value for money initially and in the future.

#### **Any alternative options considered and rejected:**

Not applicable

#### **Scrutiny Considerations:**

The Scrutiny Committee expressed support for the proposals and were happy that staff would be retained. The new service would have economies of scale while retaining a personal service.

The Scrutiny Committee considered and endorsed the recommendations in the report unanimously.

The Executive councillor for housing approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None**

## **11/50/CS Affordable Housing Programme**

### **Matter for decision:**

In June 2010, the Executive Councillor for Housing approved a three year rolling programme of housing sites in the Council's ownership for consideration for development, redevelopment or disposal.

The report provided a review of the programme and specifically seeks approval of a revised three year rolling programme that includes sites to be investigated in 20011/12 to 2013/14. The programme included for the first time a number of garage sites.

The report sets this request for approval to the revised three year programme in the context of;

- I. The delivery of Affordable Housing through the planning system
- II. The new Council housing programme
- III. The new regime for funding Affordable Housing through the Homes and Communities Agency (HCA)

### **Decision of Executive Councillor for Housing:**

- I. Noted the progress of the Affordable Housing Programme
- II. Approved the revised three year rolling programme of housing sites in the Council's ownership to be considered in 20011/12 to 2013/14 for development, redevelopment or disposal.

### **Reason for the Decision:**

Maximising the delivery of new housing in a range of sizes, types and tenures ensuring that current standards are at least maintained" is a Strategic Objective in the Housing Portfolio Plan. Most new Affordable Housing is delivered through the planning system. However, to provide some balance to this, two recent programmes of work have been about making the best use of housing land in the Council's ownership to deliver new Affordable Housing and

understanding the viability of a providing new Affordable Housing direct by the Council through City Homes (as opposed to through Registered Providers).

**Any alternative options considered and rejected:**

Not applicable

**Scrutiny Considerations:**

The Head of Housing Strategy introduced the report. The committee made the following comments:

- I. The factors under consideration for future decisions on garages were discussed. These would include, location, condition, void rates and proximity to alternative parking.
- II. Members expressed concern that loss of garages would increase pressure on on-street parking.
- III. The viability of maintaining garages which were used for storage was questioned.
- IV. Under use of some garages was the result of poor security.
- V. Increased use of electric cars would generate a need for garages with a hook up point.

The officer explained that the width of cars had increased over time resulting in older garages no longer able to accommodate them. The list included all locations being examined, however, not all will be developed. Any scheme proposed for redevelopment will be brought back to the Committee for specific approval.

The sensitive nature of some of the sites was discussed. Sensitive ways to deal with residents concerns had been agreed in advance and hand delivered letters would ensure the correct information was shared as soon as possible.

The Scrutiny Committee considered and endorsed the recommendations in the report unanimously.

The Executive councillor for housing approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None**

**11/51/CS Decisions by Executive Councillors**

**13a Cambridge and District Citizens Advice Bureau - Grant Application**

The committee noted the decision made by Executive Councillors.

## **11/52/CS Refurbishment of former Crematory**

### **Matter for decision:**

The Mercury Abatement project at the City Crematorium (SC379) creates a new crematory to house mercury abatement equipment and three new cremators. This would leave the old crematory without an operational function and with no direct site access should works be undertaken in the future.

This scheme is to undertake the refurbishment of the former crematory whilst the site is still accessible for projects of this scale to maximise the use of the space created and provide modern facilities for the bereaved, mourners, staff, officiants and funeral directors. It is also planned to provide a glazed roof above the Cloisters, again whilst the site is accessible, allowing covered access to floral and other tributes.

### **Decision of Executive Councillor for Community Development and Health:**

#### **Agreed:**

Financial recommendations –

- I. To recommend this capital scheme (which is not included in the Council's Capital Plan) for approval by Council, subject to resources being available to fund the capital and revenue costs associated with the Scheme. The total capital cost of the project is £206,000, and it is proposed that this funded from Repairs & Renewals.
- II. There are no net Revenue implications

Procurement recommendations:

- III. Approved the carrying out and completion of the procurement of this project as outlined at 1.3 of this report.
- IV. If the tender sum exceeds the estimated contract value of £206,000 by more than 15% the permission of the Executive Councillor and Director of Resources will be sought prior to proceeding.

### **Reason for the Decision:**

To make effective and efficient use of Council buildings and to accelerate the building works timetable to benefit from the current dispensation from HMRC which will allow £500,000 to be returned to Reserves.

### **Any alternative options considered and rejected:**

Not applicable.

**Scrutiny Considerations:**

The Head of Specialist Services tabled slightly amended recommendations. In response to member questions he confirmed that a favorable planning decision from South Cambs District Council was expected shortly. The timeframes suggested were tight but achievable.

The Scrutiny Committee considered and endorsed the recommendations in the report unanimously.

The Executive Councillor for Community Development and Health approved the recommendations.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None**

The meeting ended at 4.31 pm

**CHAIR**



To: Executive Councillor for Housing: Cllr Catherine Smart  
Report by: Alan Carter, Head of Strategic Housing  
Relevant scrutiny committee: Community Services Scrutiny Committee 13/10/11  
Wards affected: All Wards

### **Home Loss Policy Key Decision**

#### **1. Executive summary**

The report consolidates current practice in compensating and supporting tenants who are required to move from their home into a policy statement. The policy statement includes how compensation and support for leaseholders will be addressed

Note – The Home Loss Policy does not cover households whose home is Compulsory Purchased. These cases are covered by an existing policy statement.

#### **2. Recommendations**

The Executive Councillor is recommended to approve the Home Loss Policy set out as Appendix 1.

#### **3. Background**

The Council has undertaken a number of refurbishment schemes in the past that has required tenants to move out of their homes to enable the works to be carried. For example, recently a significant amount of movement has been required as part of the Sheltered Housing Modernisation Programme.

Officers have developed ways of working to support tenants who have been required to move and compensation payments have been made in line with legislation and best practice.

With the prospect of a more substantial Council new build programme over the next four years, this report takes the opportunity to consolidate current

practice into a policy statement. The Home Loss Policy includes how compensation and support for leaseholders will be addressed.

#### **4. Implications :-**

##### **(a) Financial**

Compensation payments to tenants and leaseholders will be budgeted as part of the capital project cost of refurbishing or redeveloping a scheme.

##### **(b) Staffing**

City Homes staff and staff from the Enabling and Development Service will be the principle staff offering support to tenants and leaseholders in this instance.

##### **(c) Equal Opportunities      Equality Impact Assessment conducted**

The policy recognises that individual tenants and leaseholders will require different degrees of support to move. Staff efforts will focus on those who are more vulnerable.

##### **(d) Environmental**

There are no specific Environmental implications in respect of this report.

##### **(e) Community Safety**

There are no specific Community Safety implications in respect of this report.

#### **5. Background papers**

Compulsory Purchase Orders – Full Procedure

City Council Code of Best Practice on Consultation and Community Engagement.

City Council Three Year Rolling Programme

#### **6. Appendices**

Appendix 1 – Home Loss Policy

#### **7. Inspection of papers**



To inspect the background papers or if you have a query on the report please contact:

Author's Name: Alan Carter  
Author's Phone Number: 01223 – 457948  
Author's Email: [alan.carter@cambridge.gov.uk](mailto:alan.carter@cambridge.gov.uk)

## Appendix 1

### HOME LOSS POLICY

#### 1.0 Introduction

1.1 This Policy covers situations where City Homes tenants or leaseholders are required to move from their homes due to

- a redevelopment scheme
- a refurbishment scheme

The Council has a separate Policy in respect of the compulsory purchase of properties not in the Council's ownership.

#### 2.0 The Council's Vision Statement and Strategic Objectives

2.1 This Policy fits with the Vision Statement

"A city which recognises and meets needs for housing of all kinds – close to jobs and neighbourhood facilities"

2.2 It also fits with the Strategic Objectives in the 2011.12 Housing Portfolio Plan

"HS01 – Maximise the delivery of new housing in a range of sizes, types and tenures ensuring that current standards are at least maintained"

"HS03 – To prepare for the implementation of self-financing"

#### 3.0 Outcomes

3.1 The Council recognises that the enforced loss of their home is one of the most difficult situations that a tenant or leaseholder can be faced with. With a housing stock of nearly 8500 properties including leasehold accommodation, it is inevitable that from time-to-time schemes will be proposed to redevelop or refurbish older housing that no longer meets current day expectations or is not cost-effective to maintain in a good state of repair. The intention is to strike a balance between mitigating the impact on individuals required to move and securing the longer term benefits from the proposed redevelopment or refurbishment.

3.2 In approving this Policy the Council aims to ensure;

- that there is the least possible disturbance to tenants and leaseholders who are required to move from their homes
- that support is available for those in who need that support to organise the move
- that it is clear what constitutes reasonable alternative housing and in what circumstances tenants and leaseholders are able to choose to return to a scheme once it is redeveloped or refurbished
- fairness and transparency in the way that Home Loss payments are made.

## **4.0 Payments to Tenants for Loss of Home**

4.1 The Council will make two types of payments for tenants who lose their home

- Home Loss Payment
- Disturbance Payment

4.2 Home Loss Payment to Tenants

This is a payment that the Council must pay by law under the Land Compensation Act 1973. To be eligible, the tenant must have occupied the premises for at least one year. The payment is in recognition of the trauma and disruption of the loss of the home. It is not a payment that is designed to cover the actual costs of moving.

The amount of Home Loss Payment is reviewed periodically. The current payment is £4700.

4.3 Disturbance Payment to Tenants

Unlike Home Loss Payments, Disturbance Payments are not fixed in law but they are required to be equal to the reasonable expenses of the tenant who is moving.

The Council will pay for or arrange the following

- All removal costs to removal contractors or cost of a van if a tenant moves themselves
- Disconnection and re-connection of cooker
- Lifting and re-fitting curtains and carpets in the new home or the cost of new curtains and carpets if the existing curtains and carpets cannot be re-fitted
- Cost of re-direction of mail and costs associated with moving telephones

- Any costs associated with cancelling a service that a tenant has contracted to pay at their current address

4.4 Home Loss Payments and Disturbance Payments will only become payable once approval has been provided by the Council to proceed with a specific redevelopment or refurbishment scheme. It is at this point too that any Right to Buy application will be halted and any new application declined.

4.5 In a situation where it is possible for a tenant or leaseholder to return to a refurbished or redeveloped scheme and they choose to do so, Home Loss Payment will not be payable, but Disturbance Payments to cover both moves will.

4.6 This Policy does not apply to tenants who have a final possession order granted to end their tenancy.

## **5.0 Payments to Leaseholders for Loss of Home**

5.1 Home Loss Payment and Disturbance Payments are also payable to leaseholders however the legislation is different in respect of Home Loss Payment.

### **5.2 Home Loss Payment to Leaseholders**

The amount of payment for leaseholders in law is calculated as 10% of the market value of the owner's interest in the property subject to the maximum amount which is currently £47,000. Again, to be eligible the leaseholder must have occupied the premises for at least one year.

### **5.3 Disturbance Payments to Leaseholders for Loss of Home**

The Disturbance Payments will be the same as for tenants shown in paragraph 5.3 above.

5.4 The points covered in 4.4 and 4.5 above will also apply to leaseholders.

5.5 Leaseholders will also retain any financial equity they may have invested in the property.

5.6 The Policy does not apply to any sub-leasees.

## **6.0 Engagement with Tenants and Leaseholders**

- 6.1 In engaging with tenants and leaseholders who are being required to move from their home, the Council's guiding principles for undertaking consultation of openness; accessibility and inclusiveness; and transparency and accountability will apply.
- 6.2 As much notification as possible will be given to tenants and leaseholders when a scheme is being considered redevelopment or refurbishment. It is not possible to specify a minimum or maximum time as notification will vary from scheme to scheme depending on the nature of the proposed redevelopment or refurbishment.
- 6.3 For redevelopment schemes, tenants and leaseholders directly affected will be notified immediately their home has been approved by Committee to be included in the Council's three year rolling programme of schemes to be assessed. However, it should be noted that tenants and leaseholders will not be eligible for Home Loss and Disturbance Payments until a specific redevelopment scheme has been approved by Council. The same principle will apply to any proposed refurbishment scheme that will require a tenant or leaseholder to move. A named contact person for further information will be provided to tenants and leaseholders and any comments made will be considered as part of the final report that will be presented to the Council for specific approval to proceed with the scheme.
- 6.3 Once a redevelopment of refurbishment scheme has specific approval by Council to proceed, tenants and leaseholders will again be contacted and the name of the contact person will be reaffirmed. As well as providing the tenant or leaseholder with full information of the redevelopment or refurbishment scheme the tenant will be offered a package of support tailored to meet their reasonable needs.

## **7.0 Alternative Housing for Tenants**

- 7.1 The criteria set out in the Council's Letting Policy will be the basis upon which alternative accommodation is deemed suitable.
- 7.2 Tenants required to move will be given a Band A priority to bid under Home-Link or will have the benefit of a direct let.
- 7.3 Every effort will be made to re-house a tenant in the area of their choice.
- 7.4 Tenants required to move will be given priority to return to suitable alternative accommodation on the redeveloped or refurbished scheme

provided there is sufficient new accommodation of the type required available.

- 7.5 Should a tenant be interested in types of tenancy other than for social rent then advice and assistance will be offered to help the tenant secure such a move.

## **8.0 Alternative Housing for Leaseholders**

- 8.1 When a leaseholder's property is to be redeveloped, and if they are not able to afford to buy a suitable alternative home on the open market, the Council will offer advice and assistance to secure shared ownership, equity share or another form of intermediate housing option in the city. Where the property is to be refurbished the leaseholder will be able to return to the property.

## **9.0 Support to Move**

- 9.1 The Council recognises that individual tenants and leaseholders will require different degrees of support to move. In particular the Council will prioritise its assistance to

- Older people
- Tenants with physical and/or learning impairment
- Tenants for whom English is not their first language

The support required will be assessed and negotiated on a case by case basis.

- 9.2 The type of support to be provided to those tenants and leaseholders who need it are as follows

- Assistance with registering on Home-Link
- Assistance to view alternative accommodation
- Assistance with forms relating to change of address
- Assistance with rearranging care support if applicable
- Where no friends or family are available arranging packing and removals
- Clearance of unwanted items
- Arranging lifting and refitting of carpets and curtains refit

## **10.0 What happens if tenants and leaseholders do not want to move?**

- 10.1 The Council's aim will be to negotiate alternative accommodation with tenants and leaseholders who are required to move. If it is not possible to agree a move by negotiation the Council has at its disposal

legal remedies to require a move. The remedies are different for tenants and leaseholders.

10.2 If agreement cannot be reached with a tenant, the Council is able to serve Notice and seek re-possession of the home through the court. However, to be successful the Council will need to be able to demonstrate that suitable alternative accommodation is available for the tenant to move to.

10.3 If agreement cannot be reached with a leaseholder the Council is able to pursue a compulsory purchase of the property in line with policy.

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To: Executive Councillor for Housing (and Deputy Leader): Councillor Catherine Smart  
Report by: Jas Lally, Head of Refuse & Environment  
Relevant scrutiny committee: Community Services Scrutiny Committee 13<sup>th</sup> October 2011  
Wards affected: All Wards

### **Thermal imaging of private homes in Cambridge through the HeatSeekers Scheme <KeyDecision>**

#### **1. Executive summary**

- 1.1 Cambridge City Council has been approached about introducing the HeatSeekers scheme in Cambridge. This scheme offers a new approach to promoting energy efficiency within the home through citywide thermal imaging of properties. A resident will be offered tailored advice and the opportunity to have insulation installed with the assistance of government grants.
- 1.2 The scheme offers significant benefits to Cambridge City Council's objectives regarding climate change, but more importantly it will also help residents to save money and to reduce fuel poverty within the city. The timing is also significant, as the scheme will encourage residents to take advantage of their current grant entitlement.

#### **2. Recommendations**

- 2.1 The Executive Councillor is recommended:
- 2.2 To approve the introduction and promotion of the scheme
- 2.3 To agree Cambridge City Council works with the Mark Group as described in the Memorandum of Understanding. (see appendix i)

#### **3. Background**

- 3.1 Cambridge City Council have been approached by a private organisation called Energy Saving Partnership (ESP) to work together to deliver their HeatSeekers project within Cambridge.

- 3.2 HeatSeekers is a process by where specially equipped vehicles take thermal images of properties over the winter months to identify heat loss through poorly insulated walls and lofts. These images are linked to a GPS reference to enable a team of surveyors to visit each property that requires insulation and show the residents their personalised thermal image. The surveyor will explain to the resident where heat loss is occurring in their property and provide insulation advice to rectify any issues.
- 3.3 If the resident agrees, a survey can be carried out and a quotation for insulation work can be submitted which will include any grant funding that may be available. The Mark Group, who is a parent company of Energy Saving Partnership, would then carry out the insulation work.
- 3.4 Energy Saving Partnership is seeking Cambridge City Councils endorsement of the scheme in the form of our logo to be used in joint promotion to increase the potential success. There will be no financial agreements between the organisations. In return Cambridge City Council will receive data on properties assisted, the publicity from a positive environmental project and most importantly help residents save money on energy bills and have warmer homes.
- 3.5 Key Benefits
- 3.5.1 This scheme will increase the uptake of grant assisted energy efficiency measures in Cambridge, and as a result:
- Enable residents to save money on their fuel bills.
  - Reduce the number of residents living in fuel poverty.
  - Reduce Cambridge City's carbon dioxide emissions
- 3.5.2 Local residents can take advantage of Carbon Emissions Reduction Target (CERT) funding while it is still available. CERT may offer a more cost effective solution than the proposed Greed Deal solutions, and with the Green Deal being introduced Autumn 2012 it is important residents make the most of CERT funding now.
- 3.5.3 The thermal images give residents a new opportunity to understand how heat loss occurs in their property and how to do something about it.
- 3.5.4 The surveys allow Cambridge City Council to access housing data that it has not had in the past. This data can be used for targeting current schemes but also for the future when we are expecting to take a strategic role to target the Green Deal.

3.5.5 A partnership with an installer means we know exactly where insulation measures have been installed and we can give residents greater confidence in the organisation that will carry out this work, especially if they know that City Council will be continually monitoring.

3.5.6 The project offers residential contact on a scale we could not provide alone at a time where we need to prepare ourselves for the Green Deal. This is provided at no cost to the local authority.

### 3.6 Energy Saving Partnership & Mark Group

3.6.1 Mark Group Ltd is the trading name for Energy Saving Partnership and the HeatSeekers project, however it is the Energy Saving Partnership that leads on the HeatSeekers thermal imaging and Mark Group that carries out the insulation work. This scheme has been delivered, or is currently being delivered in 68 local authorities within the UK.

3.6.2 Mark Group is a national company, with over 1,400 employees that can provide 'whole house' solutions to energy-efficiency. Founded in 1974, Mark Group has already helped to make more than two million homes more energy-efficient, currently installing around 6,000 insulation measures every week

3.6.3 The Mark Group holds membership and accreditations for a number of bodies. Those relevant to this project are:

- British Board of Agrément (BBA)
- National Insulation Association (NIA)
- Association for the Conservation of Energy
- Cavity Insulation Guarantee Agency (CIGA)
- BS EN ISO 9001 Quality Assurance
- Mark group has other memberships that are available on request.

3.6.4 Guarantees of work

- All Mark Group installing technicians are trained and certificated by the British Board of Agreement.
- Cavity wall insulation is covered by the 'CIGA' guarantee, which guarantees workmanship and materials for 25 years. (Mark Group applies for it on the resident's behalf and it will be sent to the resident direct from CIGA. It can take up to 8 weeks for this to be delivered after installation.)
- Loft insulation carries a statutory manufacturer's guarantee.

### 3.7 Safe Guarding

3.7 Through consultation with Cambridge City Councillors, officers, other Local Authorities, and external organisations we have tried to consider all possible risks and ways to protect both Cambridge residents and Cambridge City Council. The following work has been carried out:

3.7.1.1 Memorandum of Understanding – This document clearly states the roles played by each party and their responsibilities throughout the duration of the scheme. A draft document was provided by Energy Saving Partnership and has been reviewed and revised by Cambridge City Council's legal department. (see appendix i)

3.7.1.2 Introduction Letter (see appendix ii) – This letter will be sent to each household that it is deemed could benefit from further insulation. The letter introduces the scheme and what is on offer to the resident. The letter also informs the resident that they can opt out of a visit from a surveyor. Cambridge City Council's legal department has reviewed this letter. Other safeguards incorporated in the letter include:

- Details of further City Council safeguards (e.g. Customer Service Centre contact and reference to frequently asked questions on our website)
- Residents will be informed that there are other suppliers of insulation available and you may wish to seek alternative quotes.
- The reverse of the letter will contain the offer of translation of the letter in a variety of languages.

3.7.1.3 Risk Assessment – A risk assessment has been carried out with all risks qualitatively assessed and mitigated. (see appendix iii)

3.7.1.4 Scheme Participation – A list of 68 local authorities were supplied to us by request to show who has participated in the scheme. (see appendix iv)

3.7.1.5 References – A variety of references were collected to obtain feedback about the scheme, the organisations involved and also the quality of work:

- Seven local authorities have been contacted. The feedback has been very positive on a number of areas. A few minor issues have been raised and example Memorandum of Understandings obtained to develop our own document.
- As requested by the Executive Councillor for Housing we have also contacted resident associations where the scheme has taken place to obtain feedback. This feedback was particularly difficult to obtain, but where residents associations were aware of the scheme there were no negative issues.

- 3.7.1.6 Internet Check – An Internet search was conducted on the company names of Energy Saving Partnership, HeatSeekers and the Mark Group to discover any recorded malpractice, complaints and issues. A number of complaints were found, however the quantity is very low compared to the amount of work carried out. A negative news article was also found but the issues raised were dealt with effectively. See appendix v “Briefing to Councillors” for further feedback on this search.
- 3.7.1.7 Data Protection – There is a low risk that resident’s data could be used inappropriately, but this has to be considered as residents will be giving personal information to surveyors. The Memorandum of Understanding clearly states how the data will be used and residents will be made aware of this before any data is passed over. The Data Protection Act binds all organisations involved.
- 3.7.1.8 Procurement - Cambridge City Councils Procurement department have commented on the project and have said that “this is not a procurement project and thus the contract procedure rules or wider procurement legislation do not apply”. It was also recommended that we find out whether other companies could offer a similar service. We have contacted both the Energy Saving Trust and the National Insulation Association and both were not aware of another company offering this service.
- 3.7.1.9 Finance – Cambridge City Council’s Accounts department have carried out checks on the Mark Group and found them to be a solid company.
- 3.7.1.10 Customer Service Centre – Cambridge City Councils Customer Service Centre will have a role to play in managing enquiries about the scheme. Residents should have the option to contact Cambridge City Council to ask any questions and operators can refer to a frequently asked questions list. Residents can also contact the City Council to confirm the identity of the surveyor who will visit them.
- 3.7.1.11 Promotion – It is important that the scheme is clear to residents and from the start we are open about the relationship between the organisations and what is on offer. It will therefore be necessary to provide press releases and give residents the opportunity to come and view the thermal imaging equipment and ask questions. Further articles should also be produced for City Council and local media publications such as Cambridge Matters and Cambridge

News. All promotion has to be agreed between all parties prior to use.

#### **4. Implications**

##### **(a) Financial Implications**

- i) There is no financial agreement between Cambridge City Council and Energy Saving Partnership to deliver this project. The only financial implications that will occur will relate to any promotional work carried out by Cambridge City Council.
- ii) There is a low financial risk if work is carried out unsatisfactorily or there is an issue with the Mark Group, however the Memorandum of Understanding clearly states that Cambridge City Council will not accept any liability in this case.
- iii) Necessary financial checks have been carried out on the Mark Group company.

##### **(b) Staffing Implications**

- i) Officer time will be required to help deliver the project in Cambridge for promotional activity and review meetings. This time will be more significant at the start but should reduce after introduction. It is not expected to take up all of an officer's time. Other officers may be required for review meetings.
- ii) The Customer Service Centre will be required to answer enquiries from residents. Therefore a script will be provided to answer frequently asked questions.

##### **(c) Equal Opportunities Implications**

- i) A formal Equality Impact Assessment has not been carried out for this project. The internal guidelines for this assessment relate to policies and not specifically to projects. Nonetheless equality issues have been considered in detail.
- ii) An assessment has been carried out as part of a risk assessment (see appendix iii). This project does not discriminate in anyway as there are no exclusions as to who can receive energy efficiency improvements. Current Government set grant schemes for energy efficiency measures are favourable to those more vulnerable groups such as benefit recipients and the elderly. It therefore is

proactive in reducing fuel poverty, with significant grant funding also available for residents not classed as being vulnerable.

- iii) In the private rented sector tenants will need to seek permission from their landlord as currently required. However grant funding will still be available and the thermal image gives the tenant some evidence to show the landlord.
- iv) For Housing Association the work would need to be organised by the association, however the image could be used as evidence to justify a cold property.
- v) The back of the introductory letter will contain the offer of translation in a variety of languages, and if required a translator can be made available for a surveyors visit.
- vi) Finally, if further assistance is required then current Cambridge City Council services can be provided. For example, this may be through Housing Standards in cases where there are cold properties within the private rented sector. This assistance may also be provided by the Home Energy Officer where vulnerable residents need guidance through the process.

(d) **Environmental Implications**

- i) This project has a +H climate change rating as it will assist residents to reduce energy consumption and could also raise awareness of renewable energy options.

(e) **Consultation**

- i) A community consultation has not taken place as part of this review. However we have widely consulted other groups to develop the project and seek guidance.
- ii) We have briefed all Councillors on the proposals and we have had an open discussion with interested Councillors to address any possible concerns. All items of concern that were raised have been addressed and are included within this report.
- iii) We have been in regular contact with officers from the Legal, Finance and Procurement Departments of Cambridge City Council to seek their guidance on the project and documentation.

- iv) We have consulted the Energy Saving Trust and the Insulation Association to discover whether a similar scheme is available from alternative companies.
- v) We have spoken to and obtained references from seven local authorities that have also carried out this project to learn from their experiences. Generally the feedback was positive and we had some advice to feed into our scheme.
- vi) Resident associations were contacted for feedback where projects have been run in other districts. It has proved difficult to obtain feedback in these cases, but there were no complaints from those spoken to.

(f) **Community Safety**

- i) A risk assessment has been carried out for this scheme with all risks qualitatively assessed and mitigated. This assessment covers all areas of risk surrounding the project. (see appendix iii)
- ii) There is a potential safety risk to residents with individuals visiting properties. However, we believe this risk is low as we believe Mark Group are a reputable company with experience of dealing with this process. Residents have the option to opt out of the scheme at any time. A letter will be sent prior to the first visit to clarify authenticity of the scheme and to provide an opportunity to opt out.
- iii) Mark Group will make known the identity of their surveyors to Cambridge City Council. Residents will be able to contact the Customer Service Centre to confirm the identity of any person visiting their property as part of this scheme. All Mark Group surveyors will carry photographic ID.
- iv) The image taken is a thermal image that shows the heat loss of the property, it is not a photographic image and no identification of people or property can be made from the image.
- v) The project raises data protection issues, as residents will be giving over personal data to a private company. Any information given remains confidential between the Council and HeatSeekers under the Data Protection Act with information given to the City Council requiring resident's consent first.
- vi) The Memorandum of Understanding clearly states the roles and responsibilities of Cambridge City Council, Energy Saving Partnership and the Mark Group. If there is any deviation from this,



this will be discussed and Cambridge City's Councils support of the scheme may be removed.

- vii) Energy Saving Partnership and Mark Group will ensure all staff communicating with residents do not apply pressure. Any complaints that are perceived to be 'hard selling' on behalf of the Energy Saving Partnership or Mark Group will be investigated further and discussed with the Energy Saving Partnership. If an agreement cannot be reached or the issues remain Cambridge City Council will ask Energy Saving Partnership to remove any references of support from any literature or conversations with residents.
- viii) Vulnerable or low income residents will not be pressurised to invest in the scheme. Due to the way the funding is structured the greatest financial assistance will be available to these groups with many entitled for the work to be carried out at little or no cost to the resident. However even in this case it is up to the resident to give authorisation for the work to be carried out and no pressure will be applied. If pressure is applied then the agreement between the organisations will be reviewed as per section 4f, vii) of this document.
- ix) An Internet search was conducted on HeatSeekers, Energy Saving Partnership and Mark Group. While complaints were found, the level of these complaints and quantity were not felt to be of concern given the very high number of installations carried out. See appendix v
- x) The Mark Group are members of the relevant industry associations and are fully qualified to carry out the work described.

## **5. Background papers**

## **6. Appendices**

Please note: The Memorandum of Understanding and Introduction Letter are still draft documents as Energy Saving Partnership has to approve the amendments submitted from our Legal Department. Any further amendments to these documents will be at the agreement of Cambridge City Councils Legal Department and the Executive Councillor for Housing.

- i) Draft Memorandum of Understanding
- ii) Draft Introduction Letter
- iii) Risk Assessment

- iv) List of Authorities
- v) Briefing to Councillors, dated 20<sup>th</sup> July 2011
- vi) HeatSeekers patent

## **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Justin Smith  
Author's Phone Number: 01223 457954  
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Draft version

Date



## **Memorandum of Understanding**

between

**(1) CAMBRIDGE CITY COUNCIL**

and

**(2) THE ENERGY SAVING PARTNERSHIP LIMITED**

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**THIS AGREEMENT** is dated the \_\_\_\_\_ of \_\_\_\_\_ 2011

## **PARTIES**

The parties to this memorandum of understanding ("MOU") are:

- (1) Cambridge City Council of the Guildhall, market Square, Cambridge CB2 3QJ ("the **Authority**"), and
- (2) Energy Saving Partnership Limited (Company Number: 03304194) whose registered address is at 12-13 Ship Street, Brighton, East Sussex BN1 1AD ("**ESP**")

## **BACKGROUND**

- (A) Under the terms of this **MOU** the parties will share and exchange Confidential Information obtained from the HeatSeekers Programme.
- (B) The Authority will provide permission for ESP and the Agent to use its Trademarks and provide all necessary consents and approvals (where appropriate) together with support and assistance in relation to identifying the areas in the Territory to survey and any other such assistance required for the successful completion of the HeatSeekers Programme.
- (C) The intention and purpose of this MOU is to provide a framework for the working relationship between the parties so as to enable both parties to help achieve relevant energy savings and relevant carbon emissions reduction targets. The MOU is also intended to promote the development of a direct, open and consultative relationship between ESP, the Agent and the Authority.
- (D) The MOU is confidential to the parties and the Agent and their advisors and is subject to various legally binding confidentiality obligations as set out below together with any other confidentiality obligations that continue to exist. Both parties agree to the strict rules of confidentiality and acknowledge the legally binding nature of such confidentiality obligations. Confidential Information can only be disclosed to third parties in certain set circumstances as set out below.
- (E) The Authority acknowledges that the Agent invented HeatSeekers and has also made significant financial investment not only in HeatSeekers but also in the resources to ensure delivery of the Services (in conjunction with any Authorised Local Professionals) to the Agreed Standards pursuant to the HeatSeekers Programme.

## **1 DEFINITIONS & INTERPRETATIONS**

**1.1** In this document the following terms shall have the following meanings unless the context otherwise requires:-

**Affiliate** means the holding company of or subsidiary company of a party or any company which is a subsidiary company of any subsidiary of such holding company;

**Agreed Standards** means a good quality level of Service and workmanship linked with reference to any recognised industry standards (including but not limited to checks such as CRB) to ensure the integrity of the Authority, ESP and the Agent;

<b>Agent</b>	means Mark Group Limited (Company Number: 01304470) whose registered address is 70 Boston Road, Beaumont Leys, Leicester LE4 1AW;
<b>Authorised Local Professionals</b>	means a person or business authorised by ESP to engage in the provision of the Services;
<b>Complaints</b>	means any fact or matter brought to the attention of either party by a Consumer in relation to the Services or the HeatSeekers Programme which indicates dissatisfaction of the Services or the HeatSeekers Programme;
<b>Confidential Information</b>	shall mean any information, any formulas, technology, practices, processes, methods of production, documentation, data and other business or other information, such as sales information and financial data, whether technical or non-technical, verbal or written, and product samples and specifications which is disclosed to a party by the other under or via connection with this MOU (whether orally or in writing and whether or not such information is expressly stated to be confidential or marked as such);
<b>Consumer(s)</b>	means a person belonging to a Home who uses, has used, is or may be contemplating using the Services provided by the Agents or Authorised Local Professionals;
<b>FOIA</b>	means the Freedom of Information Act 2000 and any subordinate legislation made under this Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner in relation to such legislation;
<b>HeatSeekers</b>	means the thermal imaging vehicle and other such equipment in the vehicle which uses a fully automated trigger Global Position System in order to assess and carry out thermal scans/surveys of a Home in order to identify ways of reducing Home energy wastage;
<b>HeatSeekers Programme</b>	shall have the meaning as set out in clause 2;
<b>Home(s)</b>	means those homes in selected targeted area(s) agreed between ESP and the Authority;
<b>Intellectual Property Rights</b>	means patents, rights to inventions, copyright and related rights, moral rights, trade marks (including the Trademarks) and service marks, trade names and domain names, rights in get-up, rights to goodwill or to sue for passing off or unfair competition, rights in designs, rights in computer software, database rights, rights in Confidential Information (including know-how and trade secrets) and any other intellectual property rights, in each case whether registered or unregistered and including all applications (or rights to apply) for, and renewals or extensions of, such rights and all similar

or equivalent rights or forms of protection which subsist or will subsist now or in the future in any part of the world;

**Nominated Officer** means an individual from one party who has been nominated by that party (and such nomination has been communicated to the other party) in order to make decisions and respond to questions from the other party;

**Requests for Information** shall have the meaning as set out in FOIA or any apparent request for information under the FOIA or the Environmental Information Regulations 2004;

**Services** means any service, product or other offer made or provided to Consumers in conjunction with the HeatSeekers Programme;

**Surveyor** means a professional person or business who promotes the face to face analysis, offer and technical surveying service to the Consumers in support of the HeatSeekers Programme;

**Territory** means the areas agreed with the Authority for the purpose of the HeatSeekers Programme;

**Trademarks** shall mean a trademark and/or trade name, image, branding and or other corporate logo;

**Website** means the website [www.homeheatseekers.co.uk](http://www.homeheatseekers.co.uk);

- 1.2 Unless stated otherwise in this MOU this MOU will not be legally binding on either party.
- 1.3 The parties agree to keep the operation of this MOU under review and will consult when necessary with a view to improving its operation. The MOU may only be amended with the agreement of both parties.
- 1.4 Any reference in this MOU to any provision of a statute shall be construed as a reference to that provision as amended, re-enacted or extended at the relevant time.
- 1.5 Any reference to a clause shall be construed as a reference to a clause to this MOU unless expressly stated to the contrary.
- 1.6 Unless the context otherwise requires, words importing the singular include the plural and vice versa, references to any gender include every gender.

## 2 TERM AND CONTRACT

- 2.1 This MOU shall take effect on the date stated at the start of this MOU and it is intended that the working arrangement set out in this MOU shall remain in force subject to clause 2.2, until [INSERT DATE] unless it is otherwise terminated in accordance with clause 14, or otherwise lawfully terminated.
- 2.2 The parties may seek to extend the duration of this MOU and the terms of this MOU will during any such extension, continue (subject to any variation) to apply.

- 2.3 This MOU will be monitored and reviewed by the parties on a regular basis and may be modified anytime by the agreement of the parties.
- 2.4 Unless stated otherwise this MOU is not intended to create binding contractual or legal obligations on the parties, it is a statement of shared intention to work together in the spirit of co-operation for reducing carbon emissions.
- 2.5 The Authority acknowledges that no form of monetary consideration is involved between the Authority and ESP.
- 2.6 This MOU supersedes any previous memorandum of understanding or letters of intent agreed between the parties, or any such predecessors of the parties.

### **3 THE HEATSEEKERS PROGRAMME**

- 3.1 The HeatSeekers Programme is based around a thermal survey taken by HeatSeekers which can take thermal images of Homes in high volumes in order to analyse the thermal efficiency of such Homes.
- 3.2 HeatSeekers presents a compelling proposition for a Consumer in assessing whether his or her Home is a thermally efficient one and allows the Consumer to see visible details of how he or she can reduce their carbon footprint and the potential cost savings to be made as result of improving the thermal efficiency on his or her Home.
- 3.3 HeatSeekers will not be able to take images of individuals and will not breach any known privacy laws or obligations relating to the Home or Consumer.
- 3.4 HeatSeekers has been developed by the Agent and the Agent has invested significant amounts of time and money into HeatSeekers and the supporting resources in order to ensure the demand for anticipated Services that Consumers may seek can be met. HeatSeekers is currently pending a patent application and all Intellectual Property Rights in relation to HeatSeekers and Confidential Information taken from HeatSeekers belong to the Agent.
- 3.5 ESP and the Authority will meet in order to determine the Territory for the HeatSeekers Programme. The parties will also agree the duration of the HeatSeekers Programme in the Territory and any schedule or timetable or works to be performed either by ESP, the Agent or Authorised Local Professionals.
- 3.6 Once the parties have agreed the Territory and the local area within the Territory to be surveyed, a HeatSeekers vehicle displaying the Trademarks and associated livery of the Authority will undertake a survey of the agreed area in the Territory probably in the period between October and March subject to suitable weather conditions for HeatSeekers to operate in. Once such survey has taken place the Authority will be able to access the details of that survey on the Website strictly for the Authority's own non commercial use. For the avoidance of any doubt any information on the Website is ESP and/or Agent Confidential Information and will be subject to the legally binding confidentiality obligations as set out in this MOU at clause 11.
- 3.7 The HeatSeekers Programme will commence with the initial survey taken by HeatSeekers, an analysis will then be carried out on the Homes surveyed by ESP. The Agent through a Surveyor will then make a house call to the Consumer



explaining the outcome of the survey. With the Consumers permission a full and more detailed survey will then take place followed by booking any relevant Services and thereafter performance of such Services by the Agent or Authorised Local Professional.

- 3.8** Third parties will be invited into the HeatSeekers Programme only with the strict consent of ESP, the Authority and the Agent and no party is to enter into negotiations with any third party with respect to the HeatSeekers Programme without the written consent of all parties.
- 3.9** The overall objective of the HeatSeekers Programme is to promote jointly the need to reduce carbon emissions and home energy costs. In order for that to be successful, this MOU will be underpinned by effective working relationship, networking and mutual trust between the parties.
- 3.10** The Nominated Officers for both parties and any other senior members of both parties will meet periodically, as necessary, to discuss issues of common interest which may include, for example, any further additional services that may be provided by the Agent or Surveyor, agreeing any Authorised Local Professionals, collaborating with each other for future programmes, projects or studies.

#### **4 FUNCTIONS AND RESPONSIBILITIES OF THE AUTHORITY**

- 4.1** The Authority will:
  - 4.1.1** not participate in any other project, study or programme the same as or similar to the HeatSeekers Programme during the period of this MOU.
  - 4.1.2** support and cooperate with ESP during the HeatSeekers Programme by following and abiding by the terms of this MOU.
  - 4.1.3** provide any necessary support and assistance to ESP, its Agent and any Authorised Local Professionals in the performance of the Services.
  - 4.1.4** provide or procure any necessary consents for the Agent, ESP, Surveyor and/or the Authorised Local Professionals to use the Authority's Trademarks during the period of this MOU and the performance of the Services.
  - 4.1.5** provide an electronic copy of their Trademarks to ESP, the Agent and/or the Authorised Local Professionals to allow the HeatSeekers Programme and Services to be promoted to Consumers (whether by ESP or the Agent) in any Consumer facing literature, vehicle displays or other such exposure during the performance of the Services by the Agent and/or Authorised Local Professionals.
  - 4.1.6** provide any guidelines, pantone colour scheme and any other requirements relating to the display of any Trademarks by ESP, its Agent and/or the Authorised Local Professionals in any Consumer facing literature, vehicle displays or other such exposure.
  - 4.1.7** where upon request confirm to all Consumers and any external bodies, organisations, or companies (subject to clause 6) that the Agents and Authorised Local Professionals are the only officially recognised contractors to provide the Services in accordance with the HeatSeekers Programme.

- 4.2** The Authority agrees to provide all necessary consents for ESP or the Agent to display hyperlinks and other such electronic links on any website (owned, licensed by ESP or the Agent) or other electronic information portal so that Consumers may link directly to the Authority's website.
- 4.3** The Authority will ultimately be responsible for costs in respect of all media and public relations work relating to the HeatSeekers Programme that is initiated by (or connected to) the Authority.

## **5 FUNCTIONS AND RESPONSIBILITIES OF ESP**

### **5.1 ESP will:-**

- 5.1.1** take a role in actively promoting and thereafter implementing the HeatSeekers Programme and the Services to Homes in the Territory whether through the Agents, Authorised Local Professionals or otherwise.
- 5.1.2** arrange for every such interested Consumer to be visited by a Surveyor from the Agent to discuss the Services to be provided to the Home.
- 5.1.3** where requested by a Consumer arrange a technical survey of his or her Home, to be carried out in accordance with the HeatSeekers Programme.
- 5.1.4** to ensure that any Services performed by the Agent or Authorised Local Professionals meet any Agreed Standards.
- 5.1.5** to comply with all applicable laws and regulations concerning the conduct of its business and procure the Agent and Authorised Local Professionals to do the same.
- 5.1.6** maintain such policies of insurance as are necessary to cover their liability with respect to any personal injury or death or any loss or injury or damage to any property arising out of or caused by the performance of its obligations under this scheme, and procure the Agent and Local Authorised Professionals to do the same.
- 5.1.7** upon request from the Authority forward a copy of any insurance policy/certificate ESP has pursuant to clause 5.1.6.

## **6 SERVICES**

- 6.1** The majority of the Services will be performed by the Agent due to the investment made by the Agent into HeatSeekers, personnel, materials, machinery and other such resources.
- 6.2** ESP will also refer Services to Authorised Local Professionals where the Authority can demonstrate Agreed Standards can be met through use of such Authorised Local Professionals. For the avoidance of all doubt ESP shall in its absolute discretion determine whether to accept any nomination made by the Authority in respect of Authorised Local Professionals.
- 6.3** Subject to the terms of this MOU the Services shall be performed on a contractual basis between the Consumers, the Agent and/or Authorised Local Professionals and ESP shall have no obligations to the Consumers. Services for Consumers will

be performed on the Agent's or Authorised Local Professionals standard terms and conditions of services.

- 6.4** Any additional or bolt on services other than those specified within the HeatSeekers Programme can be requested by the Authority or Consumer at any point and the Agent will endeavour to accommodate the same. Such services will be subject to the Agents standard terms and conditions.

## **7 PUBLICITY**

- 7.1** Strictly subject to Confidential Information obligations set out below neither party shall make any press announcements or publicise the MOU or any part thereof in any way, except with written consent of the other party, such consent not to be unreasonably withheld or delayed.
- 7.2** A party will refer all enquiries and communications from the press and other media to the other party's Nominated Officer and both parties Nominated Officers shall work together in order to sign-off any press announcements or publicity.
- 7.3** All information provided to the media and publicity concerning the activities under this MOU and those of either party in connection with this MOU must be approved in writing by each party in advance.
- 7.4** Neither party will (subject to consents provided in this MOU) use or adapt the Trademarks of the Authority or any Intellectual Property Rights of ESP without prior written consent.
- 7.5** Neither party will remove deface, alter or adapt any signs, notice boards, plaques or other media/information data sites (including internet and intranet sites) without express permission in writing from the other party.
- 7.6** A party will not be responsible for costs relating to publicity, awareness, marketing campaigns or other such media unless that party has agreed in writing to such an expense prior to such marketing being undertaken.

## **8 INTELLECTUAL PROPERTY RIGHTS**

- 8.1** All Intellectual Property Rights in HeatSeekers, HeatSeekers Programme and any Confidential Information, specifications, instructions, plans, data, drawings, databases, patterns, models or other material:
- 8.1.1** furnished to or made available to the Authority by ESP or the Agent shall remain the property of ESP or the Agent;
- 8.1.2** for the Authority for use, or intended use, in relation to this MOU or any other such agreed purpose shall belong to ESP and the Authority shall not, and shall procure that its employees, servants, agents, suppliers and sub-contractors (including but not limited to the Authorised Local Professionals) shall not, without prior approval, disclose any such Intellectual Property Rights which the Authority may obtain under this MOU except information which is in the public domain.
- 8.2** The Authority shall at the request of ESP afford to ESP all reasonable assistance for the purpose of contesting any claim or demand made or action brought against

ESP or the Agent for infringement or alleged infringement of any Intellectual Property Right in connection with the performance of this MOU.

- 8.3** The provisions of this clause 8 are legally binding and shall apply during the continuance of this MOU and indefinitely after its expiry or termination.

## **9 TRADEMARKS**

- 9.1** ESP acknowledges that the Authority's Trademark shall be and remain the exclusive property of the Authority.

- 9.2** ESP shall do nothing during or after the termination of this MOU which would adversely affect the validity or enforceability of the Trademark.

- 9.3** Upon the expiration or termination of this MOU ESP shall (and shall procure the Agent) to cease any and all display of the Authority's Trademark. ESP also agrees not to register or use any trademark or trade name confusingly similar to the Authority's Trademark nor to use or register any package designs or advertising copy of other indicia of origin associated with the Authority's Trademark.

- 9.4** ESP will immediately bring to the notice of the Authority any improper or wrongful use in the Territory of the Trademark where ESP is aware of such use.

- 9.5** The Authority shall, at the request of ESP, execute such registered user agreements or licences in respect of the use of the Authority's Trademark by ESP or the Agent or Authorised Local Professionals in the Territory as ESP may reasonable require.

## **10 DATA PROTECTION**

- 10.1** The parties shall (and shall procure that any of its Agent, staff) comply with any notification requirements under the Data Protection Act 1998 ("**DPA**") and both parties will duly observe all their obligations under the DPA which arise in connection with this MOU.

- 10.2** Notwithstanding the general obligation in clause 10.1, where the parties are processing personal data (as defined by the DPA) as a data processor the parties shall ensure that they have in place appropriate technical and contractual measures to ensure the security of the personal data (and to guard against unauthorised or unlawful processing of the personal data and against accidental loss or destruction of, or damage to, the personal data), as required under the Seventh Data Protection Principle in Schedule 1 to the DPA;

- 10.3** The provisions of this clause 10 are legally binding and shall apply during the continuance of this MOU and indefinitely after its expiry or termination.

## **11 CONFIDENTIAL INFORMATION**

In consideration of the respective functions and responsibilities of the parties hereunder:-

- 11.1** Each party hereby acknowledges that any and all Confidential Information, data or advice received by it in whatever form from another party whether before or after the date of this MOU relating directly or indirectly to the HeatSeekers Programme is of a strictly confidential nature.

- 11.2** Each party undertakes not to disclose any Confidential Information except in accordance with this MOU; provided that the foregoing provisions of clause 11.1 and the other provisions of this MOU shall not apply to Confidential Information which:-
- 11.2.1** at the time of disclosure is already in the possession of the party to whom it has been disclosed; or
  - 11.2.2** is at the time of its disclosure in the public domain; or
  - 11.2.3** subsequent to its disclosure is lawfully acquired by the party to whom it has been disclosed; or
  - 11.2.4** falls into the public domain otherwise than through any breach of the terms of this MOU on the part of the party to whom it has been disclosed.
- 11.3** Each of the parties undertakes not to use Confidential Information for any purpose other than the HeatSeekers Programme.
- 11.4** Confidential Information supplied or disclosed by a party shall remain the sole and exclusive property of the disclosing party and nothing in this MOU shall operate to transfer ownership of the Confidential Information to the other party.
- 11.5** A party receiving Information (the "**Receiving Party**") shall not disclose Confidential Information to any third party whatsoever without the prior written consent of and subject to such terms and conditions as may be required by the party disclosing the Confidential Information save:-
- 11.5.1** to the Receiving Party's and its Affiliates' respective officers, directors or employees further disclosure to whom is required for the purposes of this MOU;
  - 11.5.2** to any professional consultant or Affiliate provided an acceptable confidentiality agreement has been signed by such professional consultant or Affiliate;
  - 11.5.3** to the extent required by an applicable law provided that written notice of any such further disclosure is given to the party disclosing the Confidential Information as soon as practicable;
  - 11.5.4** in response to a lawful subpoena or other legal process binding on the Receiving Party provided that written notice of any such further disclosure is given to the party disclosing the Confidential Information as soon as practicable; or
  - 11.5.5** in response to the legal obligation to, or binding request or direction of, any government department or government regulatory agency, provided that written notice of any such further disclosure is given to the party disclosing the Confidential Information as soon as practicable.
- 11.6** Each of the Parties shall:
- 11.6.1** ensure that its officers, directors, employees, Affiliates, and professional consultants to whom any Confidential Information is further disclosed shall be made aware of and bound whether directly or indirectly by the provisions of this MOU;

11.6.2 take all reasonable steps to ensure that such persons, Affiliates and professional consultants, comply with the provisions of this MOU.

and the parties shall, and shall ensure that their Affiliates, and professional consultants shall, at the written request of the party originally providing the Confidential Information, forthwith return any Confidential Information provided to that party in a written or other permanent form together with any copies thereof.

11.7 The parties acknowledge that no warranty is given or implied as to the accuracy of any Confidential Information supplied.

11.8 The parties shall not, and shall procure that their Affiliates and professional consultants shall not, make any announcements or press releases in respect of the arrangements between the Parties or any other matters related thereto except as may be mutually agreed by the Parties.

11.9 The provisions of this clause 11 are legally binding and shall apply during the continuance of this MOU and indefinitely after its expiry or termination.

## **12 FREEDOM AND SECURITY OF INFORMATION**

12.1 ESP acknowledges that the Authority is subject to the requirements of the FOIA and the Environmental Information Regulations 2004 and shall assist and cooperate with the Authority (at the Authority's expense) to enable the Authority to comply with these information disclosure requirements.

12.2 ESP shall (and shall procure that the Agent shall):

12.2.1 transfer any Request for Information to the Authority as soon as practicable after receipt;

12.2.2 provide all necessary assistance as reasonably requested by the Authority to enable the Authority to respond to a Request for Information within the time for compliance set out in section 10 of the FOIA or regulation 5 of the Environmental Information Regulations 2004.

12.3 ESP or the Agent will have no obligation to forward any commercially sensitive information to the Authority and ESP shall be responsible for determining at its absolute discretion what constitutes commercially sensitive information.

12.4 In order to ensure that no unauthorised person gains access to any Confidential Information or any data obtained in the performance of this MOU, the parties undertake to maintain good quality security systems.

12.5 The parties will immediately notify each other of any breach of security in relation to Confidential Information and all data obtained in the performance of this MOU and will keep a record of such breaches. The parties will recover such Confidential Information or data however it may be recorded.

## **13 PREVENTION OF CORRUPTION**

13.1 ESP shall (and shall procure the Agent) not to offer or give, or agree to give, to any employee, agent, servant or representative of the Authority any gift or consideration of any kind as an inducement or reward for doing, refraining from doing, or for having done or refrained from doing, any act in relation to the obtaining or

execution of this MOU or any other contract with the Authority, or for showing or refraining from showing favour or disfavour to any person in relation to this MOU or any such contract. ESP acknowledges the criminal offences under the Prevention of Corruption Acts 1889 to 1916.

- 13.2** ESP warrants that it has not paid commission or has agreed to pay any commission to any employee or representative of the Authority by ESP or on ESP's behalf.

## **14 TERMINATION**

- 14.1** Either party may withdraw from this MOU by giving 90 days notice in writing to the other party.

- 14.2** Either party may withdraw from this MOU by giving 30 days written notice to the other party in the event that either party is in breach of its functions/obligations/responsibilities under this MOU and fails to remedy such breach (if capable of remedy) within 14 days after receiving written notice from the other party

- 14.3** The Authority shall be entitled to withdraw from this MOU upon giving ESP 30 days prior written notice or immediately, at any time if:-

**14.3.1** ESP or the Agent shall have offered or given or agreed to give to any person any gift or consideration of any kind inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to this MOU or any contract with the Authority (whether with or without the knowledge of ESP); or

**14.3.2** in relation to this MOU or any contract with the Authority, ESP or person employed by ESP or acting on its behalf shall have committed any offence under the Prevention of Corruption Act 1889 to 1916 or have given any fee or reward of which is an offence under Section 117(s) of the Local Government Act 1972; or

**14.3.3** ESP, the Agent, Authorised Local Professional shall have solicited or accepted any gratuity, tip or any form of money taking or reward collection or charge for any part of the Services other than normal industry standard charges or awards made in connection with the Services.

## **15 COMPLAINTS**

- 15.1** ESP will deal promptly and courteously with any Complaints received from a Consumer regarding any problems arising from Services performed by the Agent or Authorised Local Professionals.

- 15.2** ESP shall ensure that the Agent or Authorised Local Professional shall rectify any defects in the Services or any inadvertent damage to the Consumers Home that occurs during the Services within a reasonable period of time of being reported.

- 15.3** ESP will where requested by the Authority provide details of any Complaints received and the action taken as a result.

## **16 DISCRIMINATION**

**16.1** ESP shall not unlawfully discriminate either directly or indirectly on such grounds as race, colour, ethnic or national origin, disability, sex or sexual orientation, religion or belief, or age and without prejudice to the generality of the foregoing ESP shall not unlawfully discriminate within the meaning and scope of the Sex Discrimination Act 1975, the Equal Pay Acts 1970 and 1983, the Disability Discrimination Act 1995, the Employment Equality (Sexual Orientation) Regulations 2003, the Employment Equality (Religion or Belief) Regulations 2003, the Human Rights Act 1998 or other relevant legislation, or any statutory modification or re enactment thereof.

**16.2** ESP shall take all reasonable steps to secure the observance of clause 16.1 by the Agent, Local Authorised Professionals, all servants, employees or other agents of ESP and all suppliers and sub-contractors employed pursuant to this MOU.

## **17 ENVIRONMENTAL & SAFETY REQUIREMENTS**

**17.1** ESP shall procure that the Agent and/or the Authorised Local Professionals will whilst performing the Services conserve energy, water, wood, paper and other such resources, reduce waste and phase out the use of ozone depleting substances and minimise the release of greenhouse gases, volatile organic compounds and other substances damaging to health and environment.

**17.2** ESP shall procure that the Agent and/or the Authorised Local Professionals shall comply with any health and safety measures implemented by the Authority and communicated to ESP.

## **18 PARTNERSHIP**

**18.1** The parties agree that nothing in this MOU is intended to or shall constitute a partnership, joint venture or similar relationship between the parties who are in all respects independent, and neither party shall have the power to obligate or bind the other in any manner whatsoever.

**18.2** This MOU is intended to serve only as a mutual expression of the parties intentions with respect to the HeatSeekers Programme and unless stated otherwise is intended to be a legally binding contract or commitment.

**18.3** Neither party has any authority whatsoever to act as an agent or representative of the other, nor has either any authority or power to contract for, or create or assume any obligation or liability in the other's name or on behalf of the other or otherwise bind the other in any way for any purpose, nor shall either party hereto represent to any third parties it possesses any such authority to bind the other party.

## **19 FURTHER ASSURANCE**

The parties shall promptly execute and deliver all such documents and do all such things as may from time to time be reasonably necessary for the purpose of giving full effect to the provisions of this MOU.



**20 WAIVER**

No failure by the parties to exercise or delay in exercising any provision of this MOU constitutes a waiver of such provision or shall prevent any future exercise in whole or in part.

**21 APPLICABLE LAW**

This MOU shall be construed in accordance with and governed by the law of England and Wales and both parties hereby irrevocably agree that the Courts of England and Wales shall have exclusive jurisdiction to resolve any controversy or claim of whatever nature and to settle any dispute arising out of or relating to this MOU or any alleged breach of it.

**22 ASSIGNMENT**

**22.1** The agreements reached between the parties pursuant to this MOU shall continue for the benefit of their respective successors and assigns.

**22.2** Neither party shall assign delegate or sub-contract the whole or any part of this MOU or any of its rights or obligations under it without the prior written consent of the other party.

**23 NOTICES**

Any notice or other communication given under this MOU will be in writing and will be delivered personally or sent first class post or by facsimile to the recipient's address set out at the start of this MOU or to any other address which the recipient has notified in writing to the sender.

Each party hereby confirms its agreement to the terms contained in this MOU.

**SIGNATURES**

[            ] Authority

Energy Savings Partnership Ltd.

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Mark Group Limited

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

HeatSeekers Logo

Dear Resident

We are pleased to introduce HeatSeekers, a scheme managed by the Energy Saving Partnership which aims to assist residents identify and install energy efficiency measures.

Cambridge City Council is pleased to support this privately run scheme. Insulation will help residents to reduce their energy bills, help vulnerable residents who may struggle to heat their properties, and it will help to reduce carbon dioxide emissions from Cambridge homes.

HeatSeekers use thermal imaging technology to identify homes that may benefit from improved insulation. The HeatSeeker vehicle has been working in your area and in the next few days our sister company and insulation provider, the Mark Group, may call to discuss the benefits of improving the energy efficiency of your home and offer grant assisted loft and cavity wall insulation.

This scheme is entirely optional. If you do not want to receive a call to discuss the findings of the thermal image you can simply inform the surveyor or call HeatSeekers Opt Out in advance on **Freephone 0800 111 4968** or email [example@markgroup.co.uk](mailto:example@markgroup.co.uk)

Once a surveyor has called you will be informed of potential insulation improvements that can be offered and the cost, which could be free in certain circumstances\*. It will be for you to decide whether you wish to take up the offer.

The thermal image acquired is of the outside of the building. It is not conclusive in every instance as the heating may not be on, or results may be affected by weather conditions. Residents may still be offered a visit even though it appears they have a well-insulated house.

Any information given remains confidential between the Council and HeatSeekers under the Data Protection Act. All Mark Group surveyors will carry photographic ID.

If you would like further information on the scheme, please call HeatSeekers on **Freephone 0800 111 4968** or go to [www.cambridge.gov.uk/heatseekers](http://www.cambridge.gov.uk/heatseekers). If you would like to verify the authenticity of this scheme, please contact Cambridge City Council's Customer Services Department on 01223 457000.

**For the majority of people the best time to buy grant assisted insulation is now. Government are set to change the way funding is offered, which could mean more cost to the homeowner, so apply for a grant now.**

Yours sincerely

The HeatSeekers Team

*\*There are other suppliers of insulation available and you may wish to seek alternative quotes.*



Mark Group Logo

ESP Logo

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**RISKS FOR HEATSEEKERS PROJECT**  
**DEPARTMENT Environment**

	Financial	Equalities / Social Exclusion	Equalities / Social Exclusion	Equalities / Social Exclusion	Governance	Partnership	Reputational	Reputational	Reputational
KEY FIELDS	FIN	ESE	ESE	ESE	GOV	PRT	REP	REP	REP
Date Risk Identified (or none identified)									
Risk	Loss of CERT Funding	Scheme unable to reach fuel poor	Fuel poor residents are being found with poor thermal images but no action taken	Scheme not reaching all ethnic groups especially those whose first language may not be English	Personal data being wrongly used or concern about personal data being wrongly used	Information discovered about illegal practices within property. Such as growing drugs	Hard selling on behalf of surveyors alienating residents to the Council	City Council may be seen as less than impartial in that we would work with one company	Residents concerns over photographic intrusion, infrared images
Cause	The funding is stopped by Government through overspend or scheme being cancelled.	Vulnerable residents inadequately targeted or do not take up the scheme.	Image is taken which appears to show a well insulated property . Image may be due to no heating of the property	Language issues not addressed as part of the scheme	HeatSeekers will be recording addresses and thermal images linking the data to addresses. Financial information and house construction information will be held for those that accept surveyors visits	Thermal images could potentially identify high energy loss due to high temperatures in houses used to grow drugs.	No clear guidelines from Council on expectations	Partnership with single private company	Residents uninformed of how the scheme works and the reasons we are promoting it. Concerns about privacy
Page 55 Consequence	Insulation grants no longer on offer, scheme take up minimal	Scheme does not help the groups that need it most. Fuel poor residents continue to pay higher bills than needed	Fuel poor may get missed from surveyor visit and help.	Non English speakers could loose out. Plus reputational damage	Residents could be put at risk regarding data protection	Clear procedures would need to be established as to how and when it would be appropriate to liaise with the police	Reputation of City Council and scheme could be affected, bad publicity	Reputation and confidence of City Council could be affected	Scepticism in the scheme by residents and concerns over intrusion into personal space
Control Descriptions	Government has said scheme will run until Dec 2012 and currently installers do not see this funding running out. However control is outside the Council	Council held data on deprivation to be supplied to HeatSeekers so they visit areas with high likelihood of vulnerable residents first.	A visit offer letter is sent out to households where a property appears to be well insulated. The letter explains that further insulation work may be required and encourages further contact	All of the city will be offered the service with no exclusion. Letters to include standard phrases that offer translation of letter in a number of languages.	Thermal image data will only be shared between CCC and HeatSeekers. Any financial information will be held in confidence between HeatSeekers and the resident. Building information will only be shared with the Council with the consent of resident.	To comply with data protection the information is kept only between CCC and HeatSeekers. However may need to liaise with the Police in extreme case.	Agreement in place on operation of survey and surveyors including complaint resolution procedures	Clear marketing to promote; the relationship between the two organisations, and availability of other installers to be specified in correspondence	Clear marketing to promote scheme and process. FAQ's on website. Residents able to meet HeatSeekers and see equipment.
Head of Service	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally
Risk Owner	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith
Likelihood	1. Little Chance	2. Some Possibility	2. Some Possibility	1. Little Chance	1. Little Chance	1. Little Chance	1. Little Chance	1. Little Chance	2. Some Possibility
Impact	3. Noticeable Effect	1. Virtually No Impact	2. Some Limited Disruption	1. Virtually No Impact	3. Noticeable Effect	1. Virtually No Impact	2. Some Limited Disruption	3. Noticeable Effect	2. Some Limited Disruption
Likelihood Score	1	2	2	1	1	1	1	1	2
Impact Score	3	1	2	1	3	1	2	3	2
Risk Residual Score	3	2	4	1	3	1	2	3	4
Risk Clasification	Low	Low	Low	Low	Low	Low	Low	Low	Low

**RISKS FOR HEATSEEKERS PROJECT  
DEPARTMENT**

	Reputational	Reputational	Reputational	Reputational	Reputational	Reputational
KEY FIELDS	REP	REP	REP	REP	REP	REP
Date Risk Identified (or none identified)						
Risk	Residents feel they are being pushed into the scheme against their will.	Fear that images could identify residents	Damage to householders person/property when surveying/installing	Long term damage appearing to property some time after installation	Risk if residents paid for work in advance and would see a loss	Cambridge City Council could be liable for outstanding work/damages
Cause	Images are taken automatically. Visits are then offered to the resident through a letter.	Thermal images are taken of property	Poorly trained surveyors/installers damaging property when surveying/installing insulation. Inadequate HSW risk assessments	Faults occur in property as a result, or believed to be as a result of measures being installed	Company may cease trading with outstanding work or money owed.	HeatSeekers may cease trading or memorandum of understanding makes CCC liable
Consequence	Lack of uptake in scheme and reputation of Council affected. Could lead to complaints to Councillors, Ombudsman and lack of confidence in the Council	Fear of personal intrusion into private life	Damage would mean work would need to be rectified. Potential bad publicity	Claim for damage and or repairs work. Potential bad publicity and loss of reputation.	Residents left with part finished or unfinished work. Financial loss if they pay in advance	CCC could potentially incur additional costs. Reputational damage being associated with a failed company/scheme
Control Descriptions	Clear marketing from the start. Residents will receive letter before visit to allow them to opt out of a visit at any point.	Thermal images are taken which will show heat loss only, no photographic images are taken. The image is linked to GPS position/location.	All work is covered by installers insurance. Installer has experience in dealing with past issues. Trained staff up to various accredited standards. CCC could offer to mediate in appropriate cases	Installer member of trade associations covered by guarantees which provides financial cover and arbitration schemes	If insulation work has not been carried out this can be referred to another installer. Payments are made after insulation work is completed so residents should not be left with money paid and work outstanding.	Any outstanding work could be referred to another installer, plus work is covered by CIGA guarantee. Agreement between CCC and HeatSeekers must state CCC are not liable for any associated work or issues.
Head of Service	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally	Jas Lally
Risk Owner	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith	Justin Smith
Likelihood	1. Little Chance	1. Little Chance	1. Little Chance	1. Little Chance	2. Some Possibility	2. Some Possibility
Impact	2. Some Limited Disruption	1. Virtually No Impact	2. Some Limited Disruption	2. Some Limited Disruption	1. Virtually No Impact	2. Some Limited Disruption
Likelihood Score	1	1	1	1	2	2
Impact Score	2	1	2	2	1	2
Risk Residual Score	2	1	2	2	2	4
Risk Classification	Low	Low	Low	Low	Low	Low

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## HeatSeekers List of Local Authorities.

1. Aberdeen City Council
2. Allerdale Borough Council
3. Angus Council
4. Ashfield District Council
5. Ashford Borough Council
6. Bath and North East Somerset Council
7. Birmingham City Council
8. Blaenau Gwent County Borough Council
9. Bolsover Borough Council
10. Bury Council
11. Canterbury City Council
12. Charnwood Borough Council
13. Colchester Borough Council
14. Croydon Council
15. Doncaster Council
16. Dover District Council
17. East Dunbartonshire Council
18. East Hampshire District Council
19. East Lothian Council
20. Eastbourne Borough Council
21. Elmbridge Borough Council
22. Fareham Borough Council
23. Fife Council
24. Forest Heath District Council
25. HEEP Brentwood\*
26. HEEP Broxbourne\*
27. HEEP Chelmsford\*
28. HEEP East Herts\*
29. HEEP Epping Forest\*
30. HEEP Harlow\*
31. HEEP Hertsmere\*
32. HEEP North Herts\*
33. HEEP Stevenage\*
34. HEEP Uttlesford\*
35. HEEP Watford\*
36. HEEP Wellwyn and Hatfield\*
37. Haringey Council
38. Hart District Council
39. Horsham District Council
40. Ipswich Borough Council
41. Isle Of Wight Council
42. Knowsley Metropolitan Borough Council
43. Maidstone Borough Council
44. Merthyr Tydfil County Borough Council
45. Mid Suffolk District Council
46. Mid Sussex District Council
47. New Forest District Council
48. North West Leicestershire District Council
49. Oldham Metropolitan Borough Council
50. Reading Borough Council

51. Redditch Borough Council
52. Reigate and Banstead Council
53. Rochdale Metropolitan Borough Council
54. Salford City Council
55. Sedgefield District Council
56. Sevenoaks District Council
57. St Edmundsbury Borough Council
58. Suffolk Coastal District Council
59. Tameside Metropolitan Borough Council
60. Tamworth Borough Council
61. Tandridge District Council
62. Trafford Borough Council
63. Warrington Borough Council
64. Waveney District Council
65. Waverley Borough Council
66. Winchester City Council
67. Wolverhampton City Council
68. Wyre DC

\*HEEP is the Herts Essex Energy Partnership which is a partnership between Councils across Hertfordshire and Essex to provide Government funded grants to help private residents.



## **Briefing – HeatSeekers Proposal 20<sup>th</sup> July 2011**

Following a presentation to Councillors prior to the Community Services Scrutiny Committee, there were a number of concerns raised concerning the proposed HeatSeekers project. At the presentation it was felt further clarification was needed before the project could be given the approval to be carried out this year. The following briefing hopes to address any concerns and inform all Councillors how local residents will be protected as part of the proposed scheme. For this briefing I have contacted other local authorities and conducted research to offer a full response to these issues.

### **Executive Summary**

We believe there are significant benefits to this project that meets the Council's objectives regarding climate change, but more importantly it will also help residents to save money and to reduce fuel poverty within the city. With the introduction of the Green Deal next year there is an important time issue to this project, where to maximise the use of current funding, the HeatSeekers scheme needs to be introduced this year.

This project offers a new approach to promoting energy efficiency and making contact with residents, but also an opportunity to collect data to effectively target future work. The team of trained surveyors means direct contact can be made with residents and is a resource that we would not be able to match by ourselves. There are risks with any partnership working, including the potential to raise data protection concerns, but we believe we can manage these risks and this project could play a significant role in delivering improvements and helping to shape further work within Cambridge.

### **Overview**

Energy Saving Partnership (ESP) is a company who has worked with around 60 Local Authorities to use thermal imaging technology to identify homes that may benefit from improved insulation under their Heatseekers project. ESP have specially equipped vehicles that take thermal images of homes during evenings in the winter months to identify those homes showing heat loss through poorly insulated walls and lofts.

A team of surveyors then follow up these properties equipped with the personalised thermal images of each home requiring insulation. The resident is provided with insulation advice, and if requested a survey can be carried out on the properties with a quotation issued. An installation is booked there and then and managed through to completion. Work is carried out by their insulation contractor, the Mark Group.

Energy Saving Partnership would like to work with Cambridge City Council (CCC) to deliver the HeatSeekers project in Cambridge. This agreement would require the endorsement of CCC through joint promotion and the use of its logo to increase the potential success of the scheme. There is no financial agreements with the company, it is only partnership work for an agreed period of time. In return we not only hope to assist residents to save money and have a warmer home, but to collect data to allow CCC to provide further assistance in the future by targeting the Governments Green Deal.

It is proposed that a Memorandum of Understanding be agreed and signed by both organisations before the project is started.

### **Benefits**

Agreeing to work with Energy Saving Partnership brings a number of key long and short term benefits to Cambridge City Council and local residents.

- This scheme will increase the uptake of grant assisted energy efficiency measures in Cambridge, and as a result:
  - Enable residents to save money on their fuel bills.
  - Reduce the number of residents living in fuel poverty.
  - Reduce Cambridge City's carbon dioxide emissions
- Local residents can take advantage of Carbon Emissions Reduction Target (CERT) funding while it is still available. CERT may offer a more cost effective solution than the proposed Greed Deal solutions, and with the Green Deal being introduced Autumn 2012 it is important residents make the most of CERT funding now.
- The thermal images give residents a new opportunity to understand how heat loss occurs in their property and how to do something about it.
- The surveys allow Cambridge City Council to access housing data which it has not had in the past. This data can be used for targeting current schemes but also for the future when we are expecting to take a strategic role to target the Green Deal.
- A partnership with an installer means we know exactly where insulation measures have been installed and we can give residents greater confidence in the organisation that will carry out this work, especially if they know the City Council will be continually monitoring.
- The project offers residential contact on a scale we could not provide alone at a time where we need to prepare ourselves for the Green Deal. This is provided at no cost to the local authority.

### **Qualifications**

Mark Group (MG) is a national company, with over 1,400 employees that can provide 'whole house' solutions to energy-efficiency. Founded in 1974, Mark Group has already helped to make more than two million homes more energy-efficient, currently installing around 6,000 insulation measures every week

The Mark Group is the insulation contractor for this project and they hold membership and accreditations for a number of bodies. Those relevant to this project are:

- British Board of Agrément (BBA)
- National Insulation Association (NIA)
- Association for the Conservation of Energy
- Cavity Insulation Guarantee Agency (CIGA)
- BS EN ISO 9001 Quality Assurance

Mark group has other memberships that are available on request.

### **Guarantees of work**

- All Mark Group installing technicians are trained and certificated by the British Board of Agreement.
- Cavity wall insulation is covered by the 'CIGA' guarantee, which guarantees workmanship and materials for 25 years. (Mark Group with apply for it on the

resident's behalf and it will be sent to the resident direct from CIGA. It can take up to 8 weeks for this to be delivered after installation.)

- Loft insulation carries a statutory manufacturer's guarantee.

### **Funding Available**

The funding available through ESP and MG is based on grants provided by the Government through the energy companies under the CERT funding scheme. These are available to all homeowners, private landlords and tenants and are the standard grants available through all installers. As installers costs vary there can be slight differences in the prices charged by each installer. We make residents aware of this and encourage them to seek alternative quotes. For Mark Group,

- Priority Group residents (those over 70 or on certain benefits) can receive cavity wall insulation and loft insulation (where existing is under 60mm) at no cost (subject to survey).
- In all other cases cavity wall insulation is £149. Loft insulation (where existing insulation is under 60mm) is £169, and other loft insulation top ups are £199. (All subject to survey).

All these prices are subject to survey as other factors such as property size and existing insulation can vary the cost.

'Warmfront' eligible customers in need of insulation measures are processed directly through Mark Group using existing Mark Group CERT funding. Any requirement for other measures is referred to Warmfront. This has the effect of maximising the full £3500 that is available through the Warmfront scheme for more expensive measures, such as heating systems etc.

### **References**

I have contacted three Local Authorities for feedback and advice on the scheme. These local authorities were Colchester Borough Council (CBC), East Herts District Council (EHDC) and Hart District Council (HDC).

All work was carried out last year with the Colchester and Hart projects still on going.

The feedback was generally positive from all three local authorities. All reported that the project delivered what was expected with large numbers of properties being insulated.

Current installation figures are:

Colchester Borough Council	192 lofts and 274 cavity walls
East Herts District Council	Over 1200 properties insulated
Hart District Council	806 properties insulated to date

There were a couple of issues raised about the project itself. EHDC felt the images did not truly reflect the heat loss of a property. We agreed this was an inherent issue with thermal imagery but this did not stop the image from being used as a useful promotion tool. HDC felt that there was not enough clear information from the HeatSeekers team about the areas they were working on and they were hesitant to supply address details of where measures had not been taken up. This is something we would need to clearly request in the Memorandum of Understanding.

Regarding the quality of insulation work and any complaints, CBC had no complaints about the quality of work and HDC said there was a very low level of complaints.

EHDC reported that work was carried out to a good standard. There was one case where there was a serious complaint where the work was not done as expected and the same resident made complaints about damage to a conservatory. Mark Group acted quickly and the resident was compensated, although the resident was seeking greater compensation. 4 further minor issues were sorted satisfactorily.

All local authorities reported that issues were dealt with effectively.

Finally, I asked for any recommendations if CCC were to proceed with this project. CBC and EHD both suggested that we need to be very clear from the outset what we want out of the project in terms of feedback, data and additional services.

I have copies of the agreed Memorandum of Understanding's for both CBC and HDC and we can use these as a starting point for ours.

### **Residents Associations**

I contacted the same local authorities to obtain a contact for local residents associations (RA) and to see if the RA's were ever consulted about the project and if any issues have been raised.

EHDC never spoke directly with a RA and never received any feedback from them. They did however notify all councillors of the scheme but again have never received any complaints from Councillors.

I have spoken to a number of contacts at CBC. The Community Welfare Co-ordinator who ran the HeatSeekers scheme was not aware of any complaints from residents. I also spoke to the Co-ordinator of the Community Development Team who co-ordinates the Neighbourhood Action Panel's (NAP's). The NAP's include representatives from local community, residents associations and statutory groups but there were again no reported issues for HeatSeekers. Finally I have also spoken to the Chair of the Colchester Federation of Residents Associations, she was aware of the scheme but no issues surrounding HeatSeekers has ever been reported to her.

### **Internet Search**

I have conducted an internet search for Energy Saving Partnership Ltd, HeatSeekers and the Mark Group to identify any recorded issues and complaints.

There are no recorded issues with Energy Saving Partnership Ltd from my search.

There is a news article from the Herts and Essex Observer that reports of 'hard sell tactics' on the part of HeatSeekers. In this case, an insulated property was visited to offer insulation and it is reported the surveyor admitted he was calling on every house in the neighbourhood. There newspaper raises questions regarding the relationship

between the local authority and the private company delivering the scheme, which had to be clarified.<sup>1</sup>

There are a number of websites relating to the Mark Group.

- The reviewcentre.com has 194 reviews of the company with mixed responses. Overall the rating given by these reviews is 3.5 stars out of 5.<sup>2</sup>
- Canyoutrustthem.com has 8 reviews, 1 review recommending the company and 7 complaints. The complaints range from missed appointments, not following customer requests, not bringing the right equipment, damage to the property and data protection.<sup>3</sup>
- Snagging.org has a short forum thread about one particular case where a loft installation was not completed.<sup>4</sup>
- Express.co.uk has an article which explains the case of a Mark Group Insulation where an appointment was missed and Mark Group failed to organise a parking permit. It was later reported that in all cases, it is the responsibility of the resident to obtain any permits.<sup>5</sup>

### **Data Protection**

Data protection would be a significant concern for a project such as this and there are a number of items that would need to be clarified to help protect residents in the case of the images that are taken and the potential sharing of data.

The proposed Memorandum of Understanding states the following:

- All images and associated information must remain confidential between both parties.
- Both parties agree not to use confidential information for any purpose other than the HeatSeekers programme.
- Neither party will disclose confidential information to third parties without prior written agreement.

With respect to the image taken of the property, the HeatSeekers website states "The only purpose of the system is to assist householders in improving the energy efficiency of their homes. The system cannot see through walls or windows. The image is not a photograph it is only a thermal image of the property, therefore your privacy will not be invaded. No details of the homeowner or tenant are captured during the scanning process."<sup>6</sup>

Waverly Borough Council has a very competent FAQ on their HeatSeekers scheme, published on their website, with many items we may want to adopt to safeguard the public and offer confidence.

"Is my privacy being invaded?"

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<sup>1</sup> <http://www.hertsandessexobserver.co.uk/Dunmow-Stansted/Uttlesford-Heatseekers-project-slammed-for-hard-sell-tactics.htm>

<sup>2</sup> <http://www.reviewcentre.com/reviews238177.html>

<sup>3</sup> [http://www.canyoutrustthem.com/index.php?go=quick\\_search&keyword=mark+group](http://www.canyoutrustthem.com/index.php?go=quick_search&keyword=mark+group)

<sup>4</sup> <http://forum.snagging.org/snagging-general/679-mark-group-mark-insulations.html>

<sup>5</sup> <http://www.express.co.uk/posts/view/76829>

<sup>6</sup> <http://www.homeheatseekers.co.uk/faq/>

The thermal image is purely of the outside of the building. In no way can the cameras see into your home. Your data is looked after according to the Data Protection Act and is not shared outside of Waverley Borough Council or Heatseekers.

What about safety and security?

- Visits from Heatseekers' surveyors will only be made after an introductory letter from Waverley and Heatseekers has been sent out.
- All Heatseekers staff will carry photographic identification.
- Waverley will have a list of the surveyors visiting homes. If you receive a visit from a surveyor and would like to verify their authenticity, please contact Waverley's Communications Team on 01483 523344 or 01483 523044.
- Please do not allow anyone into your home claiming to be from Heatseekers unless you feel comfortable doing so, they show their identity card and you have received a letter from Heatseekers saying that they will be visiting you.

Is the work carried out by authorised staff?

Yes, all work carried out will be guaranteed and completed by qualified trades people.”<sup>7</sup>

In addition to the website we should also include a sentence on any letters sent to residents to clarify these issues.

One example from the Island Insulation Scheme states:

“Any information given remains confidential between the Council and Heatseekers under the Data Protection Act. All Heatseekers surveyors and Mark Group advisors will carry photographic ID and you will be provided with a Council Contact number if you wish to confirm their identity.”<sup>8</sup>

## **Recommendations**

We understand that partnering with any company can offer a risk, but with systems and agreements in place we can ensure the scheme is managed effectively with little risk to residents. The research conducted shows that there has been reported various problems in the past but the local authorities I have spoken to have still been positive about the scheme and they have seen measurable improvements from the work.

Therefore if we would to proceed with this project I would recommend the follow actions and agreements.

### **Scheme Promotion**

- Pre-scheme marketing to be carried out to raise residential awareness and confidence. This can include article in Cambridge News, Cambridge Matters, press releases including photo shots with councillors and vehicles, an 'open day' in the city centre where residents can see the vehicle up close and ask questions about the project.

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<sup>7</sup> [http://www.waverley.gov.uk/info/200105/climate\\_change/860/heatseekers](http://www.waverley.gov.uk/info/200105/climate_change/860/heatseekers)

<sup>8</sup> [http://www.bradingtoncouncil.org.uk/userfiles/insulation%20scheme%20letter\\_doc.pdf](http://www.bradingtoncouncil.org.uk/userfiles/insulation%20scheme%20letter_doc.pdf)

- Dedicated web page to be produced with an FAQ section to include contact telephone numbers in case of enquiry. This webpage can also include directions to the Energy Saving Trust for independent energy efficiency advice.
- All letters sent to residents to include CSC telephone number with CSC being equipped with FAQ's to field residents enquiries. This could also include a list of surveyors to enable CSC to confirm the identity of surveyors.
- All letters to also include the follow statement. "Please note, there are other providers of insulation available and the insulation offered here may not be the cheapest available. We would recommend obtaining at least 3 quotations to compare cost. See our website [www.cambridge.gov.uk/heatseekers](http://www.cambridge.gov.uk/heatseekers) for more information"

#### Memorandum of Understanding

A full memorandum of understanding should be agreed between ESP and CCC prior to the project commencing. This document will be referred to the City Councils procurement and legal team for agreement. Significant items to be included should be as follows: (Draft version of this document is available on request)

- The reputation of the Local Authority (CCC) could be damaged if the conversations between surveyors and residents was perceived by the resident to be "hard-selling". To avoid this, ESP will ensure all staff communicating with residents do not apply pressure.
- If CCC receive complaints from residents regarding hard selling, ESP and CCC will meet to address the issue. If agreement cannot be reached, CCC may ask ESP to remove reference to CCC support from literature and conversations with residents.
- All marketing and publicity of the project is to be agreed by both parties before the commencement of such marketing
- The Local Authority will not undertake any similar thermal imaging schemes throughout the duration of this project, although it is understood that CCC do operate their own handheld thermal imaging camera and will promote other insulation projects in their district.
- CCC takes no liability for any of the work or activity of the Contractor
- Regular meetings will take place to update CCC on progress of the scheme and to address any issues.
- CCC to have access to data to inform us of properties being thermal imaged, properties being surveyed, properties that have been insulated and properties where insulation has not taken place but is required.

- Additional CCC information may be included in the information packs distributed by surveyors. Surveyors may also be asked to complete a CCC survey form at each property visited.
- Following thermal imaging ESP's agent, The Mark Group will engage with Households to provide loft and cavity wall insulation. Other services of Mark group may be notified but not pushed.
- Both parties agree not to use confidential information for any purpose other than the HeatSeekers programme.
- Neither party will disclose confidential information to third parties without prior written agreement.

#### Further recommendations

- In certain circumstances surveyors may arrange to visit properties where the thermal image appears to show a well-insulated property. This may be due to other factors such as:
  - heating not being on,
  - residents being away,
  - resident is suffering from fuel poverty and is unable to adequately heat the property.
- We propose that all residents will receive a letter prior to a surveyors visit with the option to opt out of the visit if they so wish. If requested this can be change so residents have to request the visit, however we believe this would significantly reduce the schemes effectiveness.
- HeatSeekers will refer to other installers if requested, however an agreement would have to be put in place and other installers will have to be identified.

Justin Smith, Home Energy Officer



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(12) **UK Patent**

(19) **GB**

(11) **2459918**

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(56) Documents Cited:  
**WO 2009/074783 A1** **WO 2006/090132 A3**  
**US 20080265162 A1**  
**Real-time thermal imaging of poorly insulated**  
**homes**

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Other: **Online: WPI, EPODOC**  
updated as appropriate



The following terms are registered trademarks and should be read as such wherever they occur in this document:

FLIR Systems

## THERMAL IMAGING

The invention relates to methods and apparatus for automated thermal imaging, and in particular to ground-based thermal imaging for assessment of the thermal insulative properties of buildings.

5

Thermal imaging is a known non-contact technique for rapidly assessing the external temperature of an object. Cameras capable of taking images in the infrared region are widely available, and are typically capable of providing an output in the form of a digital signal.

10

It is known to provide aerial thermal imaging maps, for example to provide an overview of heat emitted over a broad area such as over a built-up area or to identify locations of raised temperature. Individual areas, objects, people or buildings can be readily identified using various techniques involving the use of aerial thermal imaging. For mapping purposes, a thermal image can be overlaid against a known map to identify and locate relevant locations or buildings for further investigation.

15

It is also known to thermally image buildings from ground level, for example to assess their insulative properties and for other purposes such as to determine water leaks or electrical faults.

20

A problem with existing solutions, however, is that aerial imaging is expensive, and may not be possible in certain locations or during certain times. Such imaging by its nature also only provides a broad view of an area, and cannot typically provide information regarding side walls of buildings, only roofs.

25

A further problem is that, although thermal imaging of individual buildings can be quick, assessment of many buildings is time consuming and the quality of the results can be dependent on the operator.



30

It is accordingly an object of the invention to overcome the aforementioned problems with previous solutions in determining insulative properties of buildings.



35

In accordance with a first aspect of the invention, there is provided a computerised method for automatically determining thermal insulation properties of a plurality of buildings, the method comprising, for each building:

acquiring a location from a position sensing unit;  
determining the location of the position sensing unit in relation to the building;  
acquiring a thermal image of an exterior view of the building;  
processing the image to identify an area of the building; and

5 providing an output file comprising the location of the building and indications of the insulation properties of the area of the building,

wherein the steps of acquiring the thermal image and processing the image are automatically triggered for each of the plurality of buildings by the step of determining the location of the position sensing unit in relation to the building.

10 The invention according to the first aspect may include one or more of the following advantageous features.

The output file may comprise the processed image and address information derived from  
15 the acquired location, thus enabling a ready assessment of the building's insulation to be made.

The method is repeated for the plurality of buildings, and an output file provided for each building. The method thereby enables a large number of buildings to be automatically  
20 assessed in quick succession.

In accordance with a second aspect of the invention, there is provided a vehicle comprising an apparatus for automatically determining thermal insulation properties of a plurality of buildings, the apparatus comprising:

25 a position sensing unit for acquiring a location of the vehicle;  
a thermal imaging camera for acquiring a thermal image of an exterior of the each

building;  
a computer connected to the position sensing unit and thermal imaging camera, the computer being configured to:

- i) acquire a location of the vehicle from the position sensing unit;
- ii) determine the location of the vehicle in relation to each of the plurality of buildings;
- iii) acquire a thermal image of an exterior view of each building from the camera;
- iv) process the image to identify one or more areas of each building; and
- iii) provide an output file comprising indications of the insulation properties of the one or more areas of each building,

wherein the computer is configured to automatically acquire and process thermal images of each of the plurality of buildings while the vehicle is in motion using location information provided by the position sensing unit, the steps of acquiring the thermal image and processing the image being automatically triggered for each of the plurality of buildings by location information provided by the position sensing unit.

The invention according to the second aspect may include one or more of the following advantageous features.

The computer may be configured to provide an output file comprising one of more indications of an area of the building deficient in insulative properties.

The vehicle (e.g. a van) may be equipped with one or more thermal imaging cameras. The vehicle may comprise a left-facing and a right-facing thermal imaging camera, each camera being connected to the computer (or to respective computers) for providing thermal images of buildings on the left and right sides of the vehicle.

The invention will now be described by way of example, and with reference to the enclosed drawings in which:

figure 1 shows a schematic diagram of a computerised apparatus configured to acquire and process thermal images of buildings;

figure 2 shows a schematic plan view of a vehicle comprising the apparatus of figure 1 in position adjacent a building;

figure 3 shows a flow diagram of a method according to an aspect of the invention;

figure 4 shows an exemplary output file;

figure 5 shows a further exemplary output file showing a roof area identified as being deficient in insulation; and

figure 6 shows a further exemplary output file showing a roof area and wall area identified as being deficient in insulation.

5

Figure 1 illustrates schematically an apparatus 100 for implementing the invention. A computer 110 is connected to a thermal imaging camera 120, a positioning unit or location sensor 130 and a temperature sensor 140. The computer 110 may, for example, be a laptop (or notebook) type computer, or any other type suitable for mobile applications. A compact PXI-type computer is envisaged to be particularly suitable due to the ability to readily interface with other instrumentation and equipment.

The location sensor 130 preferably utilises GPS (Global Positioning System) to determine its location, although other means for determining location may alternatively be used, such as triangulation of ground-based radio signals or other satellite-based positioning systems, for example the forthcoming European Galileo satellite system, which is predicted to offer increased accuracy over the existing GPS, at least for non-military applications.

The thermal imaging camera 120 should be at least capable of accurately measuring temperature over a range of expected external ambient temperatures, such as within the range of -10 to +40°C, and is preferably able to detect temperature variations of around 1°C or less. The camera determines the temperature by recording wavelengths within a portion of the infrared part of the electromagnetic spectrum, e.g. within the range of 5 to 15 µm. An example of a suitable camera is the A40 type compact infrared camera available from FLIR Systems, which is capable of detecting infrared radiation over the range 7.5 to 13 µm.

The temperature sensor 140 may be a thermocouple or thermistor, which is connected to the computer for example by means of a sensing unit configured to provide a temperature reading to the computer 110.

The computer 110 is configured to communicate bi-directionally with the thermal imaging camera 120 and the location sensor 130, so as to issue controls and receive signals from each unit. Communication may be made by means of IEEE-1394, Ethernet or other types of wired or wireless links. Each thermal image from the camera 120 may be shown on a

screen 111 of the computer 110 as it is acquired, or as part of a post-acquisition routine to review acquired images. Alternatively, the images are stored on a data storage medium on, or connected to, the computer 110 for future use.

5 In a preferred embodiment of the invention, the apparatus 100 is installed in a vehicle 200, as shown schematically in plan view in figure 2. The thermal imaging camera 120, which may be mounted external to the vehicle or within the vehicle behind a transparent window, is directed away from a side of the vehicle 200 to point towards a building 250. The camera 120 captures a thermal image of the walls of the property 250 and of any visible  
10 roof area. To allow for images to be acquired from both sides of the vehicle at the same time, thermal imaging cameras may be mounted on both the left and the right sides of the vehicle 200, and controlled by a single computer, or by separate respective computers if required. An advantage of such an arrangement is that, when assessing a street having buildings on both sides, the vehicle 200 will only need to pass down the street once, thus  
15 speeding up acquisition when covering a large area.

As the vehicle 200 travels, the computer 110 is configured (i.e. programmed) to automatically acquire and process thermal images of each building 250 coming into range of the thermal imaging camera 120 while the vehicle 200 is in motion. To do this, the  
20 computer 110 needs to continuously acquire accurate location information from the position sensing unit 130 (shown in figure 2 installed on the roof of the vehicle 200), acquiring images from the thermal imaging camera 120 at appropriate locations. For improved accuracy, particularly in built-up areas, the computer can determine the actual location of the building 250 from the measured location of the vehicle 200 and the relative  
25 location of the building. Preferably the image and the location are determined at the same time, or sufficiently close together in time to minimise errors in determining the location. A range finder 220 may be equipped to the vehicle 200, or alternatively to the camera 120. The range finder 220 may, for example, be a laser range finder or any other suitable non-contact means of determining the distance  $d$  between the vehicle 200 and an adjacent  
30 building 250. A calculation can then be made of the location of the building 250, from the known location and orientation of the vehicle and the range of the building relative to the vehicle 200, as indicated by the distance  $d$  in figure 2. The orientation of the vehicle 200 can be calculated from the velocity vector  $v$  of the vehicle 200, which is typically determined continuously by the position sensing unit 130 whilst the vehicle 200 is in  
35 motion. In a general aspect therefore, a location of the building is determined from a distance acquired from a range finder in combination with a location and orientation of the

position sensing unit. For example, where the velocity vector  $v$  of the vehicle 200 is defined by a magnitude  $V$  and an orientation  $\theta$ , the location of a building 250 can be determined in two-dimensional Cartesian co-ordinates (with  $\theta$  being measured clockwise from the  $y$  axis) by  $x + d \cos \theta$ ,  $y - d \sin \theta$ , where  $x$  and  $y$  are the co-ordinates of the range finder 220, which is in a fixed relation to the position sensing unit 130.

Figure 3 illustrates an exemplary series of method steps 300 outlining the invention. The computer is given a start signal (step 301), and awaits the next building to come into view (step 302). This may, for example, be determined by monitoring a signal from the range finder 220 (figure 2), which the computer can monitor for when an object of sufficient size comes within a specified distance of the vehicle. Alternatively, the computer may have a detailed stored route map, with defined locations indicating each building along a planned route. By determining where the positioning sensing unit will be in relation to each building, the location of which is known, the computer can be configured to trigger the camera at predefined locations along the route. The range finder 220 may in this case be unnecessary, provided the location information is sufficiently accurate.

Once the next building is reached, the computer acquires the location of the vehicle (step 303), and acquires one or more thermal images of the building (step 304). The computer then optionally processes the image (step 305), identifying an area of the building, such as a roof or a wall, by its temperature profile. The computer then generates an output file, and populates the file with the thermal image, address information for the building and insulation status derived from the image (step 309). The output file is then stored (step 306) in a form comprising the image(s) together with the address of the pictured building and indications of the insulation properties of relevant areas of the building. If there are more buildings on the planned route (step 307), the method repeats, and if there are no more buildings on the route the method ends (step 308).

In an exemplary embodiment, the vehicle 200 travels along a street at a speed of around 16-24 kilometres per hour, acquiring images on both sides of the street as the vehicle passes by each building on the street. At this speed, a suitably equipped computer 110 is able to acquire and process images of buildings as they pass by, while at the same time acquiring location information from the position sensing unit and recording the information together with the acquired images in a data storage unit (e.g. a hard disk of the computer). The vehicle does not need to stop at any point during the acquisition process. In a typical built-up suburban area, over 1000 properties can be surveyed each hour by this method.



5 Provided location information is available with each image acquired, processing of the images need not be carried out at the time of acquisition, but could be carried out later. Processing may however be carried out simultaneously with acquisition, and files relating to each building stored as the vehicle continues along its route.

10 A route plan is preferably worked out beforehand, in which a number of buildings are identified for analysis. With the route plan and associated location information uploaded to the computer 110, the vehicle then travels the route plan and the computer acquires images when each location is reached, the location triggering the computer to acquire one or more images when each building is calculated to be in view. The computer may be triggered by the location reading from the positioning unit being within a predetermined distance, e.g. a distance of a few metres, from a nominal ideal point. The images are preferably acquired during the hours of darkness, to minimise thermal effects from reflected and absorbed sunlight on buildings. It is also preferable to carry out the method during autumn or winter months, when households are more likely to have their central heating in operation, which will cause any poorly insulated areas to show up on thermal images.

20 Exemplary images as part of processed output files acquired from an apparatus according to the invention are shown in figures 4 to 6. Figure 4 shows a typical output file 400 comprising an image 410 of a house having adequate insulation, determined by a measured average temperature of the roof area 411 and the wall area 412. A reference temperature scale 440 is provided next to the image 410 to provide a visual indication of the measured temperature of different visible parts of the building.



30 In a typical domestic building, the internal temperature is maintained at around 20°C. If the building is well insulated, a temperature difference of 8°C or more can be maintained across the walls and roof of the building. Provided the external ambient temperature is 12°C or less, for example as measured by the temperature sensor 140 (figure 1), inadequate insulation can be determined by detecting areas of a building that have a measured temperature of over 12°C. More distinct measurements can be obtained when the external ambient temperature is lower, as this will reveal poor insulation better due to the increased thermal gradient across the walls and roof of the building. If, for example, the external ambient temperature is 5°C, an area of a building determined to have a temperature exceeding this by 7°C would indicate a need for improved insulation. In order



to avoid the influence of solar gain on the external surfaces of the building, measurements should be taken at least 1 hour after sunset.

5 The location of the house is identified in a location field 420, the address having been determined by cross-referencing information provided by the position sensing unit with an address database. The time the image was taken is also recorded, as shown together with the location field 420. Other information such as the date and the external ambient temperature may also usefully be recorded in the output file 400. The external ambient temperature may also be recorded in the file 400, as this can be used to determine how well insulated the various areas of the building are, by determining a difference between a measured temperature of each area and the ambient temperature.

15 An information field 430 is also shown in the output file 400, a first part 432 of which provides a checklist for use during a follow-up contact with the householder, and a second part 431 providing general indications of whether insulation is estimated to be required on one or both of the roof and wall of the building. The indications may be in the form of highlighted fields, with the degree of insulation (or lack thereof) being indicated by different colour coding.

20 Figure 5 shows a further exemplary output file 500, in this case showing an image 510 of another building at a different address (indicated in the address field 420), the building having a lower degree of insulation on a roof area 511, while having an adequate degree of insulation on the wall area 512. The roof area 511 is identified by having a significantly higher average temperature than the external ambient temperature, as measured by the temperature sensor connected to the computer. An indication is provided in the relevant field 431 to highlight that the roof area requires further insulation.

30 Figure 6 shows a yet further exemplary output file 600, in this case showing an image 600 of another building at a different address (indicated in the address field 420), the building having a low degree of insulation on both a roof area 611 and a wall area 612, both of which are identified as having a significantly higher average temperature than the external ambient temperature. The indications provided in the relevant field 431 highlight that both the walls and the roof of the building should have further insulation. In this case, the wall insulation is determined to have poorer insulation, and is therefore highlighted as being of greater importance.

The output files 400, 500, 600 shown in figures 4-6 are in a form suitable for further use by surveyors, who can use the information provided to identify areas of the buildings in question for further analysis. The invention thereby provides a useful tool for identifying properties that may be substandard in their thermal insulation, so that these properties  
5 can be investigated further.

Other embodiments are intentionally within the scope of the invention as defined by the appended claims.

CLAIMS

1. A computerised method for automatically determining thermal insulation properties of a plurality of buildings, the method comprising, for each building:

- 5       acquiring a location from a position sensing unit;
- determining the location of the position sensing unit in relation to the building;
- acquiring a thermal image of an exterior view of the building;
- processing the image to identify an area of the building; and
- providing an output file comprising the location of the building and indications of
- 10      the insulation properties of the area of the building,
- wherein the steps of acquiring the thermal image and processing the image are automatically triggered for each of the plurality of buildings by the step of determining the location of the position sensing unit in relation to the building.

15 2. The method of claim 1 wherein the output file comprises the processed image and address information derived from the acquired location.

3. The method of any preceding claim wherein the area of the building is one or both of a roof and a wall.

20

4. A vehicle comprising an apparatus for automatically determining thermal insulation properties of a plurality of buildings, the apparatus comprising:



- a position sensing unit for acquiring a location of the vehicle;
- a thermal imaging camera for acquiring a thermal image of an exterior of each
- 25      building;
- a computer connected to the position sensing unit and thermal imaging camera, the computer being configured to:

- i) acquire a location of the vehicle from the position sensing unit;
- ii) determine the location of the vehicle in relation to each of the plurality of
- 30      buildings;
- iii) acquire a thermal image of an exterior view of each building from the camera;
- iv) process the image to identify one or more areas of each building; and
- v) provide an output file comprising indications of the insulation properties
- 35      of the one or more areas of each building,

wherein the computer is configured to automatically acquire and process thermal images of each of the plurality of buildings while the vehicle is in motion using location information provided by the position sensing unit, the steps of acquiring the thermal image and processing the image being automatically triggered for each of the plurality of buildings by location information provided by the position sensing unit.

5

5. The vehicle of claim 4 comprising a first left-facing thermal imaging camera and a second right-facing thermal imaging camera, each camera being connected to the computer for providing thermal images of buildings on the left and right of the vehicle respectively.

10

6. A computer program for instructing a computer to perform the method of any of claims 1 to 3.

—

7. A computerised method substantially as described herein, with reference to the accompanying drawings.

15

8. A vehicle comprising an apparatus for automatically determining thermal insulation properties of a plurality of buildings, the apparatus being substantially as described herein, with reference to the accompanying drawings.

20



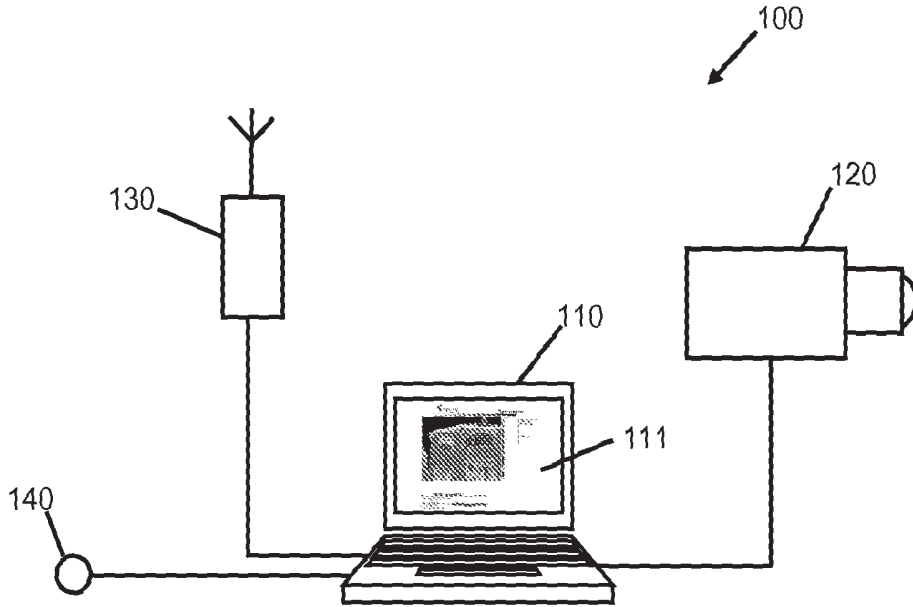


Fig. 1

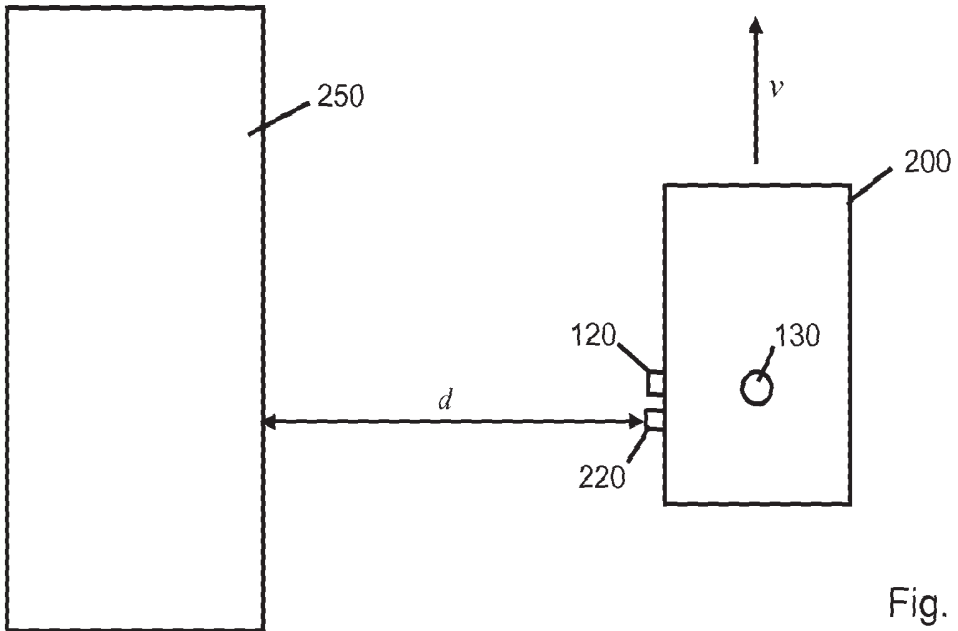


Fig. 2

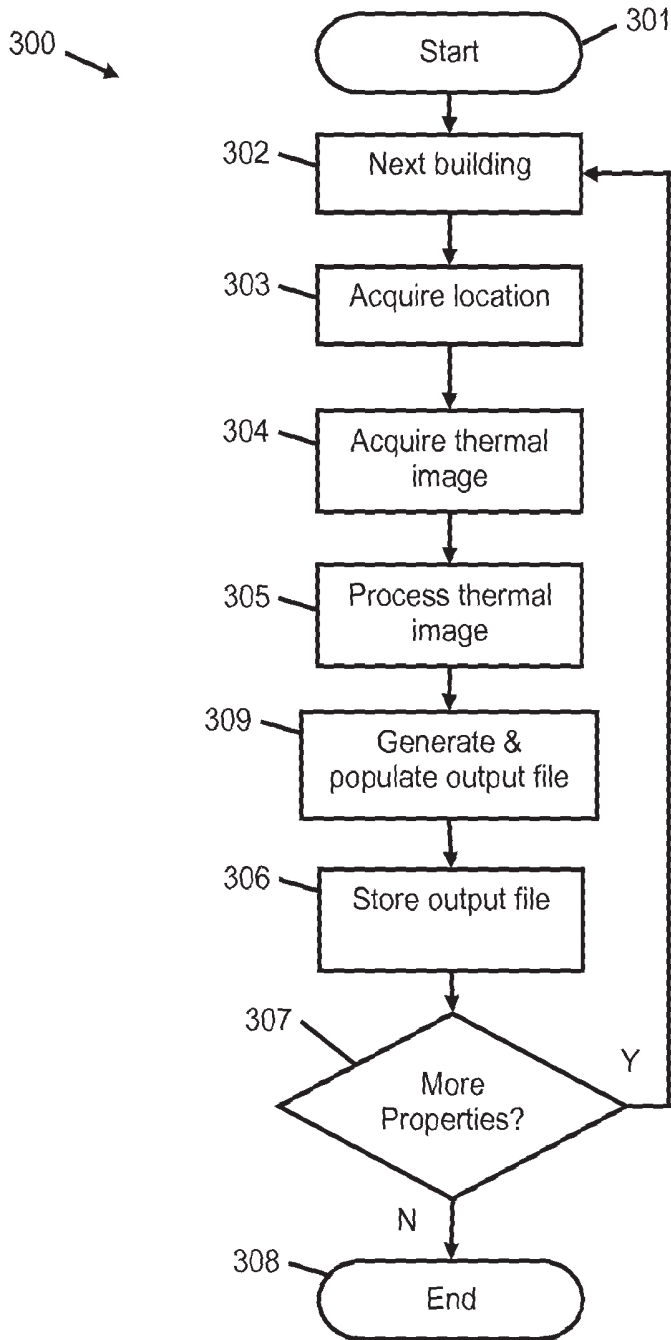


Fig. 3

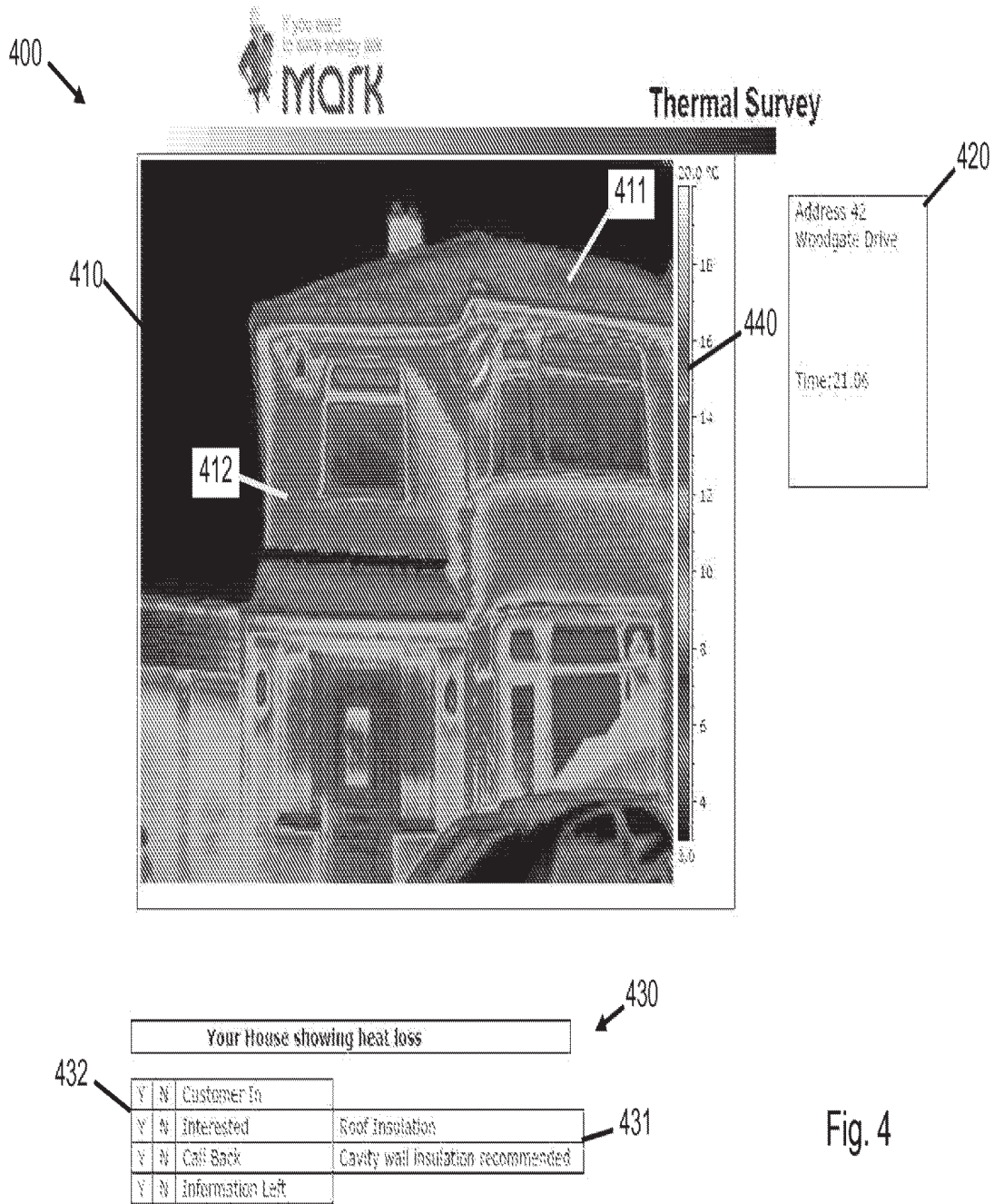
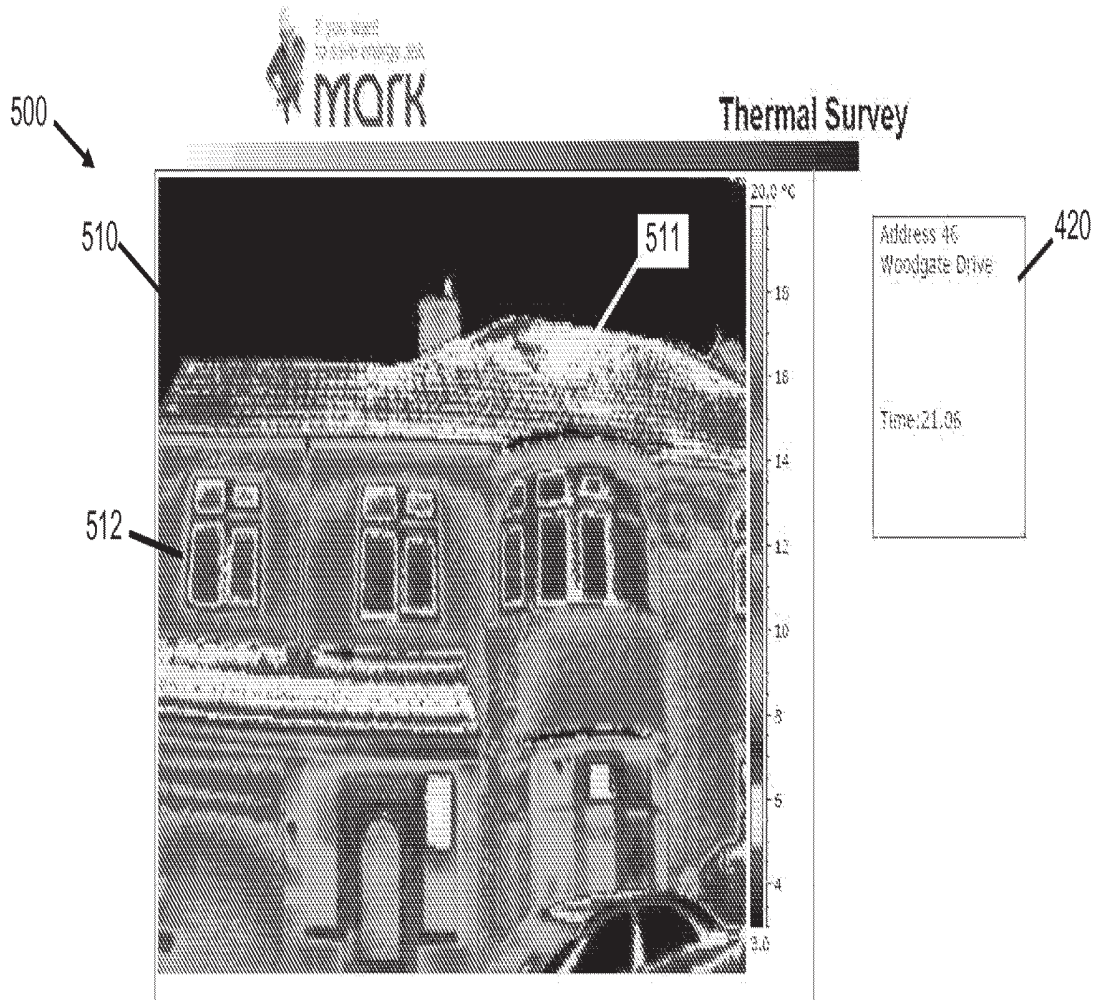


Fig. 4

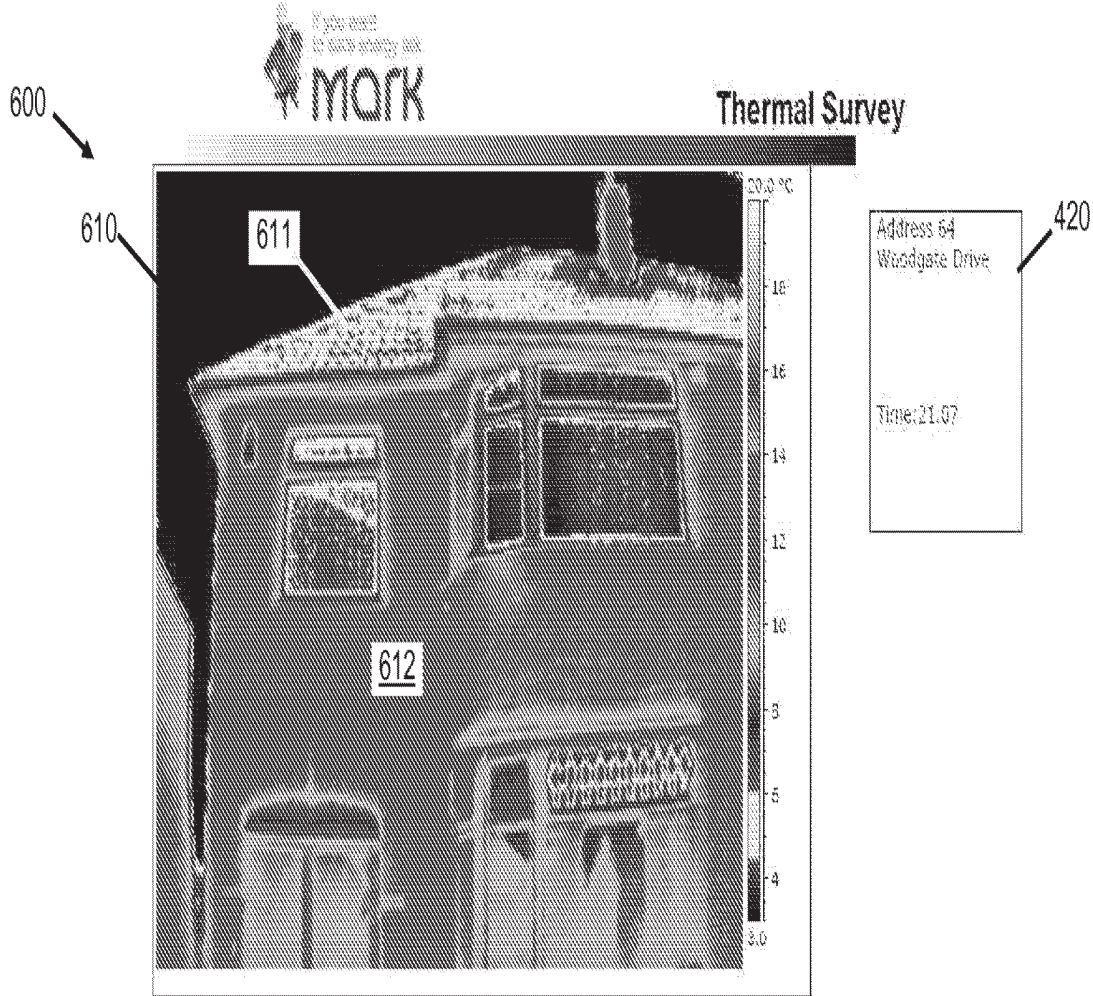




Your House showing heat loss

Y	N	Customer In	
Y	N	Interested	Wall Insulation
Y	N	Call Back	Cavity wall insulation recommended
Y	N	Information Left	

Fig. 5



Your House showing heat loss 430

Y	N	Customer In
Y	N	Interested
Y	N	Call Back
Y	N	Information Left

431

Fig. 6

## Project Appraisal and Scrutiny Committee Recommendation

<b>Project Name</b>	Installation of improved stage lighting at Cambridge Corn Exchange
<b>Committee</b>	Customer & Community Services
<b>Portfolio</b>	Arts, Sport & Public Places
<b>Committee Date</b>	13 October 2011
<b>Executive Councillor</b>	Councillor Rod Cantrill
<b>Lead Officer(s)</b>	Debbie Kaye Chris Norton

### Recommendation/s

#### A. Financial recommendations:

- i. The Executive Councillor is asked to recommend this capital scheme (which is not included in the Council's Capital Plan) for approval by Council, subject to resources being available to fund the capital and revenue costs associated with the Scheme. The initial estimated total capital cost of the project is £25,000, and it is proposed that this funded from the Corn Exchange R&R fund.
- ii. There are no adverse revenue implications arising from the project.

#### B. Procurement recommendations:

- i. The Executive Councillor is asked to approve the carrying out and completion of the procurement of lighting equipment. It is estimated that lighting equipment will cost in the region of £25,000.
- ii. If the quotation or tender sum exceeds the estimated contract value by more than 15% the permission of the Executive Councillor and Director of Finance will be sought prior to proceeding.

## 1 Summary

### 1.1 The project

This project is to replace Corn Exchange stage lighting equipment that increases the commercial position of the business, better

meets the needs of promoters and artists, is more energy efficient and provides a better experience to customers.

Target Start date	October 2011
Target completion date	December 2011

## 1.2 The Cost

Total Capital Cost	£25,000
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Capital Cost Funded from:

Funding:	Amount:	Details:
Reserves	£	
Repairs & Renewals	£ 25,000	27710-8189-00000
Section 106	£	
Other	£	

Revenue Cost

Year 1	£500
Ongoing	£None

## 1.3 The Procurement

Three quotes will be obtained for the lighting equipment that is estimated to cost £25,000.

## 2 Capital Project Appraisal & Procurement Report

This project appraisal outlines a proposal for the replacement of outdated lighting equipment at the Corn Exchange in order to improve commercial viability, energy efficiency and customer experience.

Some of the Corn Exchange stage lighting is due for replacement. Currently, the Corn Exchange has only traditional static lighting equipment but advances in technology over recent years means that more energy-efficient moving lighting is now available.

The purchase of moving lighting will raise the production standards at the Corn Exchange, make the venue more attractive for hire and reduce energy use/the carbon footprint. Such lighting requires less staff to rig and operate, and shows will be less costly to assemble, which increases attractiveness of the venue to promoters

Technical staff will undertake professional development and training to learn how to use and maximise the benefit from the new equipment. An option to provide training will be included in the specification for the supply of equipment.

## **2.1 Aims & objectives of the project**

The aims of this project are to

- a) Provide residents and users a high quality experience when visiting the Corn Exchange
- b) Facilitate opportunities for maximising revenue from the venue
- c) Enhance sustainable operation of the venue by using the latest energy efficient products.

The project contributes to the Council's vision for a city:

- which is diverse and tolerant, values activities which bring people together and where everyone feels they have a stake in the community
- in the forefront of low carbon living and minimising its impact on the environment from waste and pollution

## **2.2 Issues for stakeholders & other departments**

The project has no impact on other departments or projects.

It will be to the advantage of those hiring the venue, as they will not have to supply their own lighting equipment to deliver a quality performance.

### 2.3 Key risks associated with the project

The key risks this project aims to mitigate are:

- The equipment becoming too old and unreliable to use, resulting in inadequate provision of light facilities.
- Venue hirers being potentially deterred by having to provide their own equipment.
- The venue not providing the latest production facilities increasingly required by hirers, leading to a loss of business and reputation.
- The production equipment not meeting customer expectations resulting in complaint and limiting attendance.
- Lack of response to political priorities around energy efficiency

### 2.4 Financial implications

- The appraisal is prepared on the 2011/12 price base.
- There will be savings realised through the provision of energy saving light units.
- The anticipated lifespan of the equipment will be identified in the specification requirements.
- The project will consider options as to how future requirements can best be incorporated e.g. in adding or updating equipment.
- 

### 2.5 Capital & Revenue costs

(a) Capital	£	Comments
Building contractor / works		
Purchase of vehicles, plant & equipment	£25,000	
Professional / Consultants fees		
IT Hardware/Software		
Other capital expenditure		
<b>Total Capital Cost</b>	<b>£25,000</b>	



<b>(b) Revenue</b>	<b>£</b>	<b>Comments</b>
Workforce development: training courses for technical staff	£500	Funded through A&R revenue budgets
<b>Total Revenue Cost</b>	<b>£500</b>	

## 2.6 VAT implications

The Corn Exchange did receive 'exempt' income (such as commercial rents). This meant that any expenditure such as refurbishment relating to this could have prevented the Council recovering its VAT. Consequently, this could jeopardise the Council's ability to stay within its 5% de minimis (Partial Exemption) limit for VAT recovery.

To mitigate this risk, the Council exercised its right to 'Opt to Tax' the land and buildings at the Corn Exchange during 2001, which meant that VAT was charged on the above income stream. Therefore, the above scheme as highlighted within the report, may not cause any adverse VAT implications to this Council subject to the following advice from the Accountancy:

The Council has not exercised any 'Cultural Exemptions', which broadly relate to any unfair competition within the local vicinity, where strict commercial rules apply. Additionally, the Council does not arrange its own productions. There is a requirement to establish what supplies VAT is charged, and what is not. Careful monitoring and further discussions will be necessary soon to establish the full VAT scenario in this instance

## 2.7 Environmental Implications

Climate Change impact	+M
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The existing lights draw 48Kw, whilst the new lighting units would draw 4.8Kw directly providing approximately a 43Kw saving. If these are used for an estimated 6 hours at a time on a show day this would amount to a 258Kw hour saving. During the period October to Christmas, it is estimated around 20 shows would make use of these giving a saving of 5160Kw hours in those three months alone. Based upon the current rate for electricity this would save just over £41 a month; Multiplied by a purchase of 10 energy

efficient lights, this would save £4100 on electricity in a three-month period.

## 2.8 Estimate of staffing resource required to deliver the project

Department/Officer	Role	Hours
Head of Arts & Recreation	Project Champion	2 hours
Senior Production and Technical Officer	Project manager	8 hours
Production Officer	Procurement lead	6 hours
Procurement	Advice/assistance	2 hours
Legal Services	Advice/Contracting	2 hours
Finance	Advice/Approval	2 hours

## 2.9 Identify any dependencies upon other work or projects

The timing of the installation and staff training will be dependant on the programme of events. It is anticipated the project can be started and completed in a relatively short period of time. The intention is to endeavour to complete the installation before the end of 2011.

## 2.10 Background Papers

None

## 2.11 Inspection of papers

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Date prepared:	27 September 2011



<b>Capital Income / Funding</b>						
Government Grant						
S106 funding						
R&R funding	25,000					27710-8189-00000
Earmarked Funds						
Existing capital programme funding						(Programme ref.)
Revenue contributions						
<b>Total Income</b>	<b>25,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Net Capital Bid</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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## Project Appraisal and Scrutiny Committee Recommendation

<b>Project Name</b>	Wulfstan Way Public Art Commission
<b>Committee</b>	Community Services Committee
<b>Portfolio</b>	Arts, Sport and Public Places
<b>Committee Date</b>	13 <sup>th</sup> October 2011
<b>Executive Councillor</b>	Cllr Rod Cantrill
<b>Lead Officer</b>	Nadine Black

### Recommendation/s

#### Financial recommendations –

- The Executive Councillor is asked to recommend this capital scheme (which is not included in the Council's Capital Plan) for approval by Council, subject to resources being available to fund the capital and revenue costs associated with the Scheme. The total capital cost of the project is £45,000 this is to be funded from Developer Contributions.
- There are no revenue implications arising from the project.

#### Procurement recommendations:

- The Executive Councillor is asked to approve the carrying out and completion of the procurement of the Wulfstan Way Public Art Commission.
- If the quotation or tender sum exceeds the estimated contract value by more than 15% the permission of the Executive Councillor and Director of Finance will be sought prior to proceeding.

## 1 Summary

### 1.1 The project

In September 2010, an Environmental Improvement Project at Wulfstan Way was approved by South Area Committee. The proposals for the scheme included the principle of the inclusion of public art within the project. The proposals for the Environmental Improvements were developed in

consultation with the local community and there was an aspiration for the project to include artist designed seating. The principles for a public art commission as part of this wider project have now been developed and a budget set.

Target Start date	<b>November 2011</b>
Target completion date	<b>June 2012</b>

## 1.2 The Cost

Total Capital Cost	<b>£45,000</b>
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Capital Cost Funded from:

Funding:	Amount:	Details:
Reserves	£	
Repairs & Renewals	£	
Developer Contributions	<b>£45,000</b>	<b>SEE APPENDIX B</b>
Other	£	

Revenue Cost

Year 1	£0
Ongoing	£0

## 1.3 The Procurement

The commission to develop and implement public participation in the project and to design, build and install the artwork/s will be submitted for tender to both local and national artists. Cambridge City Council's procurement procedure will be followed. An artist will be commissioned

through 'open competition'. The commission is a single commission, which comprises of four inter-related stages. The commission will be open to a sole artist or artist collaboration.

## **2 Capital Project Appraisal & Procurement Report**

### **2.1 What is the project?**

This proposed commission is to design and deliver a bespoke artwork, which forms seating as an integral element of the public realm improvements. The resulting street furniture will be installed to coincide with Queen Elizabeth II Diamond Jubilee in early June 2012. This commission will reflect the spirit of the Diamond Jubilee, rather than literally translate it.

The vision for this commission is to develop and deliver an artwork/s in the form of seating, which reflects the social history of the past 60 years of the local area and also community aspirations for the next 60 years.

In order to develop and deliver this vision, the commissioned artist/s will be required to develop strong public participation elements for the project. This will require working with local school children and older residents to explore the social activity, local stories and history from the area over the past 60 years and also explore their aspirations for the next 60 years.

The artist/s will use this activity as research for the development of the design for the seating.

The proposal complies with the City Council's Public Art Supplementary Planning Document and Arts Strategy.

### **2.2 What are the aims & objectives of the project?**

#### **Desired Outcomes of the commission:**

- create a high quality work of art to act as seating

- aid community building
- inspire and involve young people and families to learn more about their local area
- enhance the sense of belonging by residents to their local neighbourhood
- engaged communities willing to participate in shaping their local neighbourhoods
- recognise and raise awareness of the importance of the Local Centre and encourage people to use it
- inspire people to engage with their local area
- celebrate the wider public realm improvements
- celebrate Queen Elizabeth II's Diamond Jubilee

This project will contribute to achieving the following Council Visions:

**VISION: A city which is diverse and tolerant, values activities which bring people together and where everyone feels they have a stake in the community**

- engaged communities willing to participate in shaping their local neighbourhoods
- recognise and raise awareness of the importance of the Local Centre and encourage people to use it inspire people to engage with their local area.

**VISION: A city which draws inspiration from its iconic historic centre and achieves a sense of place in all of its parts with generous urban open spaces and well designed buildings**

- to improve the quality of the public realm.
- ensuring Cambridge residents can access and experience a range of arts
- aid community building
- recognise and raise awareness of the importance of the Local Centre and encourage people to use it

### **2.3 Summarise the major issues for stakeholders & other departments**

In 2009, at the request of members, officers from services across the Council reviewed the function and condition of the Wulfstan Way Local Centre with a view to recommending possible improvements. Two consultations conducted in June and July 2009 established the key points of concern to local residents and primary school students. A proposal for improvements was developed and approved in October 2010. As part of this consultation the community were interested in the integration of public art into an Environmental Improvement Project and the principle of this was also approved in October 2010. Local Ward Members are supportive of the project.

The project will be developed and delivered by the Streets and Open Spaces Project Delivery Team and will have minimal impact on other departments. The end product will be maintained as part of the existing maintenance regime for this area and will not impact on existing resource allocations.

Possible stakeholders to be included in the further development of project include:

Local Ward Councillors  
Residents involved in Environmental Improvement workshops  
The Primary and Secondary Schools in the vicinity of Wulfstan Way  
Churches in the vicinity of Wulfstan Way  
Sheltered Housing Residents in the vicinity of Wulfstan Way  
Business proprietors in the Local Centre

#### **2.4 Summarise key risks associated with the project**

- Without the project there will be not be the provision of seating within the new Local Centre.
- If the Tender is not in a form, which is familiar and attractive to artists, we risk not attracting the right artist to apply for the commission.

- Due to the timetable, an artist ideally should be commissioned in 2011, in order to have the appropriate time to develop and implement the public participation element and then design and create the final artwork

## **2.5 Financial implications**

- a. Appraisal prepared on the following price base: 2011/12
- b. Specific grant funding conditions:  
None
- c. Other comments

The budget for the project is £45,000 and is to be funded via Public Art Developer Contributions, which have been commuted from the following Planning Applications:

06/1298/FUL – Rear of 124-154 Wulfstan Way - £25,000  
05/1333/OUT – 21/21A Queen Ediths Way - £20,000

## **2.6 Capital & Revenue costs**



<b>(a) Capital</b>	<b>£</b>	<b>Comments</b>
Commission	28,000	
Purchase of vehicles, plant & equipment		
Professional / Consultants fees	12,500	Project Management & Artist Fees
IT Hardware/Software		
10% Project Contingency	4,500	
<b>Total Capital Cost</b>	<b>45,000</b>	

<b>(b) Revenue</b>	<b>£</b>	<b>Comments</b>
<b>Total Revenue Cost</b>	<b>0</b>	

## 2.7 VAT implications

VAT implications for this project are yet to be confirmed.

## 2.8 Environmental Implications

The proposal will have a low positive Climate Change impact.

The proposal aims to raise the quality of the public realm in the local centre at Wulfstan Way, as part of the wider improvement works and raise awareness of the local centre to encourage local residents to use their local facilities. This may encourage residents to reduce their level of car use.

## 2.9 Other implications

### Equal Opportunities Implications

The project is in a highly accessible location for all to view. Projects emanating from this commission will reach out to all sections of the community and will be designed from participation by the community.

### Community Safety

The proposed artwork must be durable and virtually maintenance free. Vandalism will remain a risk, but should be minimised through the design process.

## 2.10 Estimate of staffing resource required to deliver the project

The Public Art Officer will lead on the project and be supported with project management by the Streets and Open Spaces Project Delivery Team. The internal fees associated with these resources will be funded by the scheme budget and are included in the capital cost of the scheme in section 2.6 above.

Skills required / internal or external	Estimated number of hours	Proposed Timescale	
		Start date	Finish date
Project coordination and management ( <i>internal</i> )	140	01/11/11	15/06/12
Legal Services ( <i>internal</i> )	5	01/11/11	15/01/12
Design & Supervision ( <i>external</i> )	160	15/01/12	15/06/12

## 2.11 Identify any dependencies upon other work or projects

None

## 2.12 Background Papers

- The Public Art Supplementary Planning Document  
<http://www.cambridge.gov.uk/public/docs/Public%20Art%20Supplementary%20Planning%20Document.pdf>
- The Arts Strategy  
<http://www.cambridge.gov.uk/ccm/content/leisure-and-entertainment/arts-strategy.en>
- Wulfstan Way Local Centre Environmental Improvements Approval  
<http://www.cambridge.gov.uk/democracy/mgConvert2PDF.aspx?ID=2529>

## 2.13 Inspection of papers

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Date prepared:	24 <sup>th</sup> August 2011

## Capital Project Appraisal - Capital costs &amp; funding - Profiling

## Appendix A

	2011/12	2012/13	2013/14	2014/15	Comments
	£	£	£	£	
<b>Capital Costs</b>					
Building contractor / works	0	32,500			
Purchase of vehicles, plant & equipment					
Professional / Consultants fees	9,375	3,125			Including Artist Fees
Other capital expenditure:					
<b>Total Capital cost</b>	<b>9,375</b>	<b>35,625</b>	<b>0</b>	<b>0</b>	
<b>Capital Income / Funding</b>					
Government Grant					
Developer Contributions	9,375	35,625			SEE APPENDIX B
R&R funding					
Earmarked Funds					
Existing capital programme funding					
Revenue contributions					
<b>Total Income</b>	<b>9,375</b>	<b>35,625</b>	<b>0</b>	<b>0</b>	
<b>Net Capital Bid</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**Appendix B****SUMMARY OF DEVELOPER CONTRIBUTIONS**

<b>Cost Centre</b>	<b>Planning Reference</b>	<b>Contribution Type</b>	<b>Address</b>	<b>Confirmed Use (Y/N)</b>	<b>Planning Officer Initials</b>	<b>Amount (£)</b>
35627	06/1298/FUL	Public Art	Rear 124-154 Wulfstan Way	Y	SD	25,000
35773	05/1333/OUT	Public Art	21/21A Queens Ediths Way	Y	SD	20,000
<b>TOTAL</b>						<b>45,000</b>

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## Project Appraisal and Scrutiny Committee Recommendation

<b>Project Name</b>	Community Olympic Public Art Commission
<b>Committee</b>	Community Services Committee
<b>Portfolio</b>	Arts, Sport and Public Places
<b>Committee Date</b>	13 <sup>th</sup> October 2011
<b>Executive Councillor</b>	Cllr Rod Cantrill
<b>Lead Officer</b>	Nadine Black

## Recommendation/s

### Financial recommendations –

- The Executive Councillor is asked to recommend this capital scheme for approval by Council, subject to resources being available to fund the capital and revenue costs associated with the Scheme. The total capital cost of the project is £129,000, and it is proposed that £99,000 be funded from Developer Contributions and £30,000 made available from the Big Weekend 2012 budget to support the project.
- There are no revenue implications arising from the project.

### Procurement recommendations:

- The Executive Councillor is asked to approve the carrying out and completion of the procurement of the Community Olympic commission.
- If the quotation or tender sum exceeds the estimated contract value by more than 15% the permission of the Executive Councillor and Director of Finance will be sought prior to proceeding.

## 1 Summary

### 1.1 The project

The project, is for a public art commission, which is inspired by the 'Olympic Mission' of equality, diversity, peace and the promotion of a healthy environment to aid the integration of new residents within existing communities and to influence the identity, cohesiveness and social dynamics of those communities. The project will take place in four communities of Cambridge, culminating in an 'event', where all four communities are brought together on Parker's Piece within a

common cause. The 'event' will coincide with the arrival of the Olympic Torch relay, which passes through Cambridge in July 2012.

Target Start date	<b>November 2011</b>
Target completion date	<b>July 2012</b>

## 1.2 The Cost

Capital Cost Funded from:

Funding:	Amount:	Details:
Developer Contributions	<b>£99,000</b>	<b><i>See Appendix B</i></b>
Other	<b>£30,000</b>	<b><i>Contribution from the 'Big Weekend budget'</i></b>
<b>TOTAL</b>	<b>£129,000</b>	

Revenue Cost

Year 1	£0
Ongoing	£0

## 1.3 The Procurement

This commission will require a specialist artist group/arts organisation to be appointed in order to develop it and deliver it to the quality that we aspire to. The project is very unusual given the level of community interaction required, whilst in parallel developing/ delivering the 'event' element. It was anticipated there to be a very limited number of suitable competent organisations with the necessary expertise/ specialist skills able to fulfil the requirements of this commission in the time and to the quality required. The Council has undertaken research into the market, which included internet research and contact with external professional organisations including the Arts Council. This has confirmed that there are indeed a very limited number of



suitable candidates in the market. Therefore, the Procurement Strategy is to approach the identified four organisations with demonstrated expertise to Tender for the project. It is not proposed to advertise this project as part of the procurement process, as we are confident the limited number of organisations in the market have already been identified.

As the Contract Procedure Rules require projects over £75,000 to be advertised, a waiver from that requirement will be sought. Subject to that waiver this Strategy is in accordance with City Council procurement rules,

## **2 Capital Project Appraisal & Procurement Report**

### **2.1 What is the project?**

Olympism is a life philosophy, which draws together sport, culture and education. This philosophy is an essential element of the Olympic Movement and the celebration of the Games. Olympism is constructed around three core values: excellence, friendship and respect. The International Olympic Committee (IOC) has a Mission for equality, diversity, peace and the promotion of a healthy environment.

The project is inspired by the Olympic Mission to address the integration of new residents within existing communities and to influence the social dynamics of those communities. Artists will be commissioned to use the three core values of Olympism to explore the notions of equality, diversity, peace and the promotion of a healthy environment in four communities of Cambridge. These notions will be explored in relationship to each community, culminating in an 'Event' (which is Cambridge's community mission statement and in essence a 'Mission Complete event') where all four communities are brought together on Parker's Piece to demonstrate the spirit of the IOC Mission is alive and well in Cambridge. This will provide a citywide profile and legacy for the project built upon the principles of Olympism celebrates community. The 'event' will coincide with the arrival of the Olympic Torch relay, which passes through Cambridge in July 2012. A celebration of community, the Olympic Values, and the Olympics.

The artists will be briefed to develop their ideas for the project to ensure it genuinely engages with residents and contributes to community building, social cohesion, promote social engagement and well-being within each community. The artists will also be asked to explore the potential for documenting the project using media such as film or photography, which will form part of the 'event' on Parkers Piece. They will also be asked to explore the potential of an additional legacy of continuum, perhaps to inspire and create confidence within communities, to be able to repeat and develop the concept of community project working (leading to more groups, societies, arts activities delivered by the community).

The final 'event' element will be developed as an integral part of the project and must first and foremost benefit those communities who have been involved in the project. It must celebrate the community of Cambridge and respond to the aims, objectives and themes set out. However, with the inclusion of additional funding from Arts and Recreation, the scale and ambition of the event can be raised to provide a more significant experience for those who have been involved and a 'spectacle' for all those people who will attend the Torch Relay or the Big Weekend. Community must be at the heart of this 'spectacle'.

This project will be Cambridge's Olympic legacy to the communities of Cambridge and the legacy of the public art commission – 'Mission Complete'. It will promote these ideals through culture and contemporary art. Culture is regarded as the second dimension of Olympism, alongside sport.

The project aims to create works that help to re-establish local identity and sense of place and by an artist-led project, which aids community building and social cohesion. Therefore it complies with the City Council's Public Art Supplementary Planning Document. It aims to deliver the Vision in the Cambridge Arts Strategy to engage and enable local communities and will deliver on the priorities set out in the Cambridge 2012 Olympic Plan.

## 2.2 What are the aims & objectives of the project?

This project will contribute to achieving the following Council Visions:

- **VISION: A city which is diverse and tolerant, values activities which bring people together and where everyone feels they have a stake in the community**
  - engaged communities willing to participate in shaping their local neighbourhoods
  - recognise and raise awareness of the importance of the local community and encourage people to engage with each other
  
- **VISION: A city whose citizens feel they can influence public decision making and are equally keen to pursue individual and community initiatives**
  - aid community building
  - enhance the sense of belonging by residents to their local neighbourhoods and the wider city of Cambridge
  - enhance Cambridge's sense of place
  - celebrate the city's cultural diversity & bring as many disparate communities together in a unified event.
  - inspire and involve children, young people and families whether as a participant or spectator
  - a community confident, inspired and able to repeat or develop the concept of community project working (leading to more groups, societies, arts activities delivered by the community)

## 2.3 Summarise the major issues for stakeholders & other departments

The commission will be managed by the Streets and Open Spaces Project Delivery team but with officers from Arts and Recreation (Events) and Community Development (CHYPPS) being part of the wider project team.

The 'Event' element of the project will be incorporated into the Big Weekend and Torch Relay celebrations and will

therefore fit into the work programme of officers from Arts and Recreation.

The Community Development team will have a key role in identifying community groups and by providing key contacts.

The main issue for the project is to ensure a specialist and experienced artists/arts organisation are appointed to develop and deliver the project in the short timeframe and who have experience of directly engaging with communities.

High quality Project Management will be key to the delivery of this project to ensure that the project remains on programme for the day of the Olympics opening ceremony.

## **2.4 Summarise key risks associated with the project**

Without the project the City Council will miss the opportunity to use the London 2012 Olympics to inspire communities to engage with each other and celebrate their diversity and no legacy to this once in a lifetime opportunity.

Specialist and experienced artists/arts organisations in this type of project are crucial for the delivery of this project.

The project must be delivered in time for the opening day of the 2012 Olympics, all risks must be monitored closely and the project closely managed to achieve this.

Due to the timetable, artist/artists ideally should be commissioned in 2011, in order to have the appropriate time to develop and implement the public participation element and then design and create the final artwork.

## **2.5 Financial implications**

- a. Appraisal prepared on the following price base: 2011/12

b. Specific grant funding conditions were:

None

c. Other comments

The total budget for the project is £129,000. The budget will cover all artist fees and material costs required to develop and deliver the projects in each of the four communities. Arts & Recreation will be incorporating a contribution of £30,000 into their Big Weekend 2012 budget to support the 'event' aspect of this project and the community celebrations for the Olympic Torch Relay. This will ensure that the outcome of the project enhances the event and creates a 'spectacle' for visitors that will ensure all those involved remember the moment that the Olympic Flame arrived in Cambridge.

## 2.6 Capital & Revenue costs

(see also Appendix A for spread across financial years)

<b>(a) Capital</b>	<b>£</b>	<b>Comments</b>
Commission	109,200	Includes £30k Big Weekend Budget contribution
Professional / Consultants fees	9,900	Internal project management fees.
10% Project contingency	9,900	
<b>Total Capital Cost</b>	<b>129,000</b>	

<b>(b) Revenue</b>	<b>£</b>	<b>Comments</b>
<b>Total Revenue Cost</b>		

**2.7 VAT implications**

There are no adverse VAT implications to this project.

**2.8 Environmental Implications**

The project will have a low positive Climate Change impact.

Aims of the project include, engaging communities willing to participate in shaping their local neighbourhoods; aid community building and enhance the sense of belonging by residents to their local neighbourhoods. If successful the project will encourage local residents to use their local centres.

**2.9 Other implications**

**Equal Opportunities**

The project is in a highly accessible location for all to view. Projects emanating from this commission will reach out to all sections of the community.

**Community Safety**

N/A

**2.10 Estimate of staffing resource required to deliver the project**

The Public Art Officer will lead on the project and be supported with project management by the SoS Project Delivery Team. The internal fees associated with these resources will be funded by the scheme budget and are included in the capital cost of the scheme in section 2.6 above.

Skills required / internal or external	Estimated number of hours	Proposed Timescale	
		Start date	Finish date

Project coordination and management ( <i>internal</i> )	250	01/11/11	31/07/12
Legal Services ( <i>internal</i> )	5	01/11/11	15/01/12
Artist Commission ( <i>external</i> )	350	15/01/12	31/07/12

## 2.11 Identify any dependencies upon other work or projects

None

## 2.12 Background Papers

The Public Art Supplementary Planning Document

<http://www.cambridge.gov.uk/public/docs/Public%20Art%20Supplementary%20Planning%20Document.pdf>

The Arts Strategy

<http://www.cambridge.gov.uk/ccm/content/leisure-and-entertainment/arts-strategy.en>

The Cambridge Olympic Action

Plan <http://www.cambridge.gov.uk/ccm/content/leisure-and-entertainment/sport-and-fitness/london-2012-olympics.en>

Olympic Mission

[http://www.olympic.org/Documents/Reports/EN/en\\_report\\_670.pdf](http://www.olympic.org/Documents/Reports/EN/en_report_670.pdf)

## 2.13 Inspection of papers

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Date prepared:	24 <sup>th</sup> August 2011

## Capital Project Appraisal - Capital costs &amp; funding - Profiling

**Appendix A**

	2011/12	2012/13	2013/14	2014/15	Comments
	£	£	£	£	
<b>Capital Costs</b>					
Artist Commission	22,985	86,215			
Purchase of vehicles, plant & equipment					
Professional / Consultants fees	5,940	3,960			
10% Project Contingency		9,900			
<b>Total Capital cost</b>	<b>28,925</b>	<b>100,075</b>	<b>0</b>	<b>0</b>	
<b>Capital Income / Funding</b>					
Government Grant					
Developer Contributions	28,925	70,075			See Appendix B
R&R funding					
Earmarked Funds					
Existing capital programme funding					
Revenue contributions		30,000			Big Weekend 2012 Budget
<b>Total Income</b>	<b>28,925</b>	<b>100,075</b>	<b>0</b>	<b>0</b>	
<b>Net Capital Bid</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	



**Appendix B****SUMMMARY OF DEVELOPER CONTRIBUTIONS**

<b>Cost Centre</b>	<b>Planning Reference</b>	<b>Contribution Type</b>	<b>Address</b>	<b>Confirmed Use (Y/N)</b>	<b>Planning Officer Initials</b>	<b>Amount (£)</b>
35694	07/0751/FUL	Public Art	Rees Thomas School, Hawkins Road	Y	SD	3,000
35551	05/0225/FUL	Public Art	Black Pear Press	Y	SD	16,907
35763	07/0328/FUL	Public Art	Milton Road Primary School	Y	SD	22,593
35491	06/0242/FUL	Public Art	197, Huntingdon Road	Y	SD	7,500
35900	04/0186/FP	Public Art	18, Long Road	Y	SD	11,100
35591	05/1345/FUL	Public Art	Whitlocks	Y	SD	11,600
35352	05/0951/FUL	Public Art	148-160 Hills Rd	Y	SD	2,300
35818	05/1368/OUT	Public Art	80, Fulbourne rd	Y	SD	5,500
35642	06/1398/FUL	Public Art	TA Centre, Coldhams Lane	Y	SD	18,500
<b>TOTAL</b>						<b>99,000</b>

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To: Executive Councillor for Arts and Recreation  
Report by: Head of Arts and Recreation  
Relevant scrutiny committee: Community Services Scrutiny Committee 13/10/11  
Wards affected: All

### **LEISURE GRANT PRIORITIES 2012-14 Key Decision**

#### **1. Executive summary**

This report recommends Leisure Grant Priorities for 2012-14 aligning them to the arts and sports strategies and changes to the funding arrangements and criteria following consultation with voluntary and community organisations including current grant recipients.

#### **2. Recommendations**

The Executive Councillor is recommended:

- 2.1 To approve the proposed Leisure Grant Priorities as detailed in 4.2 of this report.
- 2.2 To approve the proposed funding arrangements and eligibility criteria as detailed in 4.3 and 4.4 of this report

#### **3. Background**

3.1 A report to this committee in March 2011 approved:

- The review of Leisure Grants to voluntary and community organisations to align priorities to the arts and sports strategies
- To bring back proposals to this committee

3.2 Current Leisure Grant Priorities

The current priorities, which have remained unchanged since 2006 , are:

- Activities which increase formal and informal access for all city residents to cultural and leisure activities. Priority is given to services which benefit children and young people, people with disabilities, and those whose opportunities are restricted by low income or discrimination
- Area Committee Grants

These were based on the City Council's previous Medium Term Objective to maintain a healthy, safe and enjoyable city for all, with thriving and viable neighbourhoods by:

- supporting a flourishing and diverse voluntary and not-for-profit sector
- ensuring Cambridge residents can access a range of sports, arts, recreational and community facilities and activities

3.3 The 2011/12 budget of £291,470 is divided into two:

- Leisure Activity Grants £273,970 (94%)
- Area Committee Grants £17,500 (6%)

### 3.4 Arts and Recreation

There are 4 key themes summarising the overall Arts & Recreation priorities detailed in the Portfolio Plan which reflect the approved arts and sports strategies and are relevant to the review of leisure grants:

- Access – for all to the city's leisure
- Engage – local communities in leisure
- Enhance – the city's identity (sense of place) and reputation through the use of leisure
- Protect – the environment

### 3.5 Review

The need has arisen to consolidate the above themes into succinct priorities to enable the grants to continue to support the council's strategic objectives. Following approval to review the grants by this committee in March 2011 draft grant priorities, funding arrangements and eligibility criteria were produced for consultation.

### 3.6 Cambridgeshire Compact

The Council endorsed the Compact in 2007, its main aim to improve and develop the relationships between the statutory and voluntary sectors. Of particular importance to this report the Compact has the following three undertakings for statutory organisations:

- Develop a long-term policy and strategy for support and investment in voluntary and community sector activity in Cambridgeshire including Compact compliance

- Consultation periods are for 12 weeks wherever possible
- Work towards a situation in which statutory contracts and service agreements are a minimum of three years duration and where a minimum of 12 weeks notice is given in respect of decisions to change or terminate a grant or contract condition (or less by mutual agreement)

## **4. Leisure Grant Priorities 2012-14**

### **4.1 Consultation**

A 12-week consultation was carried out between May – August on:

- New thematic priorities
- The allocation of funds to the revised priorities
- Amendments to the eligibility criteria

The consultation documents were circulated to current grant recipients, the Cambridge Council for Voluntary Service, Members and Officers and were put on the Council's website.

4.1.1 Feedback was sought by both written and face-to-face methods. An arts event was held on 23<sup>rd</sup> June to enable organisations to come together, hear presentations about the proposed priorities and funding arrangements and discuss issues. 46 organisations and stakeholders attended this event. There were 12 written responses to the consultation.

4.1.2 In general the feedback was positive with respondents supportive of the priorities, funding arrangements and criteria changes.

4.1.3 The issues emerging from the consultation were as follows:

- Support for types of agreement but needs clear definition
- Clarification on the overlap and processes for the different funds available
- Concern that tapering grants would affect the long-term viability of museums/ building assets and core costs
- Concern that grants could become too project focussed
- Help with how to demonstrate environmental efficiency and community consultation
- Request to see quality assurance in grant funding
- Support for further guidance and non-financial organisational support from the Council

4.1.4 Actions taken following the consultation

- Officers have met and considered all of the points raised

- Feedback will be sent to all respondents and current grant recipients
- FAQs and information sheets will be produced to ensure consistency and clarity
- Guidance notes and training sessions will be provided to help groups with community consultation and environmental criteria and evidence
- Each group will be allocated designated officers to support them through the grants process and leisure strategies
- Further work will be undertaken to review and develop area committee grants

## 4.2 Priorities

The following Leisure Grant priorities are proposed for 2012-14:

Ref	Priority Description
	<b>L1 Improve access to leisure activities</b> A targeted approach to improving access to arts and sports for city residents who currently have restricted access, particularly including:
<b>L1.1</b>	▪ Minority ethnic groups
<b>L1.2</b>	▪ People with disabilities
<b>L1.3</b>	▪ People on low incomes
<b>L1.4</b>	▪ Children, young people and older people at risk of exclusion from leisure opportunities
	<b>L2 Enhance the City's cultural offer</b> Arts and sports activities that enhance Cambridge's cultural offer by doing some or all of the following:
<b>L2.1</b>	▪ Celebrating Cambridge's cultural identity or local traditions
<b>L2.2</b>	▪ Benefiting the local economy
<b>L2.3</b>	▪ Reflecting the city's creative reputation through being new, innovative, and ambitious
<b>L2.4</b>	▪ Promoting environmental sustainability
<b>L2.5</b>	▪ Celebrating the London 2012 Olympic Games and supporting the aims of the City's Olympic Action Plan (available from <a href="http://www.cambridge.gov.uk/olympics">www.cambridge.gov.uk/olympics</a> )
	<b>L3 Encourage and support local neighbourhood arts and sports activities that enhance current provision and are for the benefit of local residents</b>
	These grants will be awarded via the Council's Area Committees, North, South, East and West Central and are not available by application via the main grants round.

## 4.3 Funding arrangements

4.3.1 The following funding arrangements are proposed for 2012-14:

## **A. Three Year Grant Agreements**

- Funding for ongoing arts & sports activity that meets the Council's leisure priorities 1 and 2 which would be tapered over the three years.
- These agreements would usually be available for organisations that had been in receipt of an annual leisure grant for two consecutive years.
- Payment in years two and three would be subject to an annual review and the funding being available.

Approximately 80% of the leisure grants budget would be allocated to three year grant agreements initially and it is anticipated this may reduce over time.

The proposal is to work on the detail of assessment, tapering, impact and implementation from April 2012 and begin discussions with organisations to inform their applications for grants in the autumn 2012 and then to come into actual effect from April 2013.

## **B. One Year Project Grants**

- One-off project grants for arts & sports activity meeting the Council's leisure priorities for the benefit of local residents city-wide.

Approximately 10% of the leisure grants budget would be allocated to one year project grants initially and it is anticipated this may increase over time.

## **C. Area Committee Grants**

- One-off project grants for arts & sports activity meeting the Council's leisure priorities for the benefit of local residents in the wards designated by area committees.

Approximately 10% of the leisure grants budget would be allocated to area committee grants in 2012-13 and it is anticipated this may increase over time.

4.3.2 The current method of awarding grants has resulted in some groups receiving funding from the Council over a sustained period of time, so any changes to priorities and processes will need to be carefully assessed, communicated and implemented in phases to support groups to manage the changes and protect services as far as possible.

4.3.3 There will be a need for flexibility to support those groups who may face changes to their funding structure. This will be managed by a phased introduction, exit strategies for those affected and support to secure alternative funding linked to our partnerships with the Cambridgeshire Community Foundation and the Cambridge Council for Voluntary Support and other funders.

#### 4.4 Eligibility Criteria

It is proposed to introduce the following additional eligibility criteria as a light touch in 2012-13 to enable us to offer understanding and support to organisations and in full by 2013-14.

- Adopt, implement and monitor a policy to protect the environment and demonstrate how they are routinely making an effort to decrease their carbon footprint, ensure greater energy efficiency, reduce waste and increase levels of recycling where appropriate
- Be able to demonstrate any grant awarded is a contribution to the project and not sole funding by evidence of other income such as fundraising, charges, partnership working, donations etc
- Organisations will be asked to demonstrate consultation with local people, evidence that the activity is not provided by anyone else, or if it is, explain why it is still needed.

### 5. Implications

#### (a) **Financial Implications**

- The anticipated funding available for 2012-13 is dependent on budget approval
- Any revisions to individual awards will be undertaken with support

#### (b) **Staffing Implications - None**

#### (c) **Equal Opportunities Implications**

- Equality impact assessments were undertaken on the arts and sports strategies.
- An equalities impact assessment was carried out on the draft proposals for the review of leisure grants prior to consultation. The initial assessment found a gap in targeting older people in relation to improving access to leisure activities. The final document for consultation was amended accordingly.
- The assessment will be reviewed during the implementation phase.



- A condition of grant aid is the effective implementation of equal opportunities policy and practice

(d) **Environmental Implications**

- All applicants are required to have environmental/green policies and revised eligibility criteria will enhance organisation accountability to evidence good practice.
- Climate change rating: +L - low positive impact

(e) **Consultation**

Detailed in 4.1 of this report

(f) **Community Safety - None**

## 6. Background papers

These background papers were used in the preparation of this report:

- Sports Strategy 2009-13
- Arts Strategy 2011- 14
- Compact
- Community Services Scrutiny Committee March 2011
- Consultation document and feedback
- Equalities Impact Assessment

## 7. Appendices

None

## 8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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To: Executive Councillor for Arts, Sport & Public Places  
Report by: Head of Streets and Open Spaces  
Relevant scrutiny committee: Community Services Scrutiny Committee 13<sup>th</sup> October 2011

### **Tree Planting Project - Parks and Open Space 2011/15** **Key Decision**

#### **1. Executive summary**

- 1.1 The City Council is one of the largest single owners of trees in Cambridge.
- 1.2 Trees contribute greatly to our local environments. They provide habitats for wildlife, store carbon, offer natural spaces for rest and relaxation, release oxygen, filter pollution and provide shade and shelter for livestock and animals.
- 1.3 The Council identified the need to increase the investment in tree planting as detailed in the Budget Setting Report for 2011/12, in which the Council approved a four-year planting programme totalling £200,000.
- 1.4 The tree planting project will increase opportunities for communities to be involved with tree planting, create opportunities for local people to make decisions relating to tree planting proposals and to provide a focus for community based volunteering.
- 1.5 Provisional tree planting opportunities for Years 1 to 4 have been identified and detailed by Officers.
- 1.5 The City Council's Area Committees will be consulted on proposals, and given the opportunity to decide, and approve planting schemes.
- 1.6 There will be opportunities for local people to volunteer and take an active role, in the planting and aftercare of trees.

## **2. Recommendations**

2.1 The Executive Councillor is recommended to: -

- a) Approve the four-year planting schedule at paragraph 4.5 to 4.8;
- b) Approve the list of proposed sites in each year;
- c) Delegate the final decision on proposed planting schemes to the relevant Area Committee(s);
- d) Instruct Officers to pilot a Tree Warden Scheme in the City; and
- e) Instruct Officers to prepare a progress report for Spring 2013.

## **3. Background**

3.1 The City Council is one of the largest single owner of trees in Cambridge. We own trees on public land such as parks and play areas, and also in local nature reserves, cemeteries, allotments, and other Council premises including the riverbank.

3.2 Trees are widely, and increasingly, recognised as an important contributor to people's wellbeing and to the liveability of places, both in rural and urban contexts. The City Council recognises the importance of managing and enhancing the City tree stock, to maximise these benefits and to ensure their continuance in the face of the threats that face trees now and in the coming years.

3.3 This project delivers outcomes for the Council's vision, for a City: -

- which is diverse and tolerant, values activities which bring people together and where everyone feels they have a stake in the community;
- which draws inspiration from its iconic historic centre and achieves a sense of place in all of its parts with generous urban open spaces and well designed buildings; and
- whose citizens feel they can influence public decision making and are equally keen to pursue individual and community initiatives.

3.4 A budget of £50,000 is available for each of the four years. The first phase of tree planting will take place in 2011/12. The project will complete in 2014/15.

3.5 Citywide parks and open spaces have been considered, prioritised are listed in tables 1 to 4 below, the tables also detail outline tree planting schemes with indicative costs.

3.6 Officers' have provisionally prioritised the sites detailed in Tables 1 to 4 using the following criteria: -

- Current tree stock levels, including tree age distribution;
- Identified deficiency of young tree stock;
- Geographical spread across the city – to ensure an even distribution and benefit to all areas;
- Asset type - to ensure a broad range of sites where considered from major parks and commons through to smaller local community spaces; and
- The use of the Performance Management Framework data to set priorities for sites scoring lowest for quality and value.

3.7 The prioritised Tables below are provisional and subject to change by Area Committees. There are opportunities available to consider additional sites through the duration of the project.

#### **4. Considerations**

4.1 The mortality rate for newly planted trees in public spaces and highways can be as high as 25%<sup>1</sup>.

4.2 Aftercare, to include a summer watering programme, mulching and weeding of tree bases are important factors during the first two years after planting to reduce mortality rates. It is therefore recommended that the planting-aftercare costs be apportioned for the four years as follows: -

Year 1 – Planting £41,000 – Sundries purchase £9000

Year 2 – Planting £32,000 – Aftercare £16,000

Year 3 – Planting £16,000 – Aftercare £32,000

Year 4 - Planting £16,000 – Aftercare £32,000

4.3 In addition to the supply costs of trees and their subsequent planting, sundries are required. These include stakes (4 per tree with cross bars), ties, tree gators (for watering). It is recommended to purchase the sundries 'up front' in year one to achieve an economy of scale and the substantial discounts this approach offers.

4.4 Officers from the Procurement Team have provided help and assistance in drafting a framework contract for the supply of trees for Years 2 to 4. Other neighbouring Councils have also expressed an interest in collective buying using this framework contract. It is proposed to tender for the supply of trees in Year 1.

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<sup>1</sup> Trees in Towns II; Communities and Local Government, February 2008

4.5 Table One Year One

Site	Scope of works	Area Committee	Cost
Trumpington Recreation Ground	Additional boundary planting	South	£4,000
Romsey Recreation Grd	New placements	East	£4,000
Chesterton Recreation Grd	Improve St Andrews Church boundary	North	£2,000
Cherry Hinton Recreation Grd	Frontage (Large Stock)	South	£5,800
Nunns Way Recreation Grd	Boundaries	North	£3,800
Coe Fen	Strategic new planting	West Cent/South	£5,000
Cherry Hinton Hall	Daws Lane boundary and hedge	South	£3,000
Arbury Town Park	Succession planting	North	£1,500
Brooks Road Play Area	Frontage	South	£700
Brownsfield Recreation Grd	Central planting	North	£1,000
St Albans Recreation Grd	Long grass areas	North	£2,500
Parker's Piece	New Boundary Planting	West Central	£1,200
Ditton Fields Recreation Grd	Smaller Tree species boundary planting	East	£2,000
Woodhead Drive	Structural layout improvements	North	£1,500
Ramsden Square Play Area	Boundary improvements	North	£1,500
Thorpe Way/Fison Road Play Area	Specimen & Boundary improvements	East	£1,500
		Sundries	£9,000
		Total	<b>£50,000</b>
		Estimated Number of Trees	<b>275</b>

4.6 Table Two Year Two

<b>Site</b>	<b>Scope of works</b>	<b>Area Committee</b>	<b>Cost</b>
St Peters	Specimen/Landscaped scheme	West Central	£1,500
St Clements	Specimen/Landscaped scheme	West Central	£1,500
St Giles	Specimen/Landscaped scheme	North	£2,500
Lammas Land	Boundary/Succession planting	West Central	£5,000
Sheeps Green	Specimen planting	West Central	£2,000
New Square	Succession Avenue along path	West Central	£3,000
Arbury Court	Specimen/boundary planting	North	£2,000
Dudley Road Play Area	Cluster planting	East	£2,500
Barnwell Road Recreation Ground	Succession planting for Malus	East	£1,000
Kings Hedge Recreation	Consider current stock & succession planting	North	£2,000
Coleridge Road Recreation Ground	Works to be incorporated as part of potential whole park improvement/masterplan	East	£4,000
Histon Road Recreation Ground	Various structural planting	West Central	£1,500
Nightingale Avenue Recreation Ground	Boundary/Specimen planting	South	£2,000
Midsummer Common	Additional planting rear of new development - Brunswick	West Central	£1,500
		<b>Total</b>	<b>£32,000</b>
		<b>Estimated Number of Trees</b>	<b>215</b>

4.7 Table Three Year Three

<b>Site</b>	<b>Scope of works</b>	<b>Area Committee</b>	<b>Cost</b>
Histon Road Cemetery	Additional planting to compliment original Victorian layout.	North	£1,600
Jubilee Gardens	Riverbank planting/replacement	North	£2,000
Vie/Simoco Site	Plant boundaries/specimen belts with understory planting	North	£2,500
Church End	Various Specimens	South	£1,000
Velos Walk	2-3 to replace lost over years	East	£700
Romsey Recreation Ground	Structural planting	East	£2,000
Green End Road Recreation Ground	Work to Boundary planting	North	£1,500
Gunhild Close	3 Trees	South	£600
Donkey Common	Planting to rear of pool building	East	£800
Cherry Hinton Hall	Planting to compliment next phase of Masterplan	South	£2,500
St Thomas's Square	Improve existing stock	South	£800
		<b>Total</b>	<b>£16,000</b>
		<b>Estimated Number of Trees</b>	<b>108</b>



4.8 Table Four Year Four

<b>Site</b>	<b>Scope of works</b>	<b>Area Committee</b>	<b>Cost</b>
Ascension (subject to adoption)	Site review needed identifying tree stock improvement	West Central	£2,000
Christ's Pieces	Specimen trees	West Central	£1,200
Gwydir Street – Bath House	1 x Tree	East	£250
Chalfont Close	Specimen planting	South	£500
Scotland Road Recreation Ground	2-3 Trees	North	£600
Coldham Lane Play Area	2-3 Trees	East	£600
Queens' Green	Backs Masterplan	West Central	£800
Peverel Road	3-4 Trees	East	£750
Bramblefields	3-4 Specimen Oaks	North	£1,000
Accordia – Brooklands Avenue	Assess in year 4 following adoption in 2011	South	£800
Coldhams Common	Potential to plant many, dependant on usage of final part of monies including contingency sum below	East	£2,500
Estimated Contingency (Various)	To address stock failed in years 1-3		£5,000
		<b>Total</b>	<b>£16,000</b>
		<b>Estimated Number of Trees</b>	<b>108</b>

- 4.9 It is recommended that the Tree Planting Project follows the *Protocol for the Consultation and Determination of Tree Works Operations to Trees on City Council owned land*, or any subsequent revisions.

*Where trees are to be planted where none have been planted previously, or the proposals are for major planting as part of the long-term renewal of a landscape, the Council will undertake consultations.*

- 4.10 All tree planting consultation will be undertaken with the community. The consultation will extend to interested persons, resident groups, and amenity societies and near neighbours.
- 4.11 Details of tree planting will be posted on the City Council website.
- 4.12 It is recommended that Area Committees are given the opportunity to amend and/or approve the final Tree Planting schemes prepared each year detailed at Tables 1 to 4.
- 4.13 Trees Officers' recognise the benefits of the Tree Planting Project and the opportunities it affords to involve local people and to trial/pilot a Tree Warden Scheme<sup>2</sup>. The Tree Warden Scheme is a national initiative to enable people to play an active role in conserving and enhancing their local trees and woods. The scheme was founded and is co-ordinated by The Tree Council.
- 4.14 Tree Wardens would be volunteers, appointed by the City Council, who gather information about their local trees, get involved in local tree matters and encourage local practical projects to do with trees and woods.
- 4.15 It is recommended that the City Council pilot a Tree Warden Scheme, in year 2012/13.

## **5. Implications**

### **5.1 Financial Implications**

Capital spending on tree planting and subsequent tree maintenance for a period of four years.

### **5.2 Staffing Implications**

Consultation, community engagement and preparing planting plans have been considered in the report. A project leader will be assigned from the Asset Team of Streets and Open Spaces.

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<sup>2</sup> <http://www.treecouncil.org.uk/tree-wardens>

### **5.3 Equal Opportunities Implications**

An equalities impact assessment will be completed before commencement to ensure there is no negative impact from any proposal.

### **5.4 Environmental Implications**

The project will have a high positive climate change rating. The outcomes are detailed at paragraph 1.2 & 3.2.

### **5.5 Consultation**

Proposals are set out from paragraph 4.9 to 4.12.

### **5.6 Community Safety Implications**

None

## **6. Background papers**

These following background papers were used in the preparation of this report:

Budget Setting Report for 2011/12

## **7. Appendices**

None

## **8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

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To: Executive Councillor for Arts, Sport and Public Places: Councillor Rod Cantrill  
Report by: Elaine Midgley, Arts & Events Manager  
Relevant scrutiny committee: Community Services Scrutiny Committee 13/10/2011  
Wards affected: All Wards

### **CAMBRIDGE FOLK FESTIVAL PROCUREMENTS 2012 - 15** **Key Decision**

#### **1. Executive summary**

The information in this report will enable Scrutiny Committee and the Executive Councillor to decide whether to authorise Arts & Recreation to invite competitive tenders for services for forthcoming Folk Festivals.

The services to be tendered comprise:

	<b>Term</b>	<b>Estimated Contract Value</b>
Power & Lighting	3 years	£260,000
Marquees	1 year	£80,000
Online Ticketing	1 year (with extension options for a further 2 years)	£18,000 per annum (£54,000 total)

#### **2. Recommendations**

The Executive Councillor is recommended:

2.1 To authorise the Head of Arts & Recreation to tender for contractors to provide services for the Folk Festival.

2.2. To authorise the Head of Arts and Recreation to award the contract(s) to the most favourable tender(s), in accordance with pre-determined selection criteria.

#### **3. Background**

3.1 The current contracts for Folk Festival provision for marquees and power & lighting have expired.

3.2 The contract for online ticketing will expire after 2012 but an early procurement is required to ensure that tickets for the 2013 event can be sold from August 2012.

3.3 A contract of 3 years is recommended for power & lighting but will include a clause to allow us to end the contract sooner if required.

3.4 A contract of only one year is to be offered to marquees to accommodate possible changes to the Folk Festival specification as a result of anticipated re-development of the propagation centre at Cherry Hinton Hall.

3.5 A contract for online ticketing services will be offered for one year initially, with an option to extend for up to a maximum of three years in total. This will allow for flexibility to change the ticketing structure if desired for future festivals, which may require a different service to be provided. An annual extension option will enable a fast contracting process if no significant changes are required to the specification.

#### 4. Implications

- (a) **Financial Implications:** The combined contract values are £394,000. If for any reason the cost of the contract is more than 15% higher than this, following consultation with the Director of Finance, the Executive Councillor will be asked to consider a decision on the contract award and any such acceptance of a higher offer will be reported to the next Scrutiny Committee. In addition, the online ticketing provider will be required to administer the receipt of 85% of Folk Festival ticket income of £1m, however current arrangements ensure that this income is paid directly into the Council's bank account (not via the provider) to reduce the risk involved.
- (b) **Staffing Implications:** None.
- (c) **Equal Opportunities Implications:** All tenders shall be dealt within accordance with the Constitution and shall be subject to a team evaluation. An EQIA was undertaken on the Council's outdoor events, including the Folk Festival, in 2010 and included contractor considerations.
- (d) **Environmental Implications:** Environmental performance of contract bidders (such as their recycling policy and appropriate minimising of power use) will form part of the selection criteria. Reference will be made to the Council's Green Procurement Guidelines as part of the tendering and selection process.

Rating: -L negative impact (based on the impact on the Cherry Hinton Hall site of marquee structures).

- (e) **Consultation:** The implications of the Folk Festival on the local community are considered within consultation meetings with Friends of Cherry Hinton, through complaints & complements received, social media feedback, and debriefs with event contractors and staff.
- (f) **Community Safety:** All contractors have to meet minimum legal health & safety requirements.

## 5. Background papers

These background papers were used in the preparation of this report:  
Details of costs in 2009, 2010 and 2011

## 6. Appendices

None.

## 7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

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## Cambridge City Council

To: Executive Councillor for Arts Sports & Public Places  
Report by: Head of Streets and Open Spaces  
Relevant scrutiny Community Services Scrutiny 13<sup>th</sup> October  
committee: Committee 2011

### **Change of Use of City Council Mooring Key Decision**

#### **1. Executive summary**

- 1.1 The Play Boat is a Community Development project that increases opportunities for children and young people to access the river and surrounding open spaces, it also provides open access play sessions and residential opportunities.
- 1.2 The Executive Councillor for Community Development previously considered and approved the Play Boat in July 2008.
- 1.3 The Children and Young People's Participation Service (ChYpPS) wish to consider the use of an existing commercial mooring on Jubilee Gardens as an operational base. This will require the change of usage from commercial to educational.
- 1.4 Any change of use for the mooring and any subsequent fee levied requires the approval of the Executive Councillor for Arts, Sports and Public Places.

#### **2. Recommendations**

- 2.1 The Executive Councillor is recommended to:-
  - a) Approve the permitted change of use of the existing mooring to allow the Play Boat to be based in Jubilee Gardens, and to;
  - b) Levy an annual fee, equivalent to the annual charge for a residential river mooring licence.

### **3. Background**

- 3.1 The ChYpPS play boat is the first of its kind in the country and offers a unique experience for children and young people, schools, community groups and families to access the River Cam.
- 3.2 Following approval by the Executive Councillor for Community Development in July 2008, and a further project appraisal for additional S106 funding in July 2010, the custom-designed, 60-foot-long, 10-foot-wide narrowboat, was delivered to Cambridge at the end of January 2011.
- 3.3 The Play Boat increases opportunities for children and young people to access the river and surrounding open spaces, it also provides open access play sessions and residential opportunities.
- 3.4 Young people were involved in planning the design of the boat, undertook crew training and have since been involved in the launch events and programming for the boat.
- 3.5 The boat delivers play and dedicated environmental sessions. It also works with city partners to provide short residential opportunities outside of the city for children and young people.
- 3.6 The play boat's internal space is open plan to enable lots of space for play. Sessions running from the boat includes open access drop in sessions and closed group work, involving activities such as environmental art, river dipping, cooking and fishing projects.
- 3.7 The boat is available for trips and overnight residentials.
- 3.8 The Executive Councillor for Community Developments decision in July 2008 was based on initial moorings outside the City with a view to eventually securing moorings within the city.
- 3.9 Since the arrival of the boat in January 2011, the boat has been moored outside the City. The travel to collect the boat combined with the time taken to navigate the river to the collect point results in a considerable 'downtime' period as well as additional travel costs. A permanent mooring in the City will increase the efficiency of the boats operation and availability.
- 3.10 On Jubilee Gardens there is a mooring position that has existing Planning Consent for commercial activity detailed in Appendix A.

This mooring was previously occupied by 'Gallery on the Cam' and has remained vacant for more than 12 years.

- 3.11 Property Services value this commercial mooring as potentially £3500 per annum.
- 3.12 The existing City Council residential moorings do not extend to this area. Area B of the City Councils residential moorings details as follows residential mooring permitted for 75m on Jubilee Gardens upstream of the weir, adjacent to Chesterton Road.
- 3.13 Residential moorings attract a full fee of £1015.50.
- 3.14 Officers have considered the loss of potential external commercial income and the inequality of residential moorers paying but not the Play Boat. Officers believe that benefits to the local community outweigh any potential loss of income.
- 3.15 Officers consider and consulted on the proposal that the existing commercial mooring could be made available for the Play Boat.
- 3.16 Consultation included, Camboaters, Jesus Green Association, Cam Conservators, and Angling & Rowing Associations. Respondents detailed the following considerations: -
- Support for: -
- The change of use from commercial to educational use;
  - A fee equivalent to the residential river mooring fee is charged;
- 3.17 Officers in the Planning team have been consulted and advise that conversion of the current commercial mooring to be used, as an educational mooring would not require planning permission. Permission is needed for the mooring not the use of the boat itself.
- 3.17 Executive Councillor approval is needed to effect the change of use.

#### **4. Considerations**

- 4.1 There is vacant mooring position on Jubilee Gardens that has had no expressions of interest since 1999.
- 4.2 There are operational justifications for the Play Boat to be moored in the City.
- 4.3 There are no Planning considerations from the proposed change of use of the mooring from commercial to educational.

- 4.4 Consultation has detailed the need for improvements to the riverbank to allow access to the Play Boat; occasions when the Play Boat may have to be moved to allow the river level to be lowered for works; and that use of the lock to navigate from the upper river to the lower river will need the approval of the River Manager.
- 4.5 It is recommended that a mooring fee of £1015.50 be justified on the basis that it is comparable with other residential moorings in the locality, and that no formal commercial mooring fee has been attainable for 10 years.

## **5. Implications**

### **5.1 Financial Implications**

There is a potential loss of a commercial mooring fee, should a viable proposal be made in the future to Property Services.

### **5.2 Staffing Implications**

There would be no adverse impact on officer time, other than the task of ensuring the boat was registered and licensed to be on the River Cam (which it is for 2011/12).

### **5.3 Equal Opportunities Implications**

Improvements in access to recreational benefits of the river by people from diverse backgrounds including but not exclusively those with a disability and those on low incomes.

### **5.5 Environmental Implications**

There are no adverse implications in this change. There will be less fuel usage due to the proximity of the proposed mooring.

### **5.6 Consultation**

Completed when preparing the background to the report

### **5.7 Community Safety Implications**

None

## **6. Background papers**

These following background papers were used in the preparation of this report:

- Report to Executive Councillor for Community Development – Purchase and Launch of ChYpPS Community Play Boat – 24<sup>th</sup> July 2008.

## **7. Appendices**

Appendix A - Location Plan

## **8. Inspection of papers**

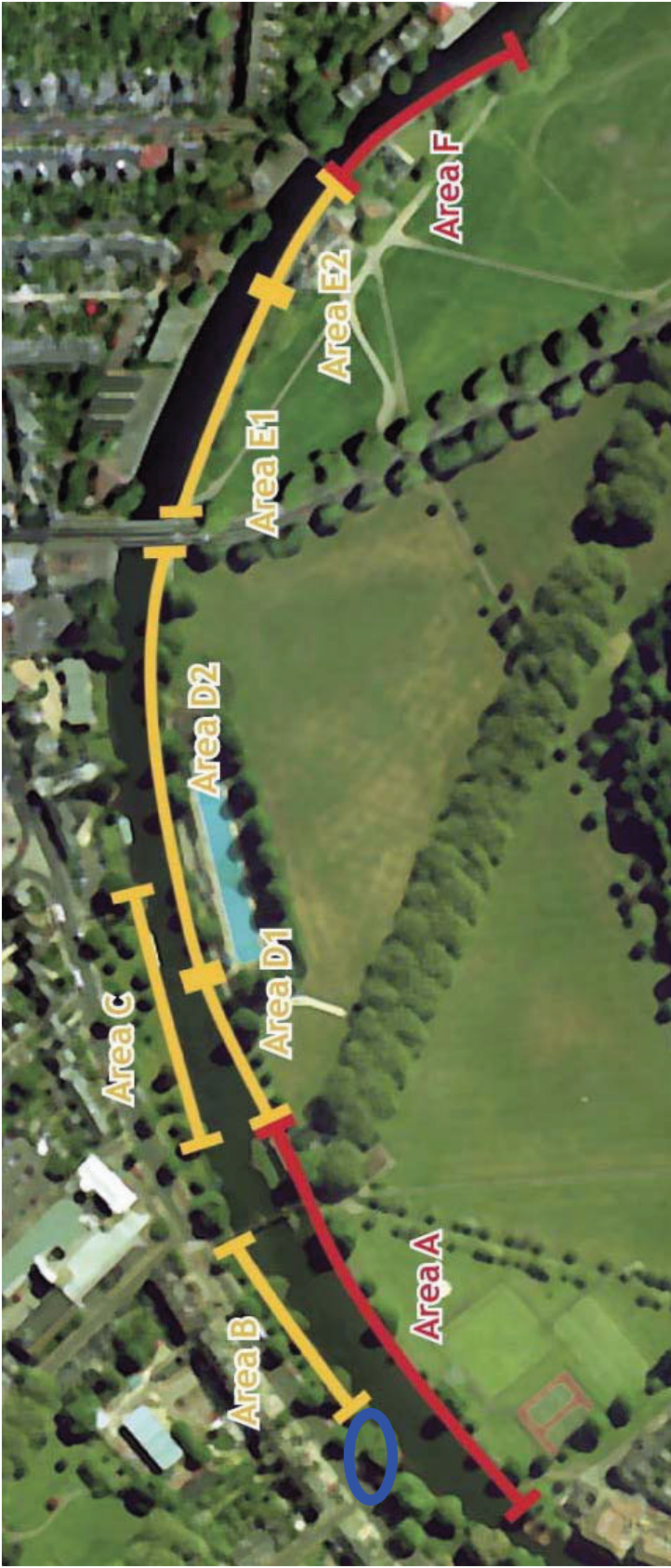
To inspect the background papers or if you have a query on the report please contact:

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**Proposed site for Boat Mooring circled in Blue.**

**Current Mooring Arrangements**

Area A	No Mooring permitted upstream of the lock and includes 36m downstream of the lock.
Area B	Mooring permitted for 75m on Jubilee Gardens upstream of the Weir for Cambridge City Council Mooring Licence Holders Only.
Area C	Mooring permitted for 48-hour Visitor Mooring Only with no return for 7 days.
Area D1	Temporary mooring permitted for up to 2 hours from 10:00 to 16:00 upstream of the pump out.
Area D2	Mooring permitted for Cambridge City Council Mooring Licence Holders Only.
Area E1	Mooring permitted for Cambridge City Council Mooring Licence Holders Only.
Area E2	Mooring permitted for 48-hour Visitor Mooring Only with no return for 7 days.
Area F	No Mooring Permitted.

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Philip



**Cambridge City Council**

To: Executive Councillor for Community Development and Health: Councillor Tim Bick

Report by: Head of Legal Services

Relevant scrutiny committee: Community 13/10/2011  
Services  
Scrutiny  
Committee

Wards affected: All Wards

## **REVIEW OF USE OF THE REGULATION OF INVESTIGATORY POWERS ACT Not a Key Decision**

### **1. Executive summary**

- 1.1 A Code of Practice introduced in April 2010 recommends that councillors should review their authority's use of the Regulation of Investigatory Powers Act 2000 (RIPA) and set its general surveillance policy. This report sets out the Council's use of RIPA and the present surveillance policy.
- 1.2 The report also sets out some planned changes to the RIPA regime.
- 1.3 Finally, the report seeks authority to enter into a protocol with Cambridgeshire Police governing co-operation provided by the City Council to the Police when the latter uses RIPA powers.

### **2. Recommendations**

The Executive Councillor and Scrutiny Committee are recommended:

- 2.1 To review the Council's use of RIPA set out in paragraph 5.1 of this report.
- 2.2 To note and endorse the steps described in paragraph 5.1 and in Appendix 1 to ensure that surveillance is only authorised in accordance with RIPA.

The Executive Councillor is recommended:

- 2.3 To approve the general surveillance policy in Appendix 1 to this report; and
- 2.4 To authorise the Director of Environment to enter into the protocol in Appendix 2 of this report.
- 2.5 To confirm that the Council's Monitoring Officer should act as the Council's Senior Responsible Officer for RIPA purposes.

### **3. Background**

- 3.1 The Regulation of Investigatory Powers Act imposes controls on the circumstances in which public bodies can use covert investigative methods in connection with their statutory functions. Local authorities may only use these methods for the purpose of preventing or detecting crime or of preventing disorder.
- 3.2 These are the activities that are regulated by RIPA:

#### **1. Covert directed surveillance**

Surveillance is "covert" if it 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. It is "directed" if it is undertaken for the purposes of a specific investigation or operation in such a manner as is likely to result in the obtaining of private information about a person. Surveillance is not directed if it is an immediate response to events or circumstances; for instance if a police officer sees someone acting suspiciously and decides to follow them. The Council uses covert directed surveillance very sparingly – on only one occasion in the last three years.

#### **2. Covert human intelligence source**

A covert human intelligence source is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informer or Council officer to strike up a relationship with someone as part of an investigation to obtain information "under cover". The Council has never authorised the use of a "covert human intelligence source" under RIPA.

#### **3. Access to Communications Data**

There are stringent controls placed on access by the Council to “communications data”. The Council is not entitled to obtain access to the content of communications between third parties but can, in some circumstances, obtain information relating to the use of a communications service. “Communications services” include telecom providers, postal services and internet service providers. The Council has never authorised access to communications data under RIPA.

More detail of the nature of the scope of RIPA and controls and procedures are set out in the general surveillance policy in Appendix 1.

#### **4. Member Supervision of the Use of RIPA**

- 4.1 A Home Office Code of Practice provides for a wider supervisory role for councillors. The new code states that, at least once a year, councillors should review the Council’s use of RIPA and set the general surveillance policy. This report gives members this opportunity.
- 4.2 Councillors should also consider internal reports on the use of RIPA at least on a quarterly basis to ensure that it is being used consistently as per the council's policy and that the policy remains fit for purpose. The Code emphasises that councillors should not be involved in making decisions on specific authorisations. In fact, since the Code of Practice came into effect, the Council has not used RIPA powers, so there has been no occasion to issue a report.

#### **5. The Council’s Use of RIPA**

- 5.1 The City Council is very sparing in its use of RIPA powers. In fact, it has authorised use of RIPA powers on only one occasion since October 2008 – in February 2010. The authorisation on that occasion was for directed surveillance by covert CCTV as part of co-operation with a Police investigation into incidents of serious domestic assault. Covert CCTV was installed in the victim’s home with her full co-operation to gather evidence against the perpetrator. Whilst the officers were satisfied that the surveillance was appropriate in supporting the victim and in gathering evidence of serious criminal behaviour, the Police, rather than the City Council should have authorised the surveillance. Technically, this amounted to intrusive surveillance, which the Police can authorise, but the Council cannot. The guidance has been strengthened to emphasise this by ensuring

that applications are scrutinised by the Head of Legal Services before they are considered by an authorising officer.

- 5.2 As mentioned in Section 3, the Council has never used RIPA powers to authorise the use of “confidential human intelligence sources” or the powers relating to the obtaining of communication data.
- 5.3 The Protection of Freedoms Bill contains measures further to ensure that RIPA powers are used appropriately. The Bill provides that a magistrate will need to approve use of RIPA powers.
- 5.4 The Office of Surveillance Commissioners carried out an inspection of the Council’s RIPA policy and procedures in April 2010. The report comments on the authorisation of intrusive surveillance described in paragraph 5.1, but it is in other respects positive about the Council’s approach to RIPA. Copies of the report are available from the Head of Legal Services, subject to redaction of an appendix which contains personal information about a third party.

## **6. The Council’s Surveillance Policy.**

- 6.1 The Council’s surveillance policy is set out at Appendix 1. It sets out the tests to apply in determining whether the use of RIPA powers is necessary and proportionate. The Executive Councillor is asked to endorse the policy.

## **7. CCTV Protocol**

- 7.1 Cambridgeshire Police have been working with the City Council and other Cambridgeshire authorities to agree a protocol for the use of CCTV during Police surveillance operations. The proposed protocol is set out in Appendix 2. It “is intended to provide a framework for Cambridgeshire Constabulary and Local Authorities utilising CCTV systems within the County to work together under the Regulation of Investigatory Powers Act 2000... to conduct certain types of surveillance during planned or unplanned investigations and to give a common practice direction to all concerned.”
- 7.2 The use of surveillance by Cambridgeshire Police is also regulated by RIPA. The main differences between the City Council and the Police with regard to surveillance are:
  - a) The City Council may only use RIPA powers for the prevention and detection of crime and disorder, but the Police can use RIPA powers in a much wider range of circumstances.

b) The Police can authorise intrusive surveillance, which the City Council cannot.

7.3 The use of overt CCTV cameras does not normally require authorisation under RIPA. Members of the public will be aware that such systems are in use, and their operation is covered by the Data Protection Act 1998 and the CCTV Code of Practice 2008, issued by the Information Commissioner's Office.

7.4 However, where overt CCTV are used in a covert and pre-planned manner as part of a specific investigation or operation, for the surveillance of a specific person or group of people, this is likely to amount to directed covert surveillance which would require authorisation under RIPA.

7.5 It will be the responsibility of the Police to obtain authorisation for directed surveillance and the protocol places them under an obligation to disclose their authorisation when requesting use of CCTV cameras for this purpose.

7.6 It is important to note that the protocol will not oblige the City Council to provide Police access to CCTV cameras for covert surveillance purposes. The Council's CCTV Code of Practice says:

"The Regulation of Investigatory Powers Act is to ensure that investigatory powers of the intelligence services, the police and other enforcement agencies are used in accordance with the Human Rights Act and Cambridge City Council will ensure that all requests for assistance from the Council's CCTV system under this Act are examined in detail to ensure that they are proportionate, legal, appropriate and necessary. Where any doubts exist, legal advice or advice from the Surveillance Commissioner's Office (address on last page of this document) will be sought before the Council agrees to undertake action under this Act."

7.7 The Executive Councillor is asked to authorise the Director of Environment to enter into the protocol on behalf of the Council.

## 8. The Senior Responsible Officer

8.1 A Home Office Code of Conduct introduced in April 2010 recommends that the Council designates a “senior responsible officer” (SRO) in relation to RIPA powers and obligations.

8.2 The SRO is responsible for:

- the integrity of the process in place within the public authority for the management of CHIS and Directed Surveillance;
- compliance with the Act and with the Codes
- engagement with the OSC inspectors when they conduct their inspections, where applicable, and
- where necessary, oversight of the implementation of post-inspection action plans approved by the relevant oversight Commissioner.

8.3 The Code recommends that the SRO should be a member of the corporate leadership team and should be responsible for ensuring that all authorising officers are of an appropriate standard in the light of any recommendations in OSC inspection reports. Where a report highlights concerns about the standard of authorising officers, the SRO will be responsible for ensuring the concerns are addressed.

8.4 The Head of Legal Services/Monitoring Officer has been carrying out this role and the Executive Councillor is asked to confirm this designation.

## 9. Implications

(a) **Financial Implications** There are no financial implications.

(b) **Staffing Implications** There are no staffing implications.

(c) **Equal Opportunities Implications**

A formal equality impact assessment has not been carried out in preparing this report. Equality impact issues are addressed, and safeguards contained, within the body of the general surveillance policy which the Executive Councillor is being asked to endorse. Paragraph 9.5 of the policy highlights the need to consider equality issues as part of considering whether to use RIPA powers. Paragraph 9.7 highlights the special care needed if surveillance might involve obtaining access to religious material. The Head of Legal Services receives copies of all authorisations and takes an overview of the use

of RIPA. The increased role for member supervision outlined in section 4 of this report would also help ensure that the policy is being applied properly.

**(d) Environmental Implications**

The proposals in this report have a “nil” climate change impact.

**(e) Consultation**

The protocol in Appendix 2 is the product of consultation between the Police and Cambridgeshire local authorities. The RIPA general surveillance policy is based on legal requirements and the guidance contained in Home Office codes of practice and there has been no external consultation on this.

**(f) Community Safety**

Although the Council’s use of RIPA has been very sparing, there have been, and will be, occasions on which the use of the powers are justified and necessary to ensure community safety.

## **5. Background papers**

These background papers were used in the preparation of this report:

Report to Strategy Scrutiny Committee, 1 September 2008: “Regulation Of Investigatory Powers Act 2000”

Office of Surveillance Commissioners Inspection Report: April/May 2010 (excluding the Appendix).

A Code Of Practice For Cambridge City Council’s Public CCTV Scheme

## **6. Appendices**

Appendix 1: City Council RIPA Procedure Guide

Appendix 2: Protocol between Cambridgeshire Constabulary and Local Authority CCTV Partners for the use of Public Authority CCTV systems during surveillance operations conducted by Cambridgeshire Constabulary

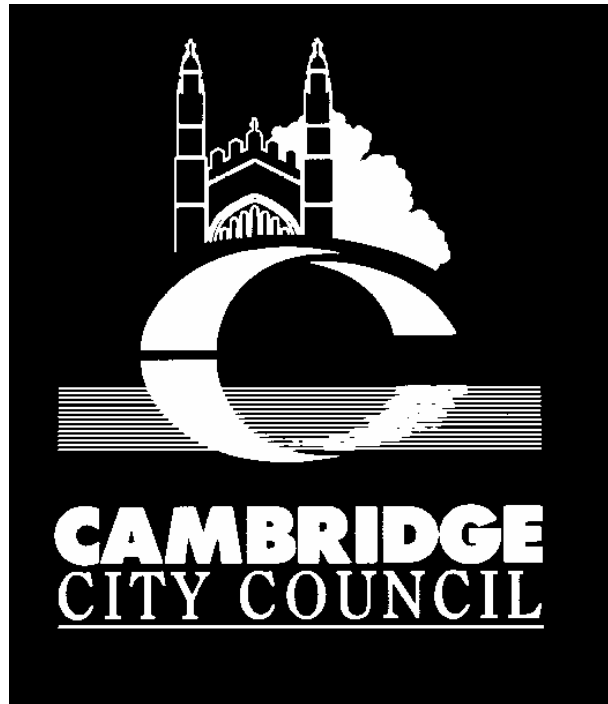
## **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Simon Pugh  
Author's Phone Number: 01223 - 457401  
Author's Email: [simon.pugh@cambridge.gov.uk](mailto:simon.pugh@cambridge.gov.uk)



## Appendix 1



# THE REGULATION OF INVESTIGATORY POWERS ACT 2000

A procedure guide on the use of covert  
surveillance and “covert human intelligence  
sources”

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*The Regulation of Investigatory Powers Act 2000: A procedure guide on the use of covert surveillance and "covert human intelligence sources"*

Statement of Intent: Cambridge City Council attaches a high value to the privacy of citizens. It will adhere to the letter and to the spirit of the Act and will comply with this Code.

## **1. Introduction**

- 1.1 The Regulation of Investigatory Powers Act 2000 ("RIPA") is designed to ensure that public bodies respect the privacy of members of the public when carrying out investigations, and that privacy is only interfered with where the law permits and there is a clear public interest justification.

## **2. What does RIPA do?**

- 2.1 RIPA places controls on the use of certain methods of investigation. In particular, it regulates the use of surveillance and "covert human intelligence sources". This guide covers these aspects of the Act. Further guidance will be issued on other aspects of the Act if necessary.
- 2.2 RIPA's main implications for the Council are in respect of covert surveillance by Council officers and the use of "covert human intelligence sources". (A covert human intelligence source is someone who uses a relationship with a third party in a secretive manner to obtain or give information – for instance an informer or someone working "under cover".)

## **3. Some definitions**

### **3.1 "Covert"**

Concealed, done secretly

### **3.2 "Covert surveillance"**

Surveillance which 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;

### **3.3 "Directed surveillance"**

Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:

- a) for the purposes of a specific investigation or 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 this Part to be sought for the carrying out of the surveillance (i.e. where the circumstances make it impractical to seek authorisation. An example might be where a police officer on patrol sees a person acting suspiciously and decides to watch them surreptitiously to see whether they are intending to commit a crime.)

Private information in relation to a person includes any information relating to his private or family life.

### 3.4 *“Intrusive surveillance”*

Intrusive surveillance is defined in section 26(3) of the 2000 Act as covert surveillance that:

- a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

## **4. RIPA and Surveillance – what is not covered**

- 4.1 General observation forms part of the duties of some Council officers. They may, for instance, be on duty at events in the City and will monitor the crowd to maintain public safety and prevent disorder. Environmental Health Officers might covertly observe and then visit a shop as part of their enforcement function. Such observation may involve the use of equipment merely to reinforce normal sensory perception, such as binoculars, or the use of cameras, where this does not involve systematic surveillance of an individual. It forms a part of the everyday functions of law enforcement or other public bodies. This low-level activity will not usually be regulated under the provisions of RIPA.
- 4.2 Neither do the provisions of the Act cover the use of overt CCTV surveillance systems. Members of the public are aware that such systems are in use, for their own protection, and to prevent crime. (There is a separate Code of Practice adopted by the Council to govern use of CCTV. For information about this, contact Martin Beaumont, Facilities and CCTV Manager.)

## **5. RIPA and Surveillance – What is covered?**

- 5.1 The Act is designed to regulate the use of “covert” surveillance. Covert surveillance means surveillance which 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. Strictly speaking, only two types of covert surveillance are regulated by RIPA – “directed” and “intrusive” surveillance. However, where the purpose of a surveillance operation is to obtain private information about a person, the authorisation procedures set out in this guide should be followed and the surveillance treated as being “directed”.

## **6. What is “directed surveillance”?**

- 6.1 Directed surveillance is defined in RIPA as surveillance which is covert, but not intrusive, and undertaken:
- a) for the purposes of a specific investigation or 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 this Part to be sought for the carrying out of the surveillance. (See the clarification of this in paragraph 3.3.)

Private information in relation to a person includes any information relating to his private or family life.

- 6.2 Directed surveillance is conducted where it involves the observation of a person or persons with the intention of gathering private information to produce a detailed picture of a person’s life, activities and associations. However, it 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 plain clothes police officer would not require an authorisation to conceal himself and observe a suspicious person who he comes across in the course of a patrol.
- 6.3 Directed surveillance does not include any type of covert surveillance in residential premises or in private vehicles. Such activity is defined as “intrusive surveillance” and is dealt with in paragraph 7.
- 6.4 In practice, the sort of directed surveillance which the Council might undertake would include the use of concealed cameras as part of an investigation into antisocial behaviour or breach of tenancy conditions. It might include covert surveillance connected with the enforcement of environmental health or planning regulations or in connection with investigating benefit fraud. You should treat anything involving the use of concealed cameras or anything involving keeping

covert observation on premises or people as potentially amounting to directed surveillance. If you are unsure, please take advice either from your manager or supervisor, or from the Head of Legal Services.

- 6.5 Directed surveillance **must** be properly authorised in accordance with the procedure set out in section 9.
- 6.6 You should treat any covert surveillance which is likely to intrude upon anyone's privacy to more than a marginal extent as directed surveillance, even if it does not fall within the strict terms of the definition – for instance where surveillance is not part of a specific investigation or operation.

## 7. What is intrusive surveillance?

7.1 <b>An important warning: the Council cannot authorise intrusive surveillance.</b>
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- 7.2 Intrusive surveillance is defined as covert surveillance that:
  - a. is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
  - b. involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

7.2 In essence, intrusive surveillance amounts to intrusion into people's homes or vehicles either physically or by means of a surveillance device.

7.3 **Intrusive surveillance cannot be undertaken without authorisation and the Council cannot authorise intrusive surveillance.** Bodies such as the Police and Customs and Excise can authorise intrusive surveillance. If you are asked by another agency to co-operate with intrusive surveillance, you should seek advice from the Head of Legal Services immediately. Where other authorities say that they are authorised to undertake intrusive surveillance but need our co-operation, we need to check that their authorisation is in order.

## 8. What is a covert human intelligence source?

8.1 A covert human intelligence source is someone who establishes or maintains a relationship with a person for the purpose of covertly obtaining or disclosing information. In practice, this is likely to cover the use of an informer or Council officer to strike up a relationship with someone as part of an investigation to obtain information "under cover".

8.2 Someone who volunteers information to the Council, either as a complainant (for instance, about anti-social behaviour or a breach of planning regulations) or out of civic duty, is unlikely to be a covert human intelligence source. If someone is keeping a record, say, of neighbour nuisance, this will not amount by itself to use of a covert human intelligence source. However, if we are relying on, say, a

neighbour to ask questions with a view to gathering evidence, then this may amount to use of a covert human intelligence source.

- 8.3 The use by the Council of covert human intelligence sources is expected to be extremely rare and, for that reason, this guide does not deal with the issues to which they give rise. If you are contemplating use of a covert human intelligence source, please take advice from the Head of Legal Services before putting your plan into action.

## 9. Authorising Directed Surveillance: The Rules

- 9.1 It is crucial that all directed surveillance is properly authorised. Failure to secure proper authorisation and to comply with this procedure could lead to evidence being excluded by the courts and to complaints against the Council. The Council is subject to audit and inspection by the Office of the Surveillance Commissioner and it is important that we can demonstrate compliance with RIPA and with this code. **Again, please note that the Council cannot authorise intrusive surveillance – see section 7.**

- 9.2 **Who can authorise directed surveillance?** Regulations made under the Act say that the most junior level at which authorisations can only be given is by what it refers to as “assistant chief officers”. For the purposes of this Code, authorisations may only be given by the officers identified in the Appendix to this Guide referred to as “authorising officers”. In cases of urgency, if it is not possible to seek authority from an authorising officer, authority may be given by a deputy to an authorising officer, but ratification of that authority should be sought at higher level as soon as practical, and the reasons for urgency recorded on the authorisation form. Where practical, the authorising officer should not be directly involved in the case giving rise to the request for authorisation. (However, an authorising officer may authorise a request made by staff who report to them if they are not directly involved in the case.) Where it is not practical for authorisation to be given by an officer who is not directly involved, this should be noted with reasons on the authorisation form.

- 9.3 **On what grounds can directed surveillance be authorised?** Directed surveillance can only be authorised by local authorities:

- for the purpose of preventing or detecting crime or of preventing disorder;

When the legislation was introduced, the Council could authorise directed surveillance on other grounds (e.g. in the interests of public safety or in the interests of protecting public health) but the crime and disorder ground is the only one available to local authorities. The Police have wider powers to authorise directed surveillance.

Please note that surveillance has to be **necessary** for the crime and disorder purpose. If you can just as well carry out an investigation by means which do not involve directed surveillance, then you should use them.

- 9.4 **Is the proposed surveillance proportionate?** Authorisation should not be sought, and authority should not be given unless you are satisfied that the surveillance is proportionate. You should make sure that any interference with privacy is justified by the end being sought. Unless the benefit to be obtained from surveillance is significant, and unless the problem you are seeking to tackle is serious, the use of surveillance is unlikely to be proportionate. We should not “use a sledgehammer to crack a nut”!
- 9.5 **Is the proposed surveillance discriminatory?** The Council is under a legal obligation to avoid either direct or indirect discrimination in carrying out its functions. As surveillance can interfere with rights contained in the European Convention on Human Rights, discrimination can also amount to a breach of the Human Rights Act. You should be sensitive to this issue and ensure that you apply similar standards to seeking or authorising surveillance regardless of ethnic origin, sex or sexual orientation, disability, age etc. You should be alert to any assumptions about people from different backgrounds which may not even be consciously held.
- 9.6 **Might the surveillance involve “collateral intrusion”?** In other words, might the surveillance intrude upon the privacy of people other than those who are the subject of the investigation. You should be sensitive of the privacy rights of third parties and consider very carefully whether the intrusion into their privacy is justified by the benefits of undertaking the surveillance.
- 9.7 **Might the surveillance involve acquiring access to any confidential or religious material?** If so, then the surveillance will require a particularly strong justification and arrangements need to be put in place to ensure that the information obtained is kept secure and only used for proper purposes. Confidential material might include legal or financial records, or medical records. Where there is a possibility that access to confidential or religious material might be obtained, the authorisation of the Chief Executive should be sought.

## 10. Authorising Directed Surveillance: The Procedure

### 10.1 Applying for authorisation.

- 10.1.1 Detailed guidance on the authorisation procedure and on how to complete the statutory forms is available on the Council’s Intranet at <http://intranet/Guidelines/Docs/RIPA%20Guidance%20Manual.pdf> The individual forms are available separately and links to them are set out in Appendix 3. You must only use the forms that are on the Intranet, you should read the accompanying notes carefully and follow them when completing the form.
- 10.1.2 When applying for authorisation, you should copy your request to the Head of Legal Services, who is responsible for keeping a central record of RIPA authorisations and also for taking an overview of the Council’s use of RIPA.

10.1.2 A written application for authorisation for directed surveillance should describe in detail any conduct to be authorised and the purpose of the investigation or operation. The application should also include:

- the reasons why the authorisation is necessary in the particular case and on the grounds (e.g. for the purpose of preventing or detecting crime) listed in Section 28(3) of the 2000 Act;
- the reasons why the surveillance is considered proportionate to what it seeks to achieve;
- the nature of the surveillance;
- the identities, where known, of those to be the subject of the surveillance;
- an explanation of the information which it is desired to obtain as a result of the surveillance;
- the details of any potential collateral intrusion and why the intrusion is justified;
- the details of any confidential information that is likely to be obtained as a consequence of the surveillance.
- the level of authority required (or recommended where that is different) for the surveillance; and
- a subsequent record of whether authority was given or refused, by whom and the time and date.

10.1.3 Additionally, in urgent cases, the authorisation should record (as the case may be):

- the reasons why the authorising officer or the officer entitled to act in urgent cases considered the case so urgent that an oral instead of a written authorisation was given; and/or
- the reasons why it was not reasonably practicable for the application to be considered by the authorising officer.

10.1.4 Where the authorisation is oral, the detail referred to above should be recorded in writing by the applicant as soon as reasonably practicable.

## 10.2 Duration of authorisations

10.2.1 A written authorisation granted by an authorising officer will cease to have effect (unless renewed) at the end of a period of **three months** beginning with the day on which it took effect.



10.2.2 Urgent oral authorisations or written authorisations granted by a person who is entitled to act only in urgent cases will, unless renewed, cease to have effect after **seventy-two hours**, beginning with the time when the authorisation was granted or renewed. This will apply to written authorisations given by deputies to Heads of Services.

10.2.3 Even though authorisations cease to have effect after three months, you should not simply leave them to run out. When the surveillance ceases to be necessary, you should always follow the cancellation procedure. See section 10.5. Where surveillance has ceased, we must be able to match each authorisation with a cancellation.

### 10.3 Reviews

10.3.1 Regular reviews of authorisations should be undertaken to assess the need for the surveillance to continue. The maximum period between authorisation and review, and between reviews, should be four weeks. The more significant the infringement of privacy, the more frequent should be the reviews. The results of a review should be recorded on the central record of authorisations (see paragraph 11). Particular attention is drawn to the need to review authorisations frequently where the surveillance provides access to confidential information or involves collateral intrusion.

10.3.2 In each case authorising officers within the Council should determine how often a review should take place. This should be as frequently as is considered necessary and practicable.

10.3.3 A link to the form to record a review of an authorisation may be found in Appendix 2 to this Guide.

### 10.4 Renewals

11.4.1 If at any time before an authorisation would cease to have effect, the authorising officer considers it necessary for the authorisation to continue for the purpose for which it was given, s/he may renew it in writing for a further period of **three months**. A single renewal may also be granted orally in urgent cases and may last for a period of **seventy-two hours**.

10.4.2 A renewal takes effect at the time at which, or day on which the authorisation would have ceased to have effect but for the renewal. An application for renewal should not be made until shortly before the authorisation period is drawing to an end. Any person who would be entitled to grant a new authorisation can renew an authorisation. Authorisations (other than oral authorisations in urgent cases) may be renewed more than once, provided they continue to meet the criteria for authorisation.

10.4.3 All applications for the renewal of an authorisation for directed surveillance should be made on the form linked to Appendix 2 to this guide and should record:

- whether this is the first renewal or every occasion on which the authorisation has been renewed previously;
- any significant changes to the information given in the original application for authorisation;
- the reasons why it is necessary to continue with the directed surveillance;
- the content and value to the investigation or operation of the information so far obtained by the surveillance;
- the results of regular reviews of the investigation or operation.

10.4.4 Authorisations may be renewed more than once, if necessary, and the renewal should be kept/recorded as part of the central record of authorisations (see paragraph 12).

## 10.5 Cancellations

10.5.1 The authorising officer who granted or last renewed the authorisation must cancel it if he is satisfied that the directed surveillance no longer meets the criteria upon which it was authorised. Where the authorising officer is no longer available, this duty will fall on the person who has taken over the role of authorising officer. If in doubt about who may cancel an authorisation, please consult the Head of Legal Services. Cancellations are to be effected by completion of the form linked to in Appendix 2 to this Guide.

N.B. Please note the warning in paragraph 10.2.3 that there must be a completed cancellation for each authorisation once surveillance has been completed. An authorisation cannot simply be allowed to expire.

## 10.6 Ceasing of surveillance activity

10.6.1 As soon as the decision is taken that directed surveillance should be discontinued, the instruction must be given to those involved to stop all surveillance of the subject(s). The date and time when such an instruction was given should be included in the Notification of Cancellation form.

## **11. Record Keeping and Central Record of Authorisations**

11.1 In all cases in which authorisation of directed surveillance is given, the Service Head is responsible for ensuring that the following documentation is kept safely for a period of at least three years from the date of authorisation:

- a copy of the application and a copy of the authorisation together with any supplementary documentation and notification of the approval given by the authorising officer;
- a record of the period over which the surveillance has taken place;
- the frequency of reviews prescribed by the authorising officer;
- a record of the result of each review of the authorisation;
- a copy of any renewal of an authorisation, together with the supporting documentation submitted when the renewal was requested;
- the date and time when any instruction was given by the authorising officer.

11.2 In addition, copies the following must be sent to the Head of Legal Services immediately upon completion:

- all completed forms authorising directed surveillance;
- all completed forms authorising renewal of directed surveillance;
- all completed forms cancelling directed surveillance.

These will be kept by the Head of Legal Services who will review them at least every twelve months in his capacity as the Council's Monitoring Officer.

## **12. Authorising Use of Covert Human Intelligence Sources**

12.1 Similar principles and procedures apply to authorising the use of covert human intelligence sources. If it becomes apparent that their use is more than very exceptional, detailed guidance will be published and circulated. For the present, officers' attention is drawn to the explanation of the nature of a covert human intelligence source in Paragraph 9. If you think you might be using, or might use, a covert human intelligence source, please contact the Head of Legal Services, who will advise on the principles to be applied, the authorisation procedure, record keeping etc. For the avoidance of doubt, the Council will comply, so far as applicable, with the model guidance issued by the Home Office.

## **13. Access to Communications Data**

- 13.1 There are stringent controls placed on access by the Council to “communications data”. The Council is not entitled to obtain access to the content of communications between third parties but can, in some circumstances, obtain information relating to the use of a communications service. “Communications services” include telecom providers, postal services and internet service providers.
- 13.2 This is a complex area, procedurally and legally. Access to communications data can only be obtained through the Council’s designated “single point of contact” (“SPOC”) for communications data. The Head of Legal Services has this role and you should consult him at an early stage if you think you may need access to communications data.

#### **14. Further Information**

- 14.1 Departments may wish to develop their own guidance and Environmental Health and Waste Management has already done so. This is to be encouraged. However, the principles and procedures contained in departmental guidance must be compatible with this guidance.
- 14.2 There is much helpful information on the Home Office web site about RIPA. See Appendix Two for links.
- 14.3 The Head of Legal Services is happy to advise further on issues connected with RIPA. Departments need to consider what their training needs are in this area and the Head of Legal Services is willing to discuss what help he can offer with this.

Simon Pugh  
Head of Legal Services

## Appendix One: Approved Authorising Officers for the Purposes of the Regulation of Investigatory Powers Act 2000

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- Liz Bisset, Director of Community Services
- Robert Hollingsworth, Head of City Homes
- Simon Pugh, Head of Legal Services
- Jas Lally, Head of Environmental Services

The Leader of the Council has delegated power to the Chief Executive to designate authorised officers for the purposes of Chapters II and III of the Act. (Record of Decision ref: 07/S&R/14, 3 September 2007.)

## Appendix Two

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Links to Home Office Information on RIPA, including codes of practice are at <http://www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/> Forms are also available via this site but you should only use the forms on the Council's Intranet, which may be found through the links in Appendix Three.

## Appendix Three

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### *RIPA Covert Surveillance Forms and Guidance*

[RIPA Guidance Manual](#) (PDF)

[Directed Surveillance \(DS\) Review](#) (Word)

[DS Application](#) (Word)

[DS Cancellation](#) (Word)

[DS Renewal](#) (Word)

[Completing the CHIS \(Covert Human Intelligence Source\) Forms](#) (Word)

[CHIS Review](#) (Word)

[CHIS Application](#) (Word)

[CHIS Cancellation](#) (Word)

[Covert Human HIS Renewal](#) (Word)

## Appendix 2



***Protocol between Cambridgeshire Constabulary and Local Authority CCTV Partners for the use of Public Authority CCTV systems during surveillance operations conducted by Cambridgeshire Constabulary***

## **1. Introduction**

- 1.1 This protocol is intended to provide a framework for Cambridgeshire Constabulary and Local Authorities utilising CCTV systems within the County to work together under the Regulation of Investigatory Powers Act 2000 (hereafter referred to as 'the Act') to conduct certain types of surveillance during planned or unplanned investigations and to give a common practice direction to all concerned. It must be stressed that this protocol is meant to work with agency's existing policy and procedures.
- 1.2 It is an underlying principle of this document that each investigation will be considered on a case by case basis, and will be assessed on its individual merits.
- 1.3 Further guidance is available in 'The Covert Surveillance and Property Interference Revised Code of Practice' issued under Section 71 of the Act (hereafter known as 'the Code of Practice').
- 1.4 The consequences of not obtaining an authorisation under Part 2 of the Act may be that where there is an interference by a public authority with rights under Article 8 of the Human Rights Act 1998 (invasion of privacy), and there is no other lawful source of authority then that action is unlawful by virtue of Article 6 of that Act (right to a fair trial). The evidence obtained could be excluded in Court under Section 78 Police and Criminal Evidence Act and also risk civil litigation as a consequence.

## **2. Background**

This section serves to explain and highlight the legislation to be considered as well as reaffirming the legality of existing practices.

- 2.1 Paragraph 2.21 of the Code of Practice states that:

Some surveillance activity does not constitute intrusive or directed surveillance for the purposes of Part II of the 2000 Act and no directed or intrusive surveillance authorisation can be provided for such activity. Such activity includes:

- Covert surveillance by way of an immediate response to events;
- Covert surveillance as part of general observation activities;
- Overt use of CCTV and ANPR systems.

- 2.2 Paragraph 2.24 further states:

The general observation duties of many law enforcement officers and other public authorities do not require authorisation under the 2000 Act, whether covert or

overt. Such general observation duties frequently form part of the legislative functions of public authorities, as opposed to the pre-planned surveillance of a specific person or group of people.

2.3 Paragraphs 2.27 – 2.28 gives further specific information:

The use of overt CCTV cameras by public authorities does not normally require an authorisation under the 2000 Act. Members of the public will be aware that such systems are in use, and their operation is covered by the Data Protection Act 1998 and the CCTV Code of Practice 2008, issued by the Information Commissioner's Office.

However, where overt CCTV are used in a covert and pre-planned manner as part of a specific investigation or operation, for the surveillance of a specific person or group of people, a directed surveillance authorisation should be considered. Such covert surveillance is likely to result in the obtaining of private information about a person (namely, a record of their movements and activities) and therefore falls properly within the definition of directed surveillance. The use of the CCTV system in these circumstances goes beyond their intended use for the general prevention or detection of crime and protection of the public.

2.4 The Act is divided into five parts. Part 2 is the relevant part of the Act in relation to the use of CCTV systems by local authorities. It creates a system of authorisations for various types of covert surveillance. The types of activity covered are '**intrusive surveillance**' and '**directed surveillance**'.

### 3. Surveillance types and definitions

3.1 **Surveillance** – Section 48(2) of the Act states that surveillance includes;

- a) Monitoring, observing or listening to persons, their movements, their conversations or their other activities or communications.
- b) Recording anything monitored, observed or listened to in the course of surveillance; and
- c) Surveillance by, or with the assistance of a surveillance device.

3.2 There are significant differences between 'Intrusive' surveillance (which will be a rarity for CCTV operations) and 'Directed' surveillance (which will be the more likely outcome).

3.3 **Covert** – Section 26(9). **Surveillance is Covert if, and only if**, it is carried out in a manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place.

3.4 **Directed surveillance** – Section 26(2). Surveillance is **directed** for the purposes of this Part if it is '**Covert**' but not intrusive and is undertaken:

- a) For the purposes of a specific investigation or a 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);
- 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 this Part to be sought for the carrying out of surveillance.

3.5 **Intrusive surveillance** – This is a highly intrusive form of covert surveillance. It is unlikely that an average CCTV system (public or private) would be capable of acquiring such product without additional technical capability. It is defined as follows:

Section 26(3) - surveillance is intrusive for the purposes of this Part if, and only if, it is covert surveillance that:

- (a) Is carried out in relation to anything taking place on any residential premises or in any private vehicle; and
- (b) Involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

Section 26(5) – surveillance which:

- (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; but
- (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.

3.6 **Private information** – Section 26(10) – Private information in relation to a person includes any information relating to his/her private or family life.

3.7 Paragraphs 2.4 and 2.5 of the Code of Practice clarify this further:

Private information should be taken generally to include any aspect of a person’s private or personal relationship with others, including family and professional or business relationships/

Whilst a person may have a reduced expectation of privacy when in a public place, covert surveillance of that person’s activities in public may still result in the obtaining of private information. This is likely to be the case where that person has a reasonable expectation of privacy even though acting in public and where a record is being made by a public authority of that person’s activities for future consideration or analysis.

#### **4. Intrusive Surveillance involving the use of CCTV**

- 4.1 Whilst most CCTV cameras are deemed incapable of providing the level of detail required for Intrusive Surveillance great care should be taken to distinguish between focussing on the exterior of premises and the inside, which **may** be construed as intrusive surveillance.
- 4.2 CCTV cameras should not be used to look into a private residential property without prior consultation and approval of the local authority and with the correct RIPA 2000 authority in place. Authorisation for this purpose is only likely in very rare circumstances and after all other methods have been tried or considered, as the public do not expect a CCTV system to be utilised in this way.
- 4.3 Currently, the sustained gathering of images of persons in a car in a car park may be considered unusual, i.e. the use of CCTV to observe drug deals, clearly visible inside a car – but this is not considered to be “intrusive”, as the product gained does not consistently provide information of the same quality as might be expected to be obtained from a device actually present in the vehicle. Likewise, as a general principle, a person committing an offence has no expectation of privacy.

#### **5. Directed Surveillance involving the use of CCTV**

- 5.1 This level of covert surveillance is likely to be engaged more by public/private CCTV users when they are requested by “authorised bodies” to operate their cameras in a specific way for a planned purpose or operation where “private information” is likely to be gained.
- 5.2 If a CCTV user is carrying out normal everyday observations by operating a particular camera to gain the best information, albeit it may not be the most obvious camera to use or the nearest to the incident being observed, that use will not be deemed to be “covert” under the terms of the Act. It is using modern technology to the advantage of the operator and will usually mean focussing on a particular person or location as a result of an immediate set of circumstances. It will only be where CCTV cameras are to be used in a planned, targeted way to gain “private information” that authorised Directed Surveillance **may** be required.
- 5.3 If users are requested to operate cameras as part of a planned operation, where the subject is unaware that targeted surveillance is, or may be, taking place and “private information” is to be gained which involves systematic surveillance of an individual(s) (whether or not the target of the operation) or where a camera is utilised in a way that it is not usually operated or where members of the public would not expect to be subject of CCTV monitoring by a local authority then a directed surveillance authority **must** be obtained.

#### **6. Consultation between authorities**

- 6.1 Where consultation between officers of the local authority CCTV and Cambridgeshire Constabulary takes place, and advice is given that an authority under the Act is not required, then the officer giving that advice will make a record

of the circumstances in a retrievable form which will be made available for any review at a later date.

- 6.2 Where a CCTV system is utilised and an authority under the Act is in place, the details of the date and time of the authority being granted, the nature of the offence under investigation, together with the name of the Authorising Officer (A.O.) and authority reference number will be provided in written form to the local authority for their records and any subsequent inspection by the Office of Surveillance Commissioners (hereafter known as the O.S.C.).
- 6.3 Similarly, where the CCTV system is routinely used within authorised surveillance activity, such information will also be provided to the local authority, in a written form, in respect of any authority review, renewal, or cancellation.

## **7. Protocols and procedures when dealing with Local Authority CCTV Systems**

- 7.1 The O.S.C. recommends that law enforcement agencies should produce and obtain a written protocol with a local authority if its CCTV system is to be used for directed surveillance. The protocol will include a requirement that the local authority should see, and be provided with a copy of, the authorisation, and only allow its equipment to be used in accordance with it.
- 7.2 Below is an extract for Operational Officers from the protocol agreed between Cambridgeshire Constabulary and local authority partners.
- 7.3 **In accordance with the Office of the Surveillance Commissioners Procedures and Guidance (R v Sutherland principle), all officers and staff acting under the authority of a Directed Surveillance should read and sign to say they have read that authority so that they are fully aware of the boundaries and limitations as to what is and is not authorised OR have been suitably briefed by a supervisor who will sign to that effect for that group of officers or staff.**
- 7.4 In planned operations and where the use of a local authority CCTV as a tactic is planned or likely then such activity should be referred to in the Surveillance application.
- 7.5 In principle, where a local authority CCTV system is being utilised by Cambridgeshire Constabulary or other law enforcement agencies in its normal format this will not be subject to, or require an authority under the Act.

## **8. Tasking Agency**

- 8.1 Where the Police use local authority CCTV, or CCTV owned by any other public body and the use of the CCTV requires authorisation under the Act, the question may arise of which agency should authorise the surveillance.
- 8.2 The Code of Practice (Paragraph 3.16) states, 'In cases where one agency is acting on behalf of another, it is usual for the tasking agency to obtain or provide authorisation.'

## **9. Live Surveillance Operations**

- 9.1 Often, without prior knowledge and planning, foot and mobile surveillance operations result in surveillance operatives being required to follow subjects into locations where public CCTV systems are in use, pedestrian shopping areas, sporting venues, transportation systems etc.
- 9.2 In such unplanned circumstances and where possible, surveillance officers (who will have themselves seen or been briefed as to the content of the authority) should be in a position to quote the operational name to the CCTV staff and give them the details of the Authorising Officer. Further details concerning the date, time, and reference number of the authority will be provided after the event if required by the local authority officer responsible for the CCTV system, or their deputy. Similar details will be provided by the Police if they are acting under an urgent oral authority, granted by the Authorising Officer as permitted under the terms of the Act.

## **10. Summary**

- 10.1 Directed Surveillance authorities are not required for situations which are an immediate response to events or in circumstances the nature of which are such that it would not be reasonably practicable for a Directed Surveillance authority to be sought. This includes situations which occur in the view of CCTV operatives.
- 10.2 The Act does not normally apply to overt actions conducted by public authorities.
- 10.3 However, the Code of Practice, and advice from the Office of The Surveillance Commissioners – Procedures and Guidance 2010, implies that where normally overt CCTV systems are utilised in pre-planned operations, for a specific investigation/targeting a specific individual, whereby there is a likelihood of acquiring private information about that or any other individual then a Directed Surveillance authority **may** be required and that serious consideration should be given by an Authorising Officer as to the privacy of individuals and any breaches or engagement of human rights legislation.
- 10.4 The principle to be applied is for every individual set of circumstances to be assessed on their own merits, and where there still exists doubt as to the requirement for an authority, advice should be sought from Cambridgeshire Constabulary's Covert Authorities Bureau (C.A.B.) or the dedicated Constabulary Covert Advisors, in consultation with the officer responsible for the local authority CCTV system, or their deputy. Permission to use a system will ultimately fall to the officer within the local authority who is responsible for CCTV, or their deputy, and each decision will be made in line with the policies of each relevant authority.
- 10.5 The Covert Authorities Bureau can be contacted during office hours on 01480 422343. In cases of urgency the dedicated Covert Advisors or the on call Covert Authorities Bureau Officer can be contacted via the Force Control Room.

## **11. Protocol**

- 11.1 This Protocol will be reviewed at least annually in consultation with all relevant parties, or in line with changes in legislation, the emergence of relevant case law or national guidance.
- 11.2 An implementation review will take place within six months of the protocol's commencement through the agreement and signature of all parties.
- 11.3 This agreement confirms arrangements between Cambridgeshire Constabulary and the Local Authorities within the County for the use of CCTV systems under their control.
- 11.4 Cambridgeshire Constabulary will not seek the planned use of CCTV systems for directed surveillance operations without the operators / supervisors having details of the date and time of the authority along with the details of the Authorising Officer and authority reference number.
- 11.5 Any party to this Protocol document can request it to be reviewed at any time.

Signed on behalf of Cambridgeshire Constabulary:

.....  
 Title:.....  
 Rank/Position: .....  
 Date:.....

Signed on behalf of .....  
 .....  
 Title:.....  
 Rank/Position: .....  
 Date:.....

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To: Executive Councillor for Community Development and Health – Cllr Tim Bick  
Report by: Head of Community Development  
Relevant scrutiny committee: Community Services 13/10/2011  
Scrutiny Committee  
Wards affected: All

Community Cohesion and Inclusion Initiatives – ‘Prevent’ Funding

## 1. Executive summary

- 1.1 This report provides an update on progress with work to engage, and work with, Muslim communities within the City to strengthen mutual understanding and community cohesion.
- 1.2 The report describes how this work has been taken forward collectively with a steering group of representatives of Muslim communities and the voluntary sector since a report to the committee in January 2011.
- 1.3 It sets out how some of the one-off ‘Prevent’ funding was used to support the highly successful Mela held as part of Big Weekend in July, and some funding has been allocated, through a grants process, to support a programme of small projects (up to a value of £5,000) run by primarily Muslim and BME community groups. A recommendation is made to award a grant of £6,000 to the YMCA.
- 1.4 The report also explains how some larger projects have been and are being developed by officers, in consultation with the steering group, to respond to some themes that came out of the grants process. Recommendations for allocating the remaining funding to 3 larger projects are made.

## 2. Recommendations

The Executive Councillor is recommended:

- 2.1 To award a grant to the YMCA for the project set out at 5.1.
- 2.2 To agree funding based on the projects set out at 5.3, and 5.4.

- 2.3 To agree funding, in principle, for the project set out at 5.5, subject to agreement of the scoping report and consultation with Chair and Spokes.

### **3. Background**

- 3.1 On 13<sup>th</sup> January 2011 the Scrutiny Committee considered an initiative to allocate funding from government linked to their Prevent Strategy. Members will recall that the Prevent Strategy is the preventative strand of the government's counter terrorism strategy – CONTEST, launched in 2007. The City Council was finally provided with £138,000 in 2010/11 as a one-off sum to help implement the strategy. The money was not ring-fenced but was allocated on the basis that the city has a growing Muslim community and that Muslim communities are potentially targets of radical extremists seeking to recruit to their cause.
- 3.2 The initiative was developed with the Cambridge Community Cohesion Group (a sub group of the Local Strategic Partnership) involving the police, County Council services, health, fire and voluntary organisations.
- 3.3 Based on their particular knowledge of BME and Muslim communities, the group advised that the most appropriate priorities for the city should be to promote integration and community cohesion and to seek to address grievances that can build up when people feel they are not listened to and do not get fair access to services and opportunities. It was considered that focussing on these issues would help to build capacity and understanding within and between groups which in turn would help communities to support and deter those who may be vulnerable to extremists. A broad funding allocation comprising a number of themes was agreed to reflect these priorities.
- 3.4 Following the meeting in January 2011, a steering group was set up comprising members of the Muslim community, Cambridge CVS, Cambridgeshire Community Foundation, Cambridge Ethnic Community Forum and an elected member. The purpose of the steering group has been to advise officers and the Executive Councillor for Community Development and Health on how the money should be allocated to projects and initiatives.
- 3.5 The steering group wanted to encourage initiatives to grow mutual respect and understanding between Muslim and non-Muslim communities. Steering group members valued the role of organisation and leadership within the Muslim communities themselves in building confidence within the broader community and in reducing the potential



for social isolation of some of their members - especially considering young people and the formative role of women.

- 3.6 It has been emphasised all along that the 'Prevent' funding received in 2010/11 was 'one-off' and that there was no on-going funding. Therefore, when giving their advice, the steering group and officers have considered whether proposed projects are financially viable and whether they leave a legacy on their completion.
- 3.7 Section 4 of this report sets out how the funding has been allocated to date and recommends some larger projects for approval.
- 3.8 On 7<sup>th</sup> June 2011 the coalition government published its '*Prevent Review*' which includes a new Prevent Strategy. This can be seen at the following link: <http://www.homeoffice.gov.uk/publications/counter-terrorism/prevent/prevent-strategy/>
- 3.9 The new strategy seeks to address all forms of terrorism, including the extreme right wing. However, it makes clear that future Prevent work must be targeted against those forms of terrorism that pose the greatest risk to our national security. The new strategy is less about encouraging integration and cohesion and has 3 specific objectives:
- Responding to the ideological challenge of terrorism.
  - Preventing people from being drawn into terrorism
  - Working with sectors and institutions where there are risks of radicalisation
- 3.10 In future, government funding will be allocated according to identified risk and not on the basis of demographics (as was the case). As far as we know, Cambridge is not likely to receive any further funding linked to the Prevent Strategy in the near future.

#### **4. Funding Committed**

- 4.1 The steering group agreed that £20,000 should be allocated for the Mela which was held on Parkers Piece on 10<sup>th</sup> July 2011 and formed part of Big Weekend. This was very successful and brought thousands of people together from many different Asian and non-Asian communities. The Mela was in stark contrast to the English Defence League's protest on the 9<sup>th</sup> August and emphasised Cambridge as a truly multi-cultural and tolerant city.
- 4.2 A grants process, based upon the broad themes set out in the January 2011 scrutiny report was set up in consultation with the steering group. The closing date for applications was 30<sup>th</sup> April 2011. Voluntary

and Community organisations were invited to apply for grants to run projects that would benefit members of Muslim communities in Cambridge to:

- Increase skills, knowledge and confidence in organising community activities and fundraising
- Encourage more community involvement in the organisation of youth and play activities in particular
- Enable improvements in public services arising from greater awareness and understanding of community needs and better ways to deliver these services
- Enable parents/families to feel more knowledgeable and confident about dealing with issues involving their children
- Increase opportunities for people of different backgrounds to come together to promote good relations and mutual respect

4.3 A total of 44 applications were received from 17 organisations and another 6 partnership bids requesting a total of over £225,000. The grants were assessed against the above criteria and reviewed by the steering group and Chair and Spokes of Community Services Scrutiny Committee. The Executive Councillor for Community Development and Health then awarded the programme of grants shown at Appendix A. The total amount awarded to date under this process is £41,460.

## **5. Funding Proposed**

### **5.1 YMCA - United Youth Group**

5.1.1 In addition to the grants already awarded, it is proposed to award a grant of £6,000 to the YMCA to set up a United Youth group based on their successful work with a similar group in Peterborough.

5.1.2 The YMCA will engage with local Muslim communities to form a mixed gender group of young Muslims of different nationalities, aged 13-19, with participation extended to non Muslims. The United Youth Group will be facilitated to enable young people to lead the group themselves. Weekly meetings develop and investigate a variety of themes via specific workshops and open discussions. (eg identity, Britishness, what it means to be a young Muslim in Britain today, multiculturalism, Islam in England, challenges for young people.) Other activities include sport, arts and crafts, cookery, activity weekend/residentials.

5.2 The assessment process for the grants also identified three themes which officers have been seeking to respond to in consultation with the steering group. These are:

- Using sport to engage young Muslim people, to build their skills and confidence and bring people from different communities together.
- Capacity building within the Bangladeshi community to develop and expand their skills and knowledge and help them integrate more widely.
- Providing advice to Muslim residents

### **5.3 Using Sport to engage young Muslims**

5.3.1 Three applications relating to sport and totalling £50,000 were received during the grants process. Officers from Community Development and Sports Development propose to work with the applicants and different sports clubs. The aim will be to offer taster sessions and short programmes to young Muslims, themed around different sports. The objective will be to help and encourage participants to join established clubs or to work with other local people to form their own informal clubs. The cost of this proposal will be £31,925. The project will be led by Sports Development and will run from January 2012 to April 2013.

5.3.2 It is proposed to develop and take forward a project based on the scoping paper shown at Appendix B.

### **5.4 Capacity Building within the Bangladeshi Community**

5.4.1 The Bangladeshi community have some of the highest needs within Cambridge. Officers propose to work with the Bangladeshi community to help increase their skills, knowledge and confidence so that they have more capacity to access services, fundraise and to organise community activities which bring people together. Officers propose to build upon the 'Community Co-ordinator' model (currently being trailed by government) by employing a skilled Community Development worker with particular experience in working closely with Bangladeshi communities. The cost of this proposal will be £23,600. The project will run for 12 months from January 2012.

5.4.2 A scoping paper for the project is shown at Appendix C.

### **5.5 Providing advice to Muslim residents**

5.5.1 The Muslim Council has submitted an application to set up an advice service for Muslim residents. Officers are discussing options with the Muslim Council and Citizen's Advice Bureau about how such a service might be taken forward.

5.5.2 Options also include the possible provision of a website, provided by the Muslim Council, containing information about the Muslim Communities in Cambridge which service providers can use to ensure their services are inclusive.

5.5.3 It is proposed that £15,000 be allocated to this theme and that work is progressed in consultation with CAB and the Muslim Council so that a scoping paper can be agreed by the Executive Councillor in consultation with the Chair and Spokes.

## 6. Spending profile

6.1 The following table summarises the spending profile for the City Council's Prevent budget.

6.2 Spending profile for Prevent Funding

Projects	2011/12	2012/13	Comments
Mela	£20,000		Complete – see section 4
Small grants	£41,460		Awarded – see Appendix A
Small grants	£6,000		YMCA Project – see 5.1
Themed projects	£16,105	£54,420	Proposed – see 5.3, 5.4, 5.5
Annual Total	£83,565	£54,420	
<b>Total</b>		<b>£137,985</b>	

## 7. Implications

### (a) Financial Implications

There are no additional financial implications.

### (b) Staffing Implications

None, apart from the re-prioritisation of staff time to manage the grants process and projects.

### (c) Equal Opportunities Implications

The primary focus of this funding programme is to try and address inequalities and further improve cohesion within the Muslim communities in Cambridge.

An equalities impact assessment has been carried out. This has focused on whether there are equalities implications within the funding programme as it applies to Muslim communities within the city. It does not highlight any significant implications.

**(d) Environmental Implications**

The climate change rating is Nil. There are no significant environmental implications.

**(e) Consultation**

There was extensive consultation with partners at the outset about how this work should be approached. In particular, a considerable amount of time was spent liaising with Muslim communities to gain their buy-in to our process for taking the work forward. The new Cambridge Muslim Council emerged partly as a result of these early discussions.

A steering group comprising members of the Muslim community and representatives from Cambridge Ethnic Community Forum and Cambridge Council for Voluntary Services has provided advice as the work has evolved. Cllr O'Reilly, Opposition Spokes for Community Development and Health, has also been part of the steering group and has been regularly briefed on progress since her election in May.

**(f) Community Safety**

The Council's approach to the Prevent agenda has been to work with Muslim communities to bring people closer together, to build trust and understanding, so that vulnerable individuals can be supported and deterred from the views of extremists.

**8. Background papers**

These background papers were used in the preparation of this report:

Equalities Impact Assessment dated 13 September 2011

**9. Appendices**

Appendix A	List of grants that have been awarded.
Appendix B	Scoping paper for Sports Project

## 7. **Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Author's Name:                      Trevor Woollams  
Author's Phone Number:      01223 457861  
Author's Email:                      Trevor.woollams@cambridge.gov.uk

## Appendix A – Grant Awards

Group Organisation	Project	Award £
<b>Afghan &amp; Pakhtun Society of Cambridge (NEW)</b>	Social gatherings, cultural events, youth events, sports activities, Dance competitions and women coffee mornings (6 different activities)	2,000
<b>Akeelah (girls club)</b>	Film making and creative writing - integration	1,000
<b>Anglo-Maroc Friendship Society</b>	Awareness raising event about medieval Islam to change the mind of young Muslims	2,000
<b>Bangladesh Welfare &amp; Cultural Association Cambridge</b>	Weekly youth sessions	3,000
<b>Building Bridges, Cambridge</b>	3 English conversation classes to run weekly at three different venues, inc equipment and monthly meeting for friendship & discussion	2,000
<b>Cambridge Ethnic Community Forum</b>	Develop an Asian Women's Network in East Cambridge for Bangladeshi women. Social forum to organise activities and discuss issues.	5,000
<b>Cambridge Ethnic Community Forum</b>	The variety of Islam - highlighting positive contributions Islamic faith made to our society. Yp from a range of communities to undertake interviews, media training, outreach sessions	5,000
<b>Cambridge Mauritius Society</b>	Muslim/Islam weekend - talks, drama	660
<b>Cambridge Muslim Welfare Association</b>	4 open days in Mawson Road Mosque	2,000
<b>Cambridge Muslim Women's Urdu Association</b>	Weekly classes and activities for YP	1,000
<b>Cambridge Professionals Society</b>	Seminars & workshops - Away from extremism	2,800
<b>Cambridge Quranic Cultural Awareness Group.</b>	Muslim Youth Monthly magazine	1,500
<b>Cambridge Senior Muslims</b>	Community Cohesion with mainstream seniors - integrate and create awareness of each others culture	2,000
<b>Pakistan Cultural Association</b>	Children's quarterly newsletter	1,500
<b>Pakistan Cultural Association</b>	IT Training project for women's sub group, members, YP and job seekers.	2,500
<b>Women 4 integration</b>	Start up a group for women of Pakistan origin to integrate the younger adults and to integrate with white and other BME	2,000
<b>Pakistan Cultural Association - Anchal Group in collaboration with CECF</b>	Monthly meetings (coffee mornings) at Ross St Community Centre from 1-4pm. Develop and promote activities for Pakistan Women over 50.	1,500
<b>Cambridge Iqbal Forum Partnership</b>	Lectures, talks and discussions addressing social and cultural issues encountered by the Cambridge community	2,000
<b>AIU Partnership</b>	All Inclusive Understanding meetings – community cohesion and living in a multicultural society	2,000
<b>TOTAL AWARDS made to date</b>		<b>41,460</b>

## **Appendix B**

### **Prevent Project Proposal: Sports Development**

#### **Background**

Community groups representing BME and Muslim residents were invited to apply for grant funding for projects that would help to achieve the priority themes set out in a report to Community Services Scrutiny Committee on 13 January 2011. These priorities emerged following consultation with Muslim groups within the City.

One of the priorities was: Social, sports and arts activities for children and young people.

3 applications requesting a total of £49,884 and relating to access to sport for young people were received. The applications were from:

Bangladeshi Welfare and Cultural Association.

To establish sports clubs including football for young Bangladeshi people, especially related to the needs of young women

Sports coaching

Cambridge Pakistan Cultural Association (Partnership application)

Promote advantages of physical activity and increase participation of young people in sport

Learn concept of fair play, sportsmanship and competitiveness

Form cricket and squash clubs for 9-25 years and organise training and matches

Cambridge Quranic Cultural Awareness Group

Equality of access to sports for young Muslim women

Including sports such as football, netball, basketball, swimming, karate, badminton, tennis, judo, salsa, aerobics etc.

The rationale behind these applications was to build the confidence of young Muslims so that they feel able to challenge prejudice and stereotypes within their own communities and wider society.

Officers have discussed these proposals with the Executive Councillor for Community Development and Health and the Prevent Steering Group and agreed that a single project should be developed with the applicants using the expertise of the Council's Sports Development Team.

#### **Aims and Outcomes**

The aim of the project will be to work closely with the community groups that made the applications and:



Engage and encourage 100 young Muslim people (male and female) to try different sports by running taster sessions, taken by trained coaches from local sports clubs.

Bring young Muslim people from different Muslim communities together to play different sports under a programme of managed sessions to build their confidence, skills and abilities.

Encourage those young Muslim people who attend the programme to join mainstream sports clubs or to set up their own informal clubs.

The outcomes of the project will be:

Greater confidence and skills for young Muslim residents

Improved integration between Muslim groups and with the wider community

The creation of effective role models for other young Muslims in Cambridge.

## The Project

The proposal is to run a 15 month project starting in January 2012 and led by Sports Development. Key elements of the project will be:

- Carry out an **audit of availability** of premises and coaches from sports clubs.
- Set up a small **steering group** comprising one member from each of the 3 lead applicants, a City Council Sports Development Officer [Steve Morley], a Senior ChYpPS Manager [Janet Parish] and a Community Development Officer [Ariadne Henry]. The steering group will oversee delivery of the project, monitor spend and advise the **Project Manager** [Steve Morley].
- **Employ 2 part time Community /Sports Development Workers** who will have expert knowledge of the Pakistani and Bangladeshi communities including cultural and religious sensitivities. To this end, it is important that at least one of the workers is female. Some of this element of the project could possibly be undertaken alongside (or by) volunteers from the communities themselves.
- Work with the applicants and other Muslim groups to **engage young Muslim people and consult them on the sports they would like to try**.
- **Develop a programme** including initial taster events, managed sessions and competitions, training (e.g. to help some individuals gain coaching skills) – all taken by qualified sports coaches.

- Introduce those completing the programme to **local sports clubs** or assist participants to form their **own informal clubs**.
- **Evaluation**

## Sustainability

The intention at the end of the project will be to encourage those young Muslim people who complete the programme to join a sports club so that they can carry on improving their skills and compete against a wide range of members.

It is also hoped that some of the themed sessions within the programme can be sustained by, for example, a group of young Muslim people deciding to set up a badminton club where they hire a weekly court at Kelsey Kerridge Sports Centre or a hall at a local community centre.

## Cost estimate

2 x Part time Community Development Workers @ Grade 4 for 15 months (12 hrs per week each)	£20,625 max
Venue hire for taster events and programme sessions £30 ph x 2 hrs x 80 sessions	£4,800
Coaching staff £25 x 2 hrs x 80 sessions	£4,000
Equipment (e.g. bats, balls, team kits, rackets)	£2,500
<b>Project Total</b>	<b>£31,925</b>

There may be some flexibility within these costs if, for example, some of the community development work was carried out by volunteers with suitable skills. In this case, more of the budget could be used to fund additional coaching sessions.

## Appendix C

### Prevent Project Proposal: Bangladeshi Capacity Building

#### Background

The process of working closely with members of the City's Muslim communities has been very rewarding and has helped to develop understanding between members of the steering group. However, the grants process and more detailed discussions with Bangladeshi representatives has highlighted a particular need within their community.

Whilst the Bangladeshi community is the largest Asian community in Cambridge, they have some of the highest needs and would really benefit from some dedicated development support to help build their community capacity.

#### Aims and Outcomes

The aims of the project will be two-fold:

- a) to work closely with all the Bangladeshi groups within the City, bringing them together to build their strength, knowledge and confidence so that they are more cohesive and better placed to access the information and services they need and to undertake activities such as fundraising, training and cultural activities.
- b) to further strengthen the positive relationship between the Council and the Bangladeshi community, to enable the Council to learn more about their needs so that we can ensure our services are accessible and that any existing barriers are reduced or removed.

#### The Project

The proposal is to run a 12 month project starting in January 2012. Key elements of the project will be:

- Recruit a **skilled Community Co-ordinator** who has extensive experience of working with Bangladeshi communities and has particular knowledge of the Bangladeshi community within Cambridge.
- Work with Bangladeshi representatives to **agree a work plan** that brings all the groups together, involves women and young people and provides training and support to key people who can develop into active community representatives.

- **Implement** the work plan with the community
- **Evaluation**

### **Sustainability**

At the end of the project the Bangladeshi community will have developed more active members. They will be more cohesive and better placed to help themselves by accessing funding and the services they need.

The Council will have a better understanding of the culture and needs of the Bangladeshi community and will be able to use this understanding to improve service delivery.

### **Cost**

Community Co-ordinator salary for 12 months Band 6 at 20 hrs per week	£21,000
Support costs – transport, use of PC etc.	£2,600
<b>Project Total</b>	<b>£23,600</b>



To: Executive Councillor for Community Development and Health  
Report by: Head of Specialist Services  
Relevant scrutiny committee: Community Services Scrutiny Committee 13/10/2011  
Wards affected: All Wards

### Review of CCTV Services

#### Key Decision

#### 1. Executive summary

- 1.1 A review of the City's CCTV services has been commissioned to examine viable options for delivering the CCTV service with savings, looking at the broader objectives around community safety within the city.
- 1.2 An interim report has found that the CCTV service benefits Cambridge by helping to reduce crime, and that the service has up to date equipment, is very professionally run and properly administered. While incidents seen and activity within the CCTV control room varies during the day, between days and over the year, staffing levels and live monitoring hours currently provide blanket coverage.
- 1.3 The report recognises that changing the design of the service without reducing its overall effectiveness may improve the efficiency and reduce the costs of CCTV, through the use of evidence-based risk management. The report also identifies that there is also potential to reduce management and capital costs.
- 1.4 The current Pay Review being undertaken by the Council will have implications for the level of savings delivered by this review.

#### 2. Recommendations

The Executive Councillor is recommended:

- 2.1 To note the CCTV Review interim report.

- 2.2 To support the recommendation to adopt the principle of risk management in redesigning the CCTV operations to achieve significant savings in the cost of running the Service.
- 2.3 To delegate authority to the Director of Environment, in consultation with the Executive Councillor for Community Development and Health, Chair and Spokesperson to complete the redesign of the Service in line with evidence-based risk approach, in accordance with the Council's Organisational Change policy and the Council's savings targets.

### 3. Background

3.1 The CCTV service has been operating in Cambridge for 11 years. The stated objectives of the existing service are centred on creating confidence within the public perception of a safe environment by:

- Protecting areas and premises used by the public.
- Deterring and detecting crime.
- Assisting in the identification of offenders leading to their arrest and successful prosecution.
- Reducing anti-social behaviour and aggressive begging.
- Reducing the fear of crime.
- Encouraging better use of city facilities and attractions.
- Maintaining and enhancing the commercial viability of the city and encouraging continued investment.
- Encouraging the public to act responsibly in their own and the wider community to assist in the fight against crime and anti-social behaviour.
- Cooperating with stakeholders and other CCTV providers on a local, regional and national level to share best practice.

3.2 A previous internal review of CCTV was undertaken in 2008 leading to some reduction in staffing levels and other potential efficiency savings. In addition, it was intended to increase income by diversifying the work undertaken and changing the way the CCTV control room operated.

Whilst some of the proposals were adopted some minor ones were not. Savings of approximately £88k were made.

3.3 The City Council will need to make further savings for the period 2012/13 to 2014/15. The operating costs of the CCTV service are currently £850,000 per annum.

3.4 Investment in replacement CCTV cameras, which is the subject of an accompanying report to the Council, is required to integrate with the new wireless CCTV communications infrastructure, irrespective of the recommendations of this report.

3.5 A review of CCTV has been commissioned using the services of a consultant who has extensive experience in community safety matters (see Appendix 3). The consultant was requested to develop some alternative models for the service, and consider the objectives of the service and the performance management information for the success of the service, in order to address the following points:

- To realign the extent of surveillance to the point of greatest proven value, considering place, time and intensity.
- To deliver further efficiencies in operation.
- To achieve income from parties outside the Council so long as the income is committed and sustainable.

3.6 In the context of the broader objectives of delivering enhanced community safety within the City of Cambridge the purpose of the Review has been to:

- Establish and review operational costs, practices and outcomes by Cambridge City CCTV service and where possible, benchmark these with other similar authorities;
- Explore opportunities to adopt an enhanced risk based approach (based on incidence, place, time, intensity and seriousness) to the operation of the CCTV service including, where possible, joint analysis of CCTV use and value with Cambridgeshire Constabulary;
- Consider the implications for all the services in the City Council that have a links between CCTV coverage and management and community safety;

- In the context of the need to make significant costs savings, identify options for the future which balance the strengths, professionalism of the existing staff and the positive outcomes from CCTV, with enhanced 'value for money' and performance management in the provision of CCTV coverage;
- Explore opportunities for committed and sustainable income generation from outside the Council.

3.7 The interim report of the consultant is attached in Appendix 1 and this sets out the consultant's findings. In summary, the consultant reached the following conclusions:

- In the absence of any risk management the CCTV operation costs more than it would with it.
- Evidence based risk management would not compromise significantly the effectiveness of the CCTV operation.
- It is not possible to retain an effective scheme or even a scheme worth having at all if the budget is reduced significantly e.g. by over about 20%.
- Given an analysis of the work of the room and the profile of incidents, changing staffing arrangements to reflect incident occurrence during the day and night would still mean it was being effective but also more efficient.
- Were hours of live monitoring to reduce, it would be necessary to put in place arrangements to increase live monitoring in exceptional circumstances and at short notice.
- It might also be possible to reduce management and capital costs.
- Savings of between £100k and £150k could be achieved if these changes were adopted.

3.8 It is recommended that these findings form the basis of a redesigned CCTV service to be delivered using evidence-based risk management. It is considered that other efficiencies identified in the consultant's report, for instance, around reducing Renewals and Repairs should be investigated further and delivered if practicable. It is recommended that officers in consultation with the Executive Councillor, Chair and Spokes deal with these more detailed operational arrangements. In particular, it is felt that detailed operational arrangements, for instance, precise timing of live monitoring, should be dealt with in this way given that the operational effectiveness of the service may be undermined if the exact hours were publicised.



## 4. Implications

### (a) Financial Implications

Implementing the recommendations in this report will reduce the contribution from the General Fund for running the CCTV service. A saving of between £100k and £150k per annum is considered achievable for the Service although the precise level of saving to the City Council will depend upon the outcome of the corporate Pay Review process.

### (b) Staffing Implications

If the recommendations set out in the interim report are adopted then there will be implications for staffing structures that will be subject to the Organisational Change policy and detailed consultation with the Unions and the staff affected. The council is currently negotiating with the Trade Unions on a review of staff pay terms and conditions. The terms and conditions of all staff will be considered as part of that wider review.

### (c) Equal Opportunities Implications

An Equality Impact Assessment has been conducted on this strategy.

### (d) Environmental Implications

The proposal has no climate change impact.

### (e) Consultation

The consultant has consulted with a range of key stakeholders. Within the Council, he has interviewed the Executive lead, members of the Directorate, service representatives in relation to Community Safety, Operation of CCTV services, Finance and Growth. Officers responsible for CCTV within Cambridgeshire Police have been consulted. Views have been sought from commercial and retail interests in Cambridge and Cambridgeshire, including those interests specifically concerned with anti-crime initiatives, and feedback has been received from Cambridge University.

These responses have been incorporated into the appended interim report.

### (f) Community Safety

This policy is intended to have a neutral impact on Community Safety, through the proper application of evidence-based risk management.

## 5. Background papers

None

## 6. Appendices

Appendix 1 – Executive Summary of Initial Conclusions Summary

Appendix 2 – CCTV incidents chart

Appendix 3 - Consultant CV

## 7. Inspection of papers

If you have a query on the report please contact:

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**A Review of the Closed Circuit Television  
Operated by Cambridge City Council**

**'Initial Conclusions'**

**2 and 13 September 2011**

**Richard Childs QPM BSc FSyl  
The Community Safety Consultancy Limited**

## **Executive summary of 'Initial Conclusions'**

- Enough information is available to make judgement about the CCTV operation
- As a principle, the overall community approach to reducing crime in Cambridge benefits from the CCTV operation.
- Comprehensive 'outcome' based performance data proving the contribution CCTV makes to the community safety effort does not exist.
- The CCTV operation is very professionally run and properly administered.
- The cameras are modern, work well and are well targeted.
- Incidents seen and activity within the control room varies during the day, between days and over the year.
- The control room staffing levels and live monitoring hours currently provide blanket coverage. They do not reflect a risk based approach which would change the way the scheme is operated, make it more efficient but still ensure its effectiveness.
- In looking at making the CCTV operation more efficient but ensuring it remains effective, it is necessary to introduce risk management processes into setting staffing levels and live monitoring hours.
- Apart from those working on the scheme and within the City Council, public knowledge of it and what it achieves is limited.
- Despite a lack of knowledge, the scheme has widespread support based more on perception than reality or fact.
- The contribution made to community safety by the CCTV operation in the night time environment is particularly apparent.
- The contribution made by the CCTV operation toward reducing retail crime or assisting in gathering evidence during the early part of the day is more limited.
- The 'out of hours' duties and car park monitoring currently undertaken by the control room makes it more difficult to alter the staffing levels and hours of live monitoring in the control room.
- Staff and management costs for operating the scheme are high and need reducing.
- An opportunity exists to explore the use of Special Constables to work in the control room at peak hours.
- The historic capital costs allocated to renewals and repairs for the scheme may, in the current economic climate may be over generous.

- If any changes are made, the current comprehensive recording of images and their quality must be maintained.
- So far no realistic opportunities for increasing income have been identified.

### **Initial conclusion**

- In the absence of any risk management the CCTV operation costs more than it would with it.
- Evidence based risk management would not compromise significantly the effectiveness of the CCTV operation.
- It is not possible to retain an effective scheme or even a scheme worth having at all if the budget is reduced significantly e.g. by over about 20%.
- Given an analysis of incidents and the demand on CCTV operators, changing staffing arrangements to reflect incident occurrence during the day and night would still mean it was being effective but also more efficient.
- It might also be possible to reduce management and capital costs.
- Savings of between £100k and £150k could be achieved if these changes were adopted.

## **1. Introduction**

1.1 This review is an independent strategic review of Cambridge City CCTV operation.

1.2 It has been conducted by undertaking interviews with staff, management, stakeholders, desk and documentary research and observation in the CCTV control room.

1.3 At a time of financial pressure for the Council and the scale of its historic and on-going investment in CCTV, it is appropriate to ensure that the CCTV operation is providing an effective return on investment.

1.4 Whilst this has been an interest of the review, ensuring that the CCTV operation remains effective and makes a positive contribution to the community safety of Cambridge has been of paramount importance.

1.5 This is an interim report and each of the issues raised will be subject to more detailed and evidence based comment in the final report.

**1.6 The summary below awaits final information and research. It is a record of preliminary conclusions and provided to help Cambridge City Council develop its initial thinking on CCTV.**

## **2. Sufficiency of evidence for the review**

2.1 Sufficient evidence is being obtained to properly review the CCTV operation (but see below for the quality of the data available).

## **3. Previous reviews**

3.1 A previous internal review of CCTV was undertaken in 2008 leading to some reduction in staffing levels and other potential efficiency savings. In addition, it was intended to increase income by diversifying the work undertaken and changing the way the CCTV control room operated. Whilst some of the proposals were adopted some minor ones were not. Savings of approximately £88k were made.

## **4. Crime in Cambridge**

4.1 Levels of crime and anti-social behaviour in the City are not generally high. The evidence suggests that the night time environment provides particular challenges, as do bicycle thefts.

4.2 In addition to the routine police response, a variety of other community wide initiatives have been taken to help reduce it. These include the creation of local business orientated anti-crime partnerships and some focussed business lobby groups.

4.3 To a greater or lesser extent, the CCTV operation is a player in all of them

4.4 The police, the partnerships and lobby groups perceive the role of CCTV as significant but not critical.

4.5 In addition, there are exceptional and unpredictable events, such as serious assaults, sieges, firearm incidents, demonstrations and civil disorder where (as was shown in the recent urban disorder, which affected Cambridge) when CCTV has been shown to help (in real time).

4.6 Whilst such events are rare, the role CCTV plays cannot be overlooked.

4.7 As this review has been undertaken, due consideration has been given to the role CCTV plays in any of these circumstances and how it can be satisfactorily maintained in the event of changes being made to the way the scheme operates.

## **5. Performance data**

5.1 The quality of performance data recorded in the control room is inadequate to enable a comprehensive assessment to be made of the contribution made by CCTV to community safety.

5.2 Beyond a small number of provable incidents, anecdotal evidence and a people 'feeling good' about having the scheme, hard evidence of the outcomes directly attributed to the scheme is not available.

5.3 Performance data is actually 'input' data and there are virtually no outcome measures based upon the stated key objectives for CCTV.

5.4 This is a national problem and there is no national solution. Cambridge is no different to anywhere else and the staff do their best with what they have.

5.5 Despite it being difficult and there not being a basis of good practices for doing this, it is essential that more meaningful outcome data is collected. If it is not there is a risk that an emotional judgement will be made about the value of CCTV rather than a hard edged value for money/cost benefit analysis made.

5.6 This review has sought to make a harder edged judgement based on what is available.

## **6. Overview of CCTV**

6.1 Cambridge City Council CCTV operation is a tightly managed operation which respects absolutely its legislative and regulatory framework.

6.2 The CCTV manager is highly professional and committed to his work. The CCTV operators are well trained, enthusiastic and dedicated. Those working on the scheme have won awards for their work in the past and staff turnover is very low

6.3 The cameras and the IT systems underpinning it are of high quality and modern and reflect the investment made by the city over several years. This will remain so given the on-going capital investment in cameras and the communication infrastructure.

6.4 None of the cameras are in unsuitable locations or never used. The number of cameras being monitored live is generally appropriate to the number of staff on duty - - although this is something of a subjective rather than objective statement.

6.5 There are some minor issues about the technical elements of some of the cameras and the way they are used which might help to make their use more effective.

6.6 Redeployable cameras are intended to respond to changing demand and reflect changing priorities. There is some room for improving the way their locations are selected which might improve their impact.

6.7 Technically their performance is generally satisfactory although less good than the hard wired cameras.

## **7. Profile of activity**

7.1 Without having yet received some further data to help complete the picture, it is evident that demand varies throughout the day, the days of the week and months of the year. The hours between 3am and 11am are significantly quieter every day than any other time. It would also appear that Monday, Wednesday and even Thursday are quieter than the rest of the week. In addition, October, November and December appear to be quieter than the rest of the year.

7.2 In simple terms (and this is born out after looking at 4 years worth of incident figures) the typical day can be roughly divided into three cycles of activity.

7.3 From approximately lunchtime there is a background of minor non criminal activity eg missing people, street trading with some minor crime eg theft. From early evening the profile changes to one of violence and drunkenness which peaks late evening and into the early morning (the night lime environment). From about 3am the number of incidents declines rapidly and remains low until picking up at lunchtime.

7.4 Thus, the volume and nature of work undertaken by the CCTV operators changes. In the day the volume is sometimes significantly less than at night and in the early morning less again.



7.5 Currently there is no change in the staffing levels in the control room irrespective of the different profiles of demand that exists.

7.6 Whilst this may be a simplistic assessment, it is an accurate one. Attached is a chart which show a diagrammatic representation of incidents over a year., which is typical of a number of years.

## **8. Risk management within the control room**

8.1 When not directed by a third party (e.g. the police or retailers) to monitor a specific camera/incident, intelligence led and experience based 'patrolling', is used by operators to prioritise their viewing. This is similar to that used by the police to inform patrols. On an hour to hour basis, and given their training and experience, much is rightly left up to individual operator's discretion or preference.

8.2 Currently there is no risk based approach to staffing levels and live monitoring hours. In looking more strategically at the value that live monitoring adds and given its costs adopting such an approach is worth exploring.

8.3 Rather than adopting the current blanket approach toward operating the system, it could be modified to better reflect demand.

8.4 There are challenges to adopting this approach. The principle being that if a serious incident happens when there are insufficient staff or not live monitoring, criticism maybe be made of the Council for making changes..

8.5 With proper analysis of when incidents have historically been likely to happen and it not being widely known when there is live monitoring, the risk can be satisfactorily managed. More detailed work is needed to suggest a precise breakdown of live monitoring hours and more appropriate staffing levels, however, this report provides a foundation.

8.6 Given that the cameras are recording at all times, evidence would still be available from that source and can be checked for in slow time irrespective of whether the incident was live monitored.

8.7 It has to be acknowledged that even with live monitoring, the camera may not be focussed on an incident until after it has occurred and given that coverage across the city is not comprehensive, there may be no camera to see an incident.

8.8 The issue is one of balance between the costs of 24 hour live monitoring and consistent staff level with a reduction in costs through risk management.

8.9 Given a careful analysis of what contribution the scheme actually makes to the community safety of Cambridge and from that adopting a risk based approach to how the scheme is operated some changes to the way staff are deployed could have a limited effect of its effectiveness but a significant effect on its efficiency.

8.10 Without exception, none of the business people consulted wanted to pay more for the operation or to the Council.

## **9. Perceptions and impact of the scheme**

9.1 The scheme is known about but not in detail. It is generally well regarded. Most of those spoken with felt it made an important contribution to community safety in Cambridge and to making people feel safer. None would wish to be without a scheme and would strongly oppose any attempt to stop it operating.

9.2 Retailers felt it assisted with the prevention and detection of shoplifters and everybody considered it particularly important in contributing to the night time community safety environment.

9.3 The current levels of knowledge of the scheme and its performance made it difficult, but not impossible, to enter into an informed debate with the consultees about the scheme. To help overcome this, neutral details of the scheme and what it achieved, as far as could be evidenced, were given to consultees.

9.4 When this was done, it was clear that the views held were based on feeling it 'must be' and knowing Cambridge (particularly at night), to be a vibrant city which 'obviously' needed CCTV and reports in the media suggesting CCTV images had been critical, rather than having sound empirical evidence that it actually made an impact.

9.5 This is unsurprising given the absence of public knowledge of the scheme and more useful outcome based performance data.

9.6 This level of knowledge and understanding of the reality of what impact the scheme makes needs to be improved - if its 'real' rather than perceived contribution it makes to community safety is to be accurately established.

9.7 There was some surprise at the cost of the scheme and that it was operated on the basis of a full time, fully staffed scheme whatever the time of day or night, rather than in a way which reflected a 'risk based' approach which responded to demand and activity.

9.8 The police found the scheme helpful, however, did not feel it was critical. They accepted that it made a contribution to the general feeling of well being. When pressed about its role in serious crime, they acknowledged that it made a contribution but that it was not generally critical. It tended to reduce impact on the time an investigation took and if CCTV images were available led to more admissions on the part of the accused.

9.9 It was clear that it was the possession of the images rather than necessarily the live monitoring of the cameras which was of benefit in most cases.

9.10 Observation within the control room suggested that the police relied on the work of the operators rather more than might be appreciated. This included them helping identify developing problems and occasionally helping suggest where officers should be deployed.

9.11 The caveat to this, however, is that whilst the operation may help the police respond and identify offenders, without cameras the police would still become aware of issues through the 999 system.

9.12 Of more importance in judging the value of the scheme is the way in which the police deal with those caught.

9.13 Instances were observed where the police detained somebody following them being notified by the CCTV control room for a minor crime or anti-social behaviour but, for understandable operational reasons, either took no further action or simply gave words of advice.

9.14 In cases of shoplifting, the reality is that it is the store detective or the in-store camera that provides evidence of an offence rather than in most cases the public space CCTV. The exception is where a thief runs away and the CCTV is used to follow and detain them. This is not frequent. In addition, shoplifters often reoffend and will be caught later and suspects and their addresses are often known to the police already.

9.15 The disposal by police of most shoplifters is by way of a fixed penalty notice or a caution. Only a limited number will be taken to court. This is little changed by thieves who simply run away, although it will if violence is used. This is rare for shoplifting.

9.16 Thus if examined, the use of CCTV during the day to prevent or detect retail theft appears more limited.

9.17 Given the numbers of competent and capable people on the street during the day (i.e. not suffering from the effects of alcohol or drugs), it will often be the case that if anti-social behaviour is taking place or a crime being committed the police will be called, The need, therefore for the live monitoring of cameras during the day to recognise this is less clear and the use of public vigilance as a tool should be recognised.

9.18 Overall and from the limited evidence available, it seems that the scheme does make a practical, if not measurable contribution to the management of the night time environment. Its relevance to real day time criminality, including shoplifting is less clear.

## **10. 'Out of hours' service**

10.1 The relatively recent introduction of the 'out of hours' service to the CCTV control room impacts on the ability to make significant changes to the live monitoring hours or staffing levels of the CCTV operation as it depends on the control room being manned.

10.2 The cut off between the day time service centre and the 'out of hours' service is somewhat vague. It is said by CCTV operators that they are the only holder of 'out of hours' contractor details and so will start to receive calls from 4pm onwards, rather than the intended 5.30pm.

10.3 In addition, there have been incidents when they have been handed a call to deal with which was taken by the support centre at 2pm.

10.4 There is a significant volume of calls out of hours and staff do spend a considerable amount of time handling these calls and filling incident paperwork because of them.

10.5 Currently, staff also have to prioritise their focus and on occasions the 'out of hours' service will be put on to answer phone if the operators are busy with one or more serious live incidents.

10.6 Whilst not specifically part of this review, it has been noted that the CCTV operators have been given limited training in how to handle 'out of hours calls'. Given that some calls are complex and people using the service not unusually drunk or abusive this is surprising.

10.7 In a sense, the City Council needs to decide if the currently called 'CCTV Control Room' is to be managed as an 'Out of hours City Council Control Room' with, by definition, the need to be staffed during the less quieter times when the CCTV cameras may not need live monitoring to receive 'out of hours' calls.

10.8 Given that some staff will have to be in the room, it may be an efficiency to have them monitor the CCTV in between calls for something to do, even though operationally it does not need such monitoring.

10.9 This need to identify how the Council wishes to manage 'out of hours' calls needs to be resolved before consideration is given to whether the length of live monitoring and staffing levels in the control room can be changed. If it is to remain within the room, then that could positively influence the hours the CCTV could be monitored.

10.10 It has not been part of this review to consider how the 'out of hours' should be managed if not from within the CCTV control room, but this is a service that can easily be outsourced to the private sector or another public sector provider.

## **11. Car Park Monitoring**

11.1 Currently the CCTV operators monitor Council run car parks 24 hours a day. The car parks pay for this service.

11.2 If any changes were made to the live monitoring hours of the car parks, alternative arrangements would need to be made for this (if it were to continue).

11.3 It has not been part of this review to consider if the car parks should be monitored or if not in the CCTV room this could be done most effectively.

11.4 That said, given that the car parks are staffed 24 hours a day, it is unclear why those staff could not undertake that duty were the hours of live monitoring in the CCTV control room to change.

11.5 If, of course the hours when live monitoring were curtailed were the hours when car parks were quiet, changing who monitors the car parks might have little effect.

## **12. Ancillary activity**

12.1 Currently the CCTV control rooms undertakes other minor ancillary work eg managing out of hours access to the Mill Road Depot, alarm monitoring and personal attack monitoring. Whilst alternative arrangements would have to be made to handle these issues, none appear to be such that a practical and affordable way of doing it could not be found.

## **13. Staff costs**

13.1 Through circumstance, the total remuneration package of operators monitoring the cameras is relatively high compared with others undertaking similar or even more complex and responsible work.

13.2 Staff costs make up nearly 50% of the costs of the scheme and so any excess payments significantly impact on the overall cost of the scheme.

13.3 The City Council is currently undertaking a review of pay and this is considering consolidated pay issues that include shift allowance. It is expected that this review will have implications for the remuneration package of staff undertaking CCTV.

13.4 It will be necessary for the line management for the CCTV service to be reviewed after any rationalisation of operational hours or staffing levels to establish if there are any further efficiency savings that could be made.

## **14. Use of Special Constables in the control room**

14.1 In addition to or as an alternative to restricting the live monitoring of the control room or realigning operators salaries, the suggestion made by the Cambridge City police was that members of the special constabulary, with suitable experience and specific training, could be deployed to the control room to undertake monitoring.

14.2 This is an interesting idea. Special Constables receive similar training to police officers and have undertaken all the necessary vetting.

14.3 The use of Special Constables would overcome the criticisms that have been made of the poor performance of some 'volunteers' in other nearby CCTV control rooms.

14.4 The police offered to help arrange this if it was considered a sensible way forward.

14.5 Given the concerns that were expressed about the use of more general 'volunteers' and the undoubted skills of experienced Special Constables, this seems an idea which is well worth pursuing by Cambridge Council in collaboration with the police.

14.6 It is an interesting fact that two of the current operators are Special Constables in their own time.

## **15. Capital**

15.1 The historic capital spend on the scheme has ensured that the scheme remains modern and efficient but this happens routinely rather than by a proper needs based review in the context of what can be afforded today. An improved balance between the ideal and the essential may be appropriate when considering future capital provision.

## **16. Making the CCTV operation more efficient but retaining its effectiveness**

16.1 In the absence of any risk management of staffing levels or live monitoring hours, the control room is currently able to deal with virtually any eventuality. It does so at a high cost which may not be providing good value for money given some of its outcomes.

16.2 On the other hand, it is not possible to retain an effective scheme or even a scheme worth having at all if the budget is cut to such an extent that either staffing levels or live monitoring hours are insufficient to respond to incidents and demand when it can make a contribution. This is particularly so with regard to the night time environment where the room is perceived as making an impact. To illustrate this, further details of the risks to the effectiveness of the operation were it to be subject to further reductions are being worked up.

**16.3 Given an analysis of the work of the room and the profile of incidents, changing staffing arrangements to reflect incident occurrence during the day and night would still mean it was being effective but also more efficient.**

16.4 In the light of that it might also be possible to reduce management costs. If a more conservative approach were to be taken to system updating, capital provision could also be reduced.

16.5 Were staffing levels or the hours of live monitoring to reduce, it would be necessary to put in place arrangements which meant that they could be increased or live monitoring commenced at any time in exceptional circumstances and at short notice.

16.6 If any changes are made it will have to be recognised that there will be political consequences if subsequently an incident occurs when CCTV was of no assistance because staff were overloaded or live monitoring not taking place.

## **Conclusions**

**The CCTV operation makes a contribution to the community safety of Cambridge.**

**Whilst not significantly reducing its effectiveness, the evidence of what contribution it makes suggests that by introducing risk management into staffing levels and the hours of live monitoring, it would be more efficient.**

**The current annual capital spend is generous and the scheme would lose little of its effectiveness if the life of cameras was to be extended.**

**A saving of between £100k and £150k could be achieved if this approach was adopted.**

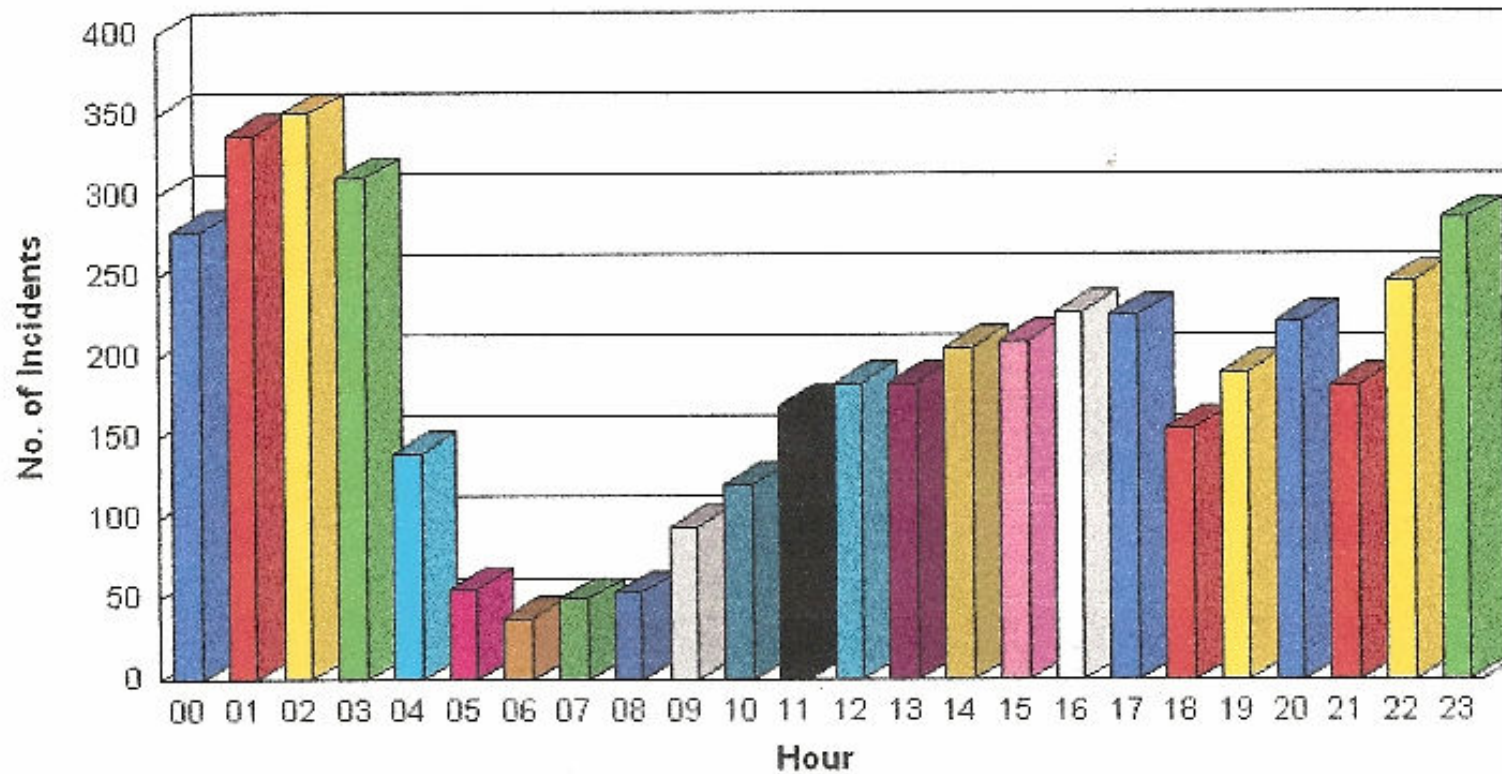
## APPENDIX 2 – BAR CHART



### Frequency Distribution By Zone & Month of Year

01/04/2010 00:00:00 to 01/04/2011 00:00:00

### Number of Incidents by Hour of Day



## **APPENDIX 3 – Consultant CV**

### **The Community Safety Consultancy Limited**

Through his company, The Community Safety Consultancy Ltd., Richard Childs provides strategic advice on community safety and crime reduction, the 'extended police family', the police service and the private security industry and their constitution and issues of corporate governance and structure to private and public sector clients.

Until he retired in September 2003, Richard Childs had spent 30 years as a police officer including working in the Metropolitan Police, Sussex Police, the Home Office and the last 6 years as chief constable of Lincolnshire Police. He was the national lead for the police service on police 'visibility' and 'reassurance', neighbourhood wardens, community support officers and their accreditation, the private security industry and was an advisor on these issues to the Home Office and the Security Industry Authority. He worked for 3 years at the Home Office as Head of the Crime Prevention Agency and was responsible for the then government's policy of CCTV. He was a member of the Security Industry Authority Board. He has been a non-executive Director and chair of audit of Government Office for East Anglia (GoEast), and is currently a Commissioner for Rural Communities (to be abolished), a member of the Prison Service Pay Review Body, Chairman of NHS Lincolnshire and a member of the General Dental Council fitness to practice panel. He remains the Association of Chief Police Officers lead for Security Systems and responsible for the 'Secured by Design' licensing initiative.

Richard Childs has a BSc and is a Fellow of the Security Institute.



## Project Appraisal

<b>Project Name</b>	<b>Replacement of CCTV Cameras</b>
<b>Committee</b>	Community Services Scrutiny Committee
<b>Portfolio</b>	Community Development and Health
<b>Committee Date</b>	13 <sup>th</sup> October 2011
<b>Executive Councillor</b>	Councillor Tim Bick
<b>Lead Officer</b>	Paul Necus

## Recommendation/s

### Financial recommendations:

- The Executive Councillor is asked to recommend this capital scheme (which is not included in the Council's Capital Plan) for approval by Council subject to resources available to fund the capital and revenue costs associated with the Scheme. The total capital cost of the project is £70,000, and it is proposed that this funded from:
  - CCTV R&R funds
  - Property Services Arbury Court CCTV R&R fund.
- The estimated revenue savings of the project are linked to the new Communications Project already underway and will help contribute to the estimated full year saving of £35,000 starting in financial year 2012/13.

### Procurement recommendations:

- The Executive Councillor is asked to approve the procurement of 21 replacement CCTV cameras, which are coming to the end of their operational life, and to help make savings towards the new communications system for the City's CCTV service.
- If the quotation or tender sum exceeds the estimated contract value by more than 15% the permission of the

Executive Councillor and Director of Resources will be sought prior to proceeding.

## **1 Summary**

### **1.1 The project**

To purchase and install 21 new digital CCTV cameras to replace cameras coming to the end of their operational life and to operate with the new communications infrastructure.

### **1.2 Linked to CCTV Communications Project**

A separate CCTV Communications Project is currently in progress and is designed to replace fibre optic and copper wire links between all Public Space CCTV cameras within Cambridge (less Park Street and Grand Arcade Car Parks). The objective of this project is to reduce annual revenue costs for communication line rental between the CCTV Control Room and its cameras by £35,000 per annum.

The 21 new cameras will be integrated into this new communications system as part of the savings objective.

The replacement of these cameras will be necessary, irrespective of the outcome of the current review of the CCTV service.

Target Start date	<b>1 October 2011</b>
Target completion date	<b>31<sup>st</sup> March 2012</b>

### **1.3 The Cost**

Total Capital Cost	<b>£ 70,000</b>
--------------------	-----------------

## Capital Cost Funded from:

Funding:	Amount:	Details:
Reserves	<b>£0</b>	
Repairs & Renewals	<b>£35,000</b> <b>£35,000</b>	<b><i>CCTV R&amp;R Cost Centre 27729</i></b> <b><i>Arbury Ct CCTV R&amp;R Cost Centre 27738</i></b>
Other	<b>£0</b>	

## Revenue Implications

Year 1	<b>£0</b>
Ongoing (starting in financial year 2012/13)	<b>Contribution towards (£35,000)</b>

**1.4 The Procurement**

The contract value is likely to be under the £75,000 procurement threshold. The project will be subject to tender in line with the Constitution.

**2 Capital Project Appraisal & Procurement Report****2.1 What is the project?**

- To purchase and install 21 new digital CCTV cameras at:

Queen Anne Car Park (12)

Arbury Court (6)

Kingsway Flats (3).

- CCTV cameras have a working life of around 5 – 7 years. The existing 21 cameras are all over 10 years old and are at the end of their operational working life. To convert the existing cameras to accept the new communications links

would cost £21,000. Given the age of the cameras, it would be inefficient to invest in their modification.

## **2.2 What are the aims & objectives of the project?**

This project will contribute to achieving the Council's vision of a city where people behave with consideration for others and where harm and nuisance are confronted wherever possible without constraining the lives of all.

Replacing the CCTV cameras will ensure they are compatible with the new communication systems without incurring additional conversion and modification works. Capital investments in new cameras will deliver value for money by reducing ongoing communications costs for example by reducing telephone line rentals.

## **2.3 Summarise the major issues for stakeholders & other departments?**

Besides the CCTV service, this project will also deliver communications cost savings for Property Services and City Homes North.

## **2.4 Summarise key risks associated with the project**

- Delay in procurement and installation of cameras will reduce some planned revenue savings in the next financial year.
- Not replacing the cameras will require investment of £21k in modifications to existing aging equipment.

## **2.5 Financial implications**

- a. Appraisal prepared on the following price base: 2011/12

## **2.6 Capital & Revenue costs**

(See also Appendix A for spread across financial years)

<b>(a) Capital</b>	<b>£</b>	<b>Comments</b>
Building contractor / works		
Purchase of vehicles, plant & equipment	£70,000	
Professional / Consultants fees		
IT Hardware/Software		
Other capital expenditure		
<b>Total Capital Cost</b>	<b>£70,000</b>	

<b>(b) Revenue</b>	<b>£</b>	<b>Comments</b>
Contribution to ongoing savings starting in financial year 2012/13	(£35,000)	It is expected that investment in this project will yield savings of approximately £35,000 per annum
<b>Total Revenue Implications</b>	<b>(£35000)</b>	

## 2.7 VAT implications

There are no adverse VAT associated with this Project.

## 2.8 Other implications

## 2.9 Estimate of staffing resource required to deliver the project

To be delivered by CCTV Project Team with support from  
Procurement  
Legal Services

## 2.10 Identify any dependencies upon other work or projects

Linked to CCTV New Communications Project due for completion in November 2011

## 2.11 Background Papers

Nil

## 2.12 Inspection of papers

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Date prepared:	22 <sup>nd</sup> June 2011

## Capital Project Appraisal - Capital costs &amp; funding - Profiling

## Appendix A

	2010/11	2011/12	2012/13	2013/14	2014/15	Comments
	£	£	£	£	£	
<b>Capital Costs</b>						
Building contractor / works						
Purchase of vehicles, plant & equipment						
Professional / Consultants fees						
Other capital expenditure:		70,000				Arbury Ct and CCTV 35,000 each.
<b>Total Capital cost</b>	<b>0</b>	<b>70,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Capital Income / Funding</b>						
Government Grant						
S106 funding						
R&R funding		70,000				27729 and 27738
Earmarked Funds						
Existing capital programme funding						
Revenue contributions						
<b>Total Income</b>	<b>0</b>	<b>70,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Net Capital Bid</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

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**CAMBRIDGE CITY COUNCIL** Agenda Item 18a  
Record of Executive Decision

<b>LATIMER CLOSE SCHEME APPROVAL</b>
--------------------------------------

**Decision of:** Executive Councillor for Housing: Cllr Catherine Smart

**Reference:** 11/CS/H/01

**Date of decision:**

**Recorded on:**

**Decision Type:** Key Decision

**Matter for Decision:** Approval of the redevelopment of City Homes properties in Latimer Close. A mixed tenure scheme is proposed that will be developed with the Council's new house-builder/developer partner.

**Why the decision had to be made (and any alternative options):**

This project is in line with the Council's vision for "a city which recognises and meets needs for housing of all kinds – close to jobs and neighbourhood facilities". The Affordable Housing dwellings will be owned and managed by City Homes and will contribute to the sustainability of the service.

There are currently 20 one bedroom, one person flats at Latimer Close. The City Homes properties in Latimer Close were approved for consideration for redevelopment as part of the Council's 3 Year Rolling Programme in November 2008. The flats are becoming increasingly unpopular because of their size and layout. They are of an unattractive design and Latimer Close is a low density site.

The proposed scheme is for a mix of 12 Affordable Housing and 8 Market Housing (ie a 60%/40% split).

**The Executive Councillor's decision(s):**

- a. Approved that the Latimer Close flats be redeveloped as mixed tenure scheme with at least 60% of the new properties to be Affordable Housing.
- b. Approved a total capital budget of £1,158,606 to cover the Construction Cost of the scheme; Home Loss Payments to tenants and leaseholders and professional quantity surveyor fees.

- c. Approved that delegated authority be given to the Director of Customer and Community Services following consultation with the Director of Resources and the Head of Legal Services to seal a Development Agreement with our preferred house-builder/developer partner.

**Reasons for the decision:**

If any existing housing is planned to be demolished and to be excluded from the HRA self-financing calculation an Executive Councillor decision is required by 10 October 2011. .

**Scrutiny consideration:**

The Chair and Spokesperson of Community Services Scrutiny Committee were consulted prior to the action being authorised. Other members of the Scrutiny Committee were sent the report on 29 September 2011.

**Report:**

A report detailing the background and financial considerations is attached.

**Conflicts of interest:**

None

**Comments:**

Where certain criteria are satisfied, housing that is planned to be redeveloped can be excluded from the calculation of the final debt to the Council. Roman Court and Seymour Court already fall into this category. The attached report was due to be considered at Community Services Scrutiny Committee on 13 October. However, as set out in the report, to qualify to be excluded the decision is required by the 10 October.



To: Executive Councillor for Housing: Cllr Catherine Smart  
Report by: Alan Carter, Head of Strategic Housing  
Relevant scrutiny committee: Community Services Scrutiny Committee  
Wards affected: All Wards

## **LATIMER CLOSE SCHEME APPROVAL Key Decision**

### **1. Executive summary**

This report details the redevelopment of City Homes properties in Latimer Close. A mixed tenure scheme is proposed that will be developed with the Council's new house-builder/developer partner.

### **2. Recommendations**

The Executive Councillor is recommended to:

- a. Approve that the Latimer Close flats be redeveloped as mixed tenure scheme with at least 60% of the new properties to be Affordable Housing.
- b. Approve a total capital budget of £1,158,606 to cover the Construction Cost of the scheme; Home Loss Payments to tenants and leaseholders and professional quantity surveyor fees.
- c. Approve that delegated authority be given to the Director of Customer and Community Services following consultation with the Director of Resources and the Head of Legal Services to seal a Development Agreement with our preferred house-builder/developer partner.

### **3. Background**

This is the first redevelopment proposal to be brought to Committee for scheme specific approval following the Council's recent successful bid to the Homes and Communities Agency for grant to deliver a four-year new

build programme. The proposal follows on from the initial 8 new Council house units now complete or under construction, and the project to redevelop Seymour Court that is currently at the planning approval stage.

The principles behind the development model used for Seymour Court are repeated here ie a mixed tenure scheme, developed with a house-builder/developer partner, providing for the cross-subsidy of the Affordable Housing from the sale of market houses, thereby minimising capital outlay for the Council.

There are currently 20 one bedroom, one person flats at Latimer Close. The City Homes properties in Latimer Close were approved for consideration for redevelopment as part of the Council's 3 Year Rolling Programme in November 2008. The flats are becoming increasingly unpopular because of their size and layout. They are of an unattractive design and Latimer Close is a low density site.

The proposed scheme is for a mix of 12 Affordable Housing and 8 Market Housing (ie a 60%/40% split) as follows;

### **Affordable Housing**

- 1 x 1 bed apartments
- 2 x 2 bed apartments
- 1 x 2 bed fully wheelchair accessible apartment
- 2 x 2 bed house
- 5 x 3 bed house
- 1 x 4 bed house

### **Market Housing**

- 1 x 1 bed apartments
- 1 x 2 bed apartments
- 2 x 2 bed house
- 3 x 3 bed house
- 1 x 4 bed house

Appendix 1 provides more detail on the proposal.

## **4. Implications :-**

### **(a) Financial**

The total capital costs of the proposed scheme is as follows

Construction Costs	£ 772,734
Home Loss Costs	£ 565,712
Professional Consultants	£ 30,160
Total	£1,368,606

The costs will be funded by

Grant	£ 210,000
Borrowing	£1,158,606

**Viability** - Key indicators whether a scheme is viable are when the scheme breaks even in revenue terms (typically 12 years) and when the total capital used is paid back (typically 30 years). As this is in effect a small scale regeneration scheme there will be costs involved in relocating current tenants and leaseholders. There are therefore two viability scenarios shown below.

a. Net of Home Loss costs

Pay-back period - 16 years  
Break-even - Year 1

b. Inclusive of Home Loss costs

Pay-back period - 31 years  
Break-even - Year 8

**Rent Levels** – The following rents have been used in the viability assessment.

1 bed - £115 per week  
2 bed - £126 per week  
3 bed - £149 per week  
4 bed - £197 per week

Further details on costs, funding, VAT, procurement and key risks are shown in Appendix 1.

**(b) Staffing**

A Development Officer from the Enabling and Development Team will be the Council's Project Manager. A Project will be monitored by the Affordable Housing Development Programme Board, a group of officers that meets quarterly. The Board includes representatives from the Enabling and Development Team, City Homes, Housing Strategy, Finance, Internal Audit, Legal, and Procurement.

**(c) Equal Opportunities**      **Equality Impact Assessment conducted**

An EQIA has been undertaken for the Council's new build programme as a whole which mainly highlighted the benefits of the Council retaining direct control of new housing development itself to ensure a focus on the delivering of housing that meets a diverse range of housing needs.

**(d) Environmental**

All of the new homes will meet Level 4 of the Code for Sustainable Housing as a minimum.

**(e) Consultation**

The Council has had a process for how existing Council housing and in-fill sites are considered for redevelopment since 2008. The process was scrutinised both by the Housing Management Board and the Community Services Scrutiny Committee. This process is known as the 3 Year Rolling Programme.

The Latimer Close flats were added into the first Programme in November 2008. The 20 residents (16 tenants and 4 leaseholders) and Ward councillors were duly contacted and contact names of Council officers provided. 4 of the 16 tenants are currently on the transfer list.

As the scheme is being brought forward now for decision it is our intention to write to all of residents again to advise that a recommendation is to be put to the Executive Councillor that the scheme should be redeveloped. Letters will be hand delivered giving any resident an immediate opportunity to the proposal. Residents will also be advised of the Council's approach to Home Loss Payments and how we will work with individual residents to support them to secure alternative housing.

**(f) Community Safety**

There are no specific Community Safety issues associated with this project.

**5. Background papers**

None

**6. Appendices**

Appendix 1 - Latimer Close Project Appraisal

## 7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Alan Carter  
Author's Phone Number: 01223 – 457948  
Author's Email: [alan.carter@cambridge.gov.uk](mailto:alan.carter@cambridge.gov.uk)

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## **Appendix 1 - Latimer Close Project Appraisal**

### **1 Summary**

#### **1.1 The project**

This project is in line with the Council's vision for "a city which recognises and meets needs for housing of all kinds – close to jobs and neighbourhood facilities". The Affordable Housing dwellings will be owned and managed by City Homes and will contribute to the sustainability of the service.

There are currently 20 one bedroom, one person flats at Latimer Close. The City Homes properties in Latimer Close were approved for consideration for redevelopment as part of the Council's 3 Year Rolling Programme in November 2008. At that point Latimer Close was proposed for investigation in 2009/10.

The flats are becoming increasingly unpopular because of their size and layout. They are of an unattractive design and Latimer Close is a low density site.

The mix of the new scheme is as follows.

#### **Affordable Housing – Total 12**

- 1 x 1 bed apartments
- 2 x 2 bed apartments
- 1 x 2 bed fully wheelchair accessible apartment
- 2 x 2 bed house
- 5 x 3 bed house
- 1 x 4 bed house

#### **Market Housing – Total 8**

- 1 x 1 bed apartments
- 1 x 2 bed apartments
- 2 x 2 bed house
- 3 x 3 bed house
- 1 x 4 bed house

- One of the 2 bed Affordable Housing apartments will be a fully wheelchair accessible dwelling, the remainder will meet Lifetime Homes Standard
- All units will meet Level 4 of the Code for Sustainable Housing
- The Market Housing will be built and sold at the developer/house-builder partners risk. The Council would not be able to buy any of the Market Housing back at any stage if they did not meet our standards.

Target Start date	December 2012
Target completion date	December 2013

## 1.2 Costs, Funding and Viability

### Capital Costs

Construction Costs	£ 772,734
Home Loss Costs	£ 565,712
Professional Consultants	£ 30,160
<b>Total</b>	<b>£1,368,606</b>

The Professional Consultants fees will include a Quantity Surveyor to confirm the construction costs and solicitors to complete the contracts with the developer/house-builder partner.

### Funding

Grant	£ 210,000
Borrowing	£1,158,606

**Viability** - Key indicators whether a scheme is viable are when the scheme breaks even in revenue terms (typically 12 years) and when the total capital used is paid back (typically 30 years).

a. Net of Home Loss costs

Pay-back period – 16 years

Break-even - Year 1

b. Inclusive of Home Loss costs

Pay-back period – 31 years

Break-even - Year 8

### **Rent Levels –**

1 bed - £115 per week

2 bed - £126 per week

3 bed - £149 per week

4 bed - £197 per week

### **1.3 VAT implications**

VAT is not payable on new build construction costs. However, advice will be sought from the Council's VAT specialist to ensure that there are no adverse VAT issues affecting the project.

### **1.4 The Procurement**

At the Community Services Committee on the 25 March 2010 the Executive Councillor for Housing approved that an Affordable Housing Development partnership be procured. This partnership was to enable the redevelopment of City Homes housing considered feasible redevelopment in the 3 Year Rolling Programme. The 25 March 2010 report stated that two developer partners would be procured; unfortunately due to procurement regulations it was not possible to procure two partners. Therefore a procurement exercise was undertaken to select one partner, which adhered to procurement rules.

The procurement process will be completed in October 2011.

The procurement process includes an assessment of the viability of the redevelopment of the Latimer Close properties and this allows this proposed redevelopment to be progressed quickly to specific scheme approval.

The principles behind the development model used for Seymour Court is repeated here ie a mixed tenure scheme, developed with the a house-builder/developer partner, providing for the cross-

subsidy of the Affordable Housing from the sale of market houses, thereby minimising capital outlay for the Council.

The model involves the disposal of freehold plots to the house-builder/developer partner where Market Housing is proposed and/or disposal under long leases where Market Apartments are involved. The Council will retain the freehold of land upon which the Affordable Housing is provided and the freehold of land should Market Apartments be provided.

It is the intention to control and procure the redevelopment by way of a Development Agreement and a standard form JCT Design and Build contract to cover the building works. The draft agreements developed for Seymour Court will be re-used.

In summary, the key points of the draft Development Agreement are as follows;

- The contractual arrangements with the house-builder/developer are conditional on the achievement of a satisfactory planning permission.
- The Development Agreement is also conditional on the Council confirming it has secured sufficient funding for the Project, achieved vacant possession and achieved all necessary Executive Councillor approvals.
- The Council must approve a scheme prior to the house-builder/developer submitting a planning application.
- The cost of the redevelopment to the Council is capped at 10% above the Construction Cost of a final scheme agreed with the house-builder/developer to allow for any onerous conditions that may be applied through the planning process (this is within the limits allowed by the Council's Contract Procedure Rules).

### **1.5 Key Risks**

The Development Agreement will be conditional on the Director of Resources confirming that the Council has the finance in place to fund the scheme. Therefore a key risk is developing a finance package that is acceptable to the Director of Finance.

A planning application will need to be agreed between the developer / house-builder partner and the Council that is satisfactory to the Strategic Housing division.

Subject to the approval of the Committee of the scheme presented, the Development Agreement will be signed and our house-builder/developer partner will proceed to submit a planning application after vacant possession has been achieved. The Development Agreement will include a clause allowing our house-builder/developer partner to claim back a proportion of the cost of achieving planning permission should the Project not proceed for reasons that are not the fault of our partner. The agreed proportion will be less than 50% of the cost of achieving planning permission. In the unlikely event that the Council does not wish to proceed with the redevelopment, the risk is mitigated by the fact that the land will have a planning permission that will have a value to the Council.

The Project will not proceed as a Council new build scheme unless the grant is secured from the HCA and confirmation that the scheme can be funded through the HRA self-financing system.

Should the Project proceed key risks will be to fail to meet start on site and practical completion deadlines for the HCA grant funding.

Residents living at Latimer Close comprise 4 leaseholders and 16 City Homes tenants. The Council will need to discuss the potential redevelopment of Latimer Close with both tenants and leaseholders and the new Home Loss Policy will apply. This leads to the possibility that vacant possession will not be achieved.

Should the Project proceed with HCA grant a key risk will be not meeting key deadlines for the HCA grant funding.

## **1.6 Other implications**

A Quantity Surveyor will be appointed as Construction, Design and Management Co-ordinator. This role advises and assists the council on its obligations in order to comply with CDM 2007 regulations in relation to Health and Safety.

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