

**HORLEY TOWN COUNCIL**  
**ORDINARY MEETING OF THE COUNCIL**

Minutes of an Ordinary Meeting of Horley Town Council held at the Albert Rooms,  
Albert Road, Horley on Tuesday 7 February 2017 at 7.30 pm.

**Present** Cllrs Mike George – Chairman & Town Mayor  
J Baird  
J Baker  
S Banwait  
R Biggs (Part Meeting)  
K Etheridge  
D Jackson  
A Kitajewski  
H Kitajewski  
Samantha Marshall  
R Olliver  
F Stimpson

**In Attendance** A Jones (Town Clerk)  
C Fenton (Deputy Town Clerk)

**C 4112 Apologies and Reasons for Absence**

***RESOLVED: that the apologies of Cllrs Hudson, Mabbett, Simon Marshall, Valerie Marshall, Powell and Randall be accepted, for reasons as specified in the attendance register.***

**Disclosable Pecuniary Interests and Non-Pecuniary Interests**

**C 4113** Cllrs Olliver and Jackson declared non-pecuniary interests in the Horley Edmonds Fund Grant Applications item.

***RESOLVED: noted.***

**C 4114** Cllr Olliver declared a non-pecuniary interest in correspondence received from the Birchwood Patient Group, in his capacity as a former General Practitioner.

***RESOLVED: noted.***

**C 4115 Public Forum**

No members of the public were present.

***RESOLVED: noted.***

**C 4116 Ordinary Meeting of the Council, 13 December 2016**

The minutes of the above meeting of the Council were presented for confirmation by members and signature by the Chairman of the Council

**C 4116)**      ***RESOLVED: that the minutes of the Ordinary Meeting of the Council held on 13 December 2016, including all confidential items, be approved.***

**C 4117**      **Leisure & Amenities Committee, 10 January 2017**

***RESOLVED: that the unapproved minutes of the above meeting of the Leisure and Amenities Committee, including all confidential items, be received***

**C 4118**      **Finance & General Purposes Committee, 17 January 2017**

***RESOLVED: that the unapproved minutes of the above meeting of the Finance and General Purposes Committee, including all confidential items, be received.***

**C 4119**      **Planning & Development Committee, 6 December 2016**

***RESOLVED: that the approved minutes of the above meeting of the Planning and Development Committee, including all confidential items, be received.***

**C 4120**      **Planning & Development Committee, 3 January 2017**

***RESOLVED: that the approved minutes of the above meeting of the Planning and Development Committee, including all confidential items, be received.***

**C 4121**      **Proposals for Possible Café at Horley Recreation Ground**

Cllr Biggs updated members on the recent meeting of the Working Group. He explained that well over 500 responses had been received to the survey regarding a possible café and the Park in general and 74% of respondents were keen to see more events in the Park. Nearly all the respondents had said that they would use both the café and toilet facilities.

Despite there being a narrow majority in favour of the café being sited in a more central position, the Working Group was recommending that the café be sited closer to the car park, as it would be significantly cheaper and less disruptive to supply the required services to this location, as well as year round sales being maximised. The Group was also proposing that canopies and seating be installed near the playground, which would be serviced from the Café, the canopies to be as vandal proof as possible.

The Clerk advised that by April 2017 the earmarked fund for the café would total £90,000. He added that a Borough Council Planning Officer had advised that the location closer to the car park was unlikely to pose any planning problems, although he suggested that it would be advisable to seek the views of adjacent

**C 4121)** residents before finalising any application.

Members congratulated the Working Group on the excellent results achieved to date. After further discussion the following was resolved:

**RESOLVED:**

- i) that the Café / Pavilion Project be advertised on the Gov.UK Contracts Finder website, inviting informal expressions of interest from any parties who may be interested in the design and build of the café or a concessionaire catering agreement to run the café.**
- ii) that an initial Business Plan be completed, for consideration at the next Full Council meeting.**

**C 4122** Chairman's Report

The Chairman advised that he had attended the following:

Town Centre Carol Service & Hospitality  
Christmas Eve Carol Service at Horley Methodist Church  
Induction of new Priest at English Martyrs Catholic Church

**RESOLVED: noted.**

**C 4123** Reports from County Councillors

The Deputy Clerk advised that no further reports had been received. Cllr Samantha Marshall suggested that further updates on education capacity in Horley be sought at a future date. Cllr George advised that this may be affected by the decision of some Horley schools to consider becoming Academies.

**RESOLVED: noted.**

**C 4124** Surrey Police

There were no updates to report.

**RESOLVED: that the Police and Crime Commissioner for Surrey be invited to address members later in the year.**

**C 4125** Highways Matters

The Clerk advised that Sam Gyimah had responded to the letter from the Town Council, which had voiced concerns regarding reduced funding available for highways and education, confirming that he was in regular contact with the Leader of Surrey County Council, other Surrey MPs and the Secretary of State, however he was unable to provide any further updates at the present time.

**C 4125)**      **RESOLVED: noted.**

**C 4126**      **Centenary Tree in Memorial Gardens**

The Clerk advised that he had received minutes from a meeting of the Horley Royal British Legion, suggesting that the possible planting of a Memorial Tree be re-considered in 2018 to mark the end of World War One.

**RESOLVED: that Horley RBL Committee members be made fully aware of the views of the Town Council regarding any possible Memorial Tree.**

**C 4127**      **Risk Assessment and Management Paper 2016-2017**

**RESOLVED: that the Risk Assessment and Management Paper, subject to one minor amendment, be approved. (A copy is appended.)**

**C 4128**      **Internal Control Review 2016/2017**

**RESOLVED: that the annual review of the effectiveness of the Town Council's system of internal control and management of risk be approved. (A copy is appended.)**

**C 4129**      **Closed Circuit Television (CCTV) Policy and Code of Practice**

**RESOLVED: that the CCTV Policy and Code of Practice be approved. (A copy is appended.)**

**Horley Edmonds Community Fund**

**C 4130**      **RESOLVED: that receipt be noted of the Quarter 3 Fund Statement, 1 April to 31 December 2016. (A copy is appended.)**

**C 4131**      **RESOLVED: that the application from Horley Bowling Club for £1,000 for a hard standing area for mobility scooters etc be approved in full.**

**C 4132**      **RESOLVED: that a further grant application be declined.**

**C 4133**      The Deputy Clerk updated members on the grant of £1,000 which had been awarded to the Archway Theatre to support the establishment of a community cinema in Horley. The Community Foundation for Surrey had now received a report from the Theatre, in which it was explained that the grant had been put towards a projector and screen, which had been used for various training courses for members, as well as adding visual content in some Theatre productions. Whilst there had been some Cinema screenings, due to timings and lack of volunteer support it had proved difficult to have many cinema showings so far.

- C 4133)** After some discussion members agreed that the Archway Theatre should be promoting the Cinema more, as they did not feel that the grant, which had been awarded could at the present time be justified.

**RESOLVED: that the Clerk contact the Community Foundation's Executive Director and an update be provided at a future meeting.**

#### **Horley Saturday Market**

- C 4134** The Clerk informed members that the level of business rates payable for the area of the Central Car Park used by market stallholders would be approximately £143 per annum.

**RESOLVED: that thanks be recorded to the Town Council's Responsible Finance Officer for research undertaken.**

- C 4135** Members reviewed the draft Licence for the use of part of the Central Car Park for the operation of the Saturday Market. The Clerk explained that the initial Licence was intended to be a trial for six months only and would be reviewed at this point. Cllr Baker stressed the urgent need for the entrance barrier of the car park to be either replaced or removed completely and the Clerk agreed to contact the Borough Officer concerned.

**RESOLVED: that the Licence be approved and signed accordingly.**

- C 4136** **RESOLVED: that charges for pitch hire be reviewed at the meeting of the Leisure & Amenities Committee on 14 February 2017.**

#### **High Street Car Park**

- C 4137** Once again Members discussed the ongoing issues in the High Street Car Park, following the Borough Council's decision to lease sixty out of eighty-five spaces to Uber Taxis. Cllr Jackson reported that he had recently attended a meeting with Borough Officer Gavin Handford and a number of Borough Councillors, following which a number of improvements had been agreed.

**RESOLVED: noted.**

- C 4138** The Chairman advised that Crawley Borough Council and Mole Valley District Council were both experiencing similar problems with Uber, Addison Lee and, to a lesser degree, other taxi companies, caused mainly by the Agreement in place between Gatwick Airport (GAL) and Airport Cars, whereby only this specific Taxi Company was permitted to be resident at the airport, something which did not happen at Heathrow Airport. It was hoped that representatives of Crawley, Mole Valley and Reigate &

**C 4138)** Banstead Councils (plus Horley Town Council) would be able to meet with GAL representatives, to put pressure on the Airport to end the Agreement.

**RESOLVED: noted.**

**C 4139** Cllr Baker advised that he was still in discussion with Borough Officers about an alternative site for part of the St George's Day Fayre, given that the High Street Car Park would no longer be available. Discussion was also continuing about an alternative site for the "Sins & Stripes" Custom Car and Motorbike Show, due to held in September.

**RESOLVED: noted.**

**C 4140** **Engagement of Business Administration Apprentice**

Members were advised that, to date, no suitable candidates had come forward.

**RESOLVED: noted.**

**C 4141** **Gatwick Diamond Business (Gdb)**

**RESOLVED: that the Town Council continue its membership of Gdb for 2017/2018.**

**C 4142** **Letters Received**

Receipt was noted of correspondence sent by the Birchwood Medical Practice Patient Group to the Borough Council, noting that the present Horley Library site was identified as having potential for Town Centre development in the Local Development Plan and stressing the need for more rather than less car parking to be available for surgery patients at the Kings Road Car park site. It was noted that copies of the correspondence had been sent to the Town Council Chairman.

**RESOLVED: that the Chairman respond to the Patient Group concerned.**

**C 4143** **Diary Dates**

**RESOLVED: that future events be noted, in particular the St George's Day Fayre on 22 April and the Town Meeting on 28 April.**

**C 4144 Confidential Business**

***RESOLVED: that, "in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded and that they be instructed to withdraw."***

**C 4145 Staffing Matters**

**C 4146**

Members were updated on recent matters considered by the Staff Sub-Committee.

**Meeting closed at 8.50 pm**

**Date of next meeting: Extraordinary Meeting, 28 February 2017  
Ordinary Meeting, 4 April 2017**

## HORLEY TOWN COUNCIL

### RISK ASSESSMENT AND MANAGEMENT PAPER 2016 - 2017

Area	Risk	Likelihood	Severity	Control
<b>Assets</b>	Protection of physical assets	L	M	All buildings insured. Value increased annually by index linking.
	Security of buildings, equipment etc	M	H	Alarms (security, smoke and panic) installed at Council Buildings and serviced and tested regularly, in accordance with current regulations. Passwords and keys strictly restricted to nominated personnel. Contents insured. Lion Security act as keyholder and attend to callouts.
<b>Finance</b>	Banking	L	M	Accounts are spread between our bankers, HSBC, and other Deposit Takers
	Business Continuity	L	M	Insurance cover is £44,662 (to cover loss of income and relocating office during maximum indemnity period of 24 months).
	Loss of cash through theft or dishonesty	L	H	Fidelity Guarantee in place for the sum of £500,000. Safe used for storage of all petty cash, postage stamps, cheque book, unbanked cheques, mayoral chain of office etc. in alarmed office. Office keys strictly restricted to nominated personnel.
	Financial controls and records	L	M	Monthly reconciliation prepared by RFO, checked by Town Clerk and reported to Finance Committee. Three signatories on cheques or internet banking. Two nominated Councillors conduct a review prior to F&GP Committee meetings, our Internal Auditor checks procedures and External Auditors review our accounts.
	Compliance with HMRC Regulations	L	M	VAT payments and claims calculated by RFO and checked by Clerk. Internal and external auditor provides double check. Use of VAT Help Line when necessary to answer queries.
	Sound budgeting to underlie annual precept	L	M	Finance & General Purposes Committee and Full Council receive detailed budget vs. actual reports. Precept derived directly from this and prior committee review of needs.
	Compliance with borrowing restrictions	L	L	Advice sought from Surrey ALC as appropriate
<b>Liability</b>	Risk to third party, property or individuals	M	M	Public Liability Insurance held amounting to £10m cover. Open spaces checked regularly. Playgrounds, equipment and trees checked regularly. Incidents fully investigated if damage reported.
	Legal liability as consequence of asset ownership (especially playgrounds)	H	H	Daily and weekly reports of inspections of multi-purpose court, playgrounds and skateboard park and all other equipment as stated in the Asset Register. Annual playground checks made to RoSPA criteria.



<b>Employer Liability</b>	Compliance with Employment Law	M	M	Membership of national and regional bodies including Employers Organisation, Surrey ALC and Society of Local Council Clerks.
	Compliance with HM Revenue and Customs Requirements	L	M	Regular advice available from HMRC, VAT Helpline and Sage etc. Internal and external auditors carry out annual checks.
	Safety of Staff and visitors	L	M	Regular Health & Safety Risk Assessment checks of Council Offices particularly before public events. Panic alarm installed with feed to Surrey Police. Additional security measure put in place following advice received from the Surrey Police Crime Reduction Officer in December 2016.
<b>Legal Liability</b>	Confirmation that activities are within legal powers	L	H	Town Clerk clarifies legal position on any new proposal. Legal advice sought where necessary.
	Proper and timely reporting via the Minutes	L	M	Full Council meets every six weeks and receives and reviews cycle of minutes. Minutes made available to press and public via web site.
	Proper document control	L	M	Leases and legal documents locked in secure cabinets. Other data storage to comply with Data Protection Act.
<b>Admin</b>	Data integrity and resilience	M	H	Broadband used for all internet traffic, real-time virus scans on all workstations and the dedicated server, and use of up to date virus libraries. All data is backed up continuously to a remote back-up service.
<b>Councillor Propriety</b>	Registers of Interests	L	H	Members' Register of Disclosable Pecuniary Interests completed by all members and reviewed regularly. Available for public inspection on website or by prior appointment.

*This Risk Assessment and Management Paper was approved by Full Council on 7 February 2017*

# **HORLEY TOWN COUNCIL**

## **INTERNAL CONTROL REVIEW 2016/17**

### **Background**

The Accounts and Audit (England) Regulations 2011, regulation 4 (2) require "the Council to conduct an annual review of the effectiveness of its system of internal control which includes the arrangements for the management of risk."

An effective system of internal control is split into three parts:

- Risk Assessment
- Control or procedures in place to mitigate the risks identified
- System for testing adequacy of internal controls (Internal Audit)

### **Risk Assessment**

The council conducted a full risk assessment on 31 January 2017. In that review it reviewed financial controls, inter alia:

- Risk of consequential loss of income
- Loss of cash through theft or dishonesty
- Financial controls and records
- Compliance with HM Customs and Excise Regulations
- Sound budgeting to underlie annual precept
- Compliance with borrowing restrictions
- Business continuity

### **Control Systems**

The Council has manual reconciliations in place to detect error. Duties are segregated between staff for the operation of its banking systems, and in turn two councillors authorise payments in addition to the Clerk. Members review summaries of receipts and payments, preventing or detecting budget overspends, and unauthorized expenditure. Insurance cover is reviewed periodically.

### **Internal Audit**

An independent Auditor is in place to check that the internal controls are in place. The scope of internal audit, independence, competence, planning and reporting are shown overleaf.

### **Audit Programme Content**

The Local Councils Governance and Accountability Guidelines have been taken into account in establishing the range of audit work and level of testing. Audit work has been programmed under the following five areas:

*Corporate Governance* - This has included a review of the Council's system of administrative control for providing information and instruction to Councillors and staff in relation to their responsibilities and compliance with legal and statutory requirements.

*Accounting Practices* – The Audit review has assessed the systems for recording and controlling day-to-day accounting transactions. It has included a review of controls covering the recording of income and expenditure, computerised accounting systems, petty cash and budgetary control practices. Attention has also been paid to control procedures relating to periodic income and expenditure and the accounting process associated with reconciling the SCRIBE system to Local Government accounting requirements.

*Expenditure* - In the main, work has been conducted reviewing the Council's systems of incurring, validating and authorising payments. Other work included an assessment of system controls covering payroll, General Power of Competence expenditure and miscellaneous payments including expenses.

*Income* - The Council's systems for requesting, receiving and controlling income has been reviewed in relation to accuracy of postings, banking arrangements and debtor control.

*Annual Accounts* - Work on the 2016/2017 annual accounts will include validation of the accuracy of the final accounting papers and preparation of supporting documentation required by the external auditor.

## **LIST OF AUDIT PROGRAMMES**

### **Corporate Governance**

- A1 - Control environment
- A2 - Legality
- A3 - Risk management and insurance
- A4 - Fraud and corruption
- A5 - Committee papers and Minutes
- A6 - Assets and investments

### **Accounting Practices**

- B1 - Books of accounts
- B2 - Bank reconciliation
- B3 - Petty cash
- B4 - Budgetary control
- B5 - Reserves/cash balances

### **Expenditure**

- C1 - Accounts for payment
- C2 - Payroll
- C3 - General Power of Competence
- C4 - Capital
- C5 - Miscellaneous income and expenses

## **Income**

- D1 - Receipts and banking arrangements
- D2 - Precept and grants
- D3 - Main areas of expected income
- D4 - Miscellaneous income

## **Annual Accounts**

- E1 -Year-end controls
- E2 -Year-end accounts

## **Other**

- F1 - Salary Payments and PAYE in Real Time (RTI)
- F2 - Langshott Allotments and s106 reclaims
- F3 – Skate Park and Café Projects
- F4 – Community Infrastructure Levy CIL

**Annual review of the effectiveness of internal control and the management of risk 2016/17**

<b>Expected Standard</b>	<b>Evidence of Achievement</b>	<b>Yes or No</b>	<b>Areas for Development</b>
1. Scope of internal audit	<p>Terms of reference for internal audit were approved by Full Council on 27.11.07</p> <p>Internal audit work takes into account both the Council's risk assessment and wider internal control arrangements</p> <p>Internal audit work covers the Council's anti-fraud and corruption arrangements</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No development necessary</p> <p>No development necessary</p> <p>No development necessary</p>
2. Independence	<p>Internal audit has direct access to those charged with governance (see Financial Regulations)</p> <p>Reports are made in own name to management</p> <p>Internal Audit does not have any other role within the Council</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No development necessary</p> <p>No development necessary</p> <p>No development necessary</p>
3. Competence	<p>There is no evidence of a failure to carry out internal audit work ethically, with integrity and objectivity</p>	<p>Yes</p>	<p>No development necessary</p>
4. Relationships	<p>All responsible officers (Clerk/RFO and Finance Chairman) are consulted on the internal audit plan.</p> <p>Respective responsibilities for officers and internal audit are defined in relation to internal control, risk management and fraud and corruption matters (job descriptions and engagement letter)</p> <p>The responsibilities of council members are understood; training of members is carried out as necessary</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No development necessary</p> <p>No development necessary</p> <p>No development necessary</p>
5. Audit Planning and Reporting	<p>The annual Internal Audit Plan properly takes account of all the risks facing the Council and has been approved by the Council following the adoption of the Risk Assessment and Management Paper 2016-2017.</p>	<p>Yes</p>	<p>No development necessary</p>

Horley Town Council has considered the effectiveness of the Internal Audit control including the arrangements for the management of risk. The review took place by the Internal Audit Review Sub-Committee on 31 January 2017 and the paper was approved at the Full Council meeting on 7 February 2017.

# **Horley Town Council**

## **Closed Circuit Television (CCTV) Policy and Code of Practice**

### **1. CCTV POLICY**

- 1.1. The purpose of this policy is to regulate the management and use of the closed circuit television (CCTV) systems operated by Horley Town Council.
- 1.2. All cameras are monitored from the Town Council Offices which are streamed wirelessly from separate control units held at each secure location.
- 1.3. This CCTV scheme and policy is operated within the Information Commissioner's Code of Practice for CCTV 2008 and Surveillance Camera Code of Practice 2013 published by the Home Office.
- 1.4. This policy will be subject to annual review, which will include a review in respect of the effectiveness and necessity of the system.
- 1.5. The CCTV systems are owned wholly by the Town Council.

### **2. OBJECTIVES OF THE CCTV SCHEME**

Along with a range of measures, the CCTV system will be used to:

- reduce the fear of crime
- deter crime and criminality
- aid the detection of crime and the prosecution of offenders
- reduce instances of nuisance and vandalism
- promote a sense of safety to park users
- provide safety and security to all vulnerable members of the community

### **3. STATEMENT OF INTENT**

- 3.1. The CCTV Scheme will be registered with the Information Commissioner under the terms of the Data Protection Act 1998 and will seek to comply with the requirements of the Data Protection Act and the Commissioner's Code of Practice, as well as the Surveillance Camera Code of Practice 2013 published by the Home Office.
- 3.2. Horley Town Council will treat as data all CCTV recordings and relevant information.
- 3.3. Cameras will be used to monitor activities within the Council and its recreation grounds in line with the objectives of the scheme.
- 3.4. Static cameras are set as to not focus on private homes, gardens and other areas of private property.
- 3.5. Unless an immediate response to events is required, staff must not direct cameras at an individual, their property or a specific group of individuals, without an authorisation being obtained in writing for directed surveillance to take place, as set out in the Regulation of Investigatory Power Act 2000.

- 3.6. Materials or knowledge secured as a result of CCTV will not be released to the media, or used for any commercial purpose, or for the purpose of entertainment. Recordings will only be released under the written authority from the Police, or in respect of a subject access request.
- 3.7. The planning and design has endeavoured to ensure that the scheme will give maximum effectiveness and efficiency. It is not possible, however, to guarantee that the system will cover or detect every single incident taking place in the areas of coverage.
- 3.8. Warning signs, as required by the Code of Practice of the Information Commissioner have been placed at all access routes to areas covered by the Council's CCTV.

#### **4. OPERATION OF THE SYSTEM**

- 4.1. The system will be administered by the Town Clerk and other Council staff, in accordance with the principles and objectives expressed in the code.
- 4.2. The CCTV system will be in operation 24 hours each day, for every day of the year.
- 4.3. Systems will be checked on a daily basis to ensure that the system is operating effectively and in particular that the equipment is properly recording and that cameras are functional. The system will be regularly serviced and maintained. Defects will be reported to the servicing company at the earliest convenient opportunity.

#### **5. CONTROL OF SOFTWARE & ACCESS TO THE SYSTEM**

- 5.1. Access to the CCTV software will be strictly limited to authorised operators with a password.
- 5.2. Operators must satisfy themselves that all persons viewing CCTV material will have a right to do so.
- 5.3. The main control facilities must be kept secure.
- 5.4. Other administrative functions will include controlling and maintaining downloaded digital materials, and maintenance and system access logs.

#### **6. MONITORING PROCEDURES**

- 6.1 Images from these cameras are to be shared with Surrey Police by allowing access through the existing police run CCTV control room at Reigate Police Station. Access to monitors must be restricted to staff where those areas being monitored are not in public view.
- 6.2 If covert surveillance is planned or has taken place, copies of the Authorisation Forms, including any Review, must be completed and retained.



## **7. DIGITAL IMAGES: PROCEDURES**

- 7.1. Live and recorded materials may be viewed by authorised operators investigating an incident.
- 7.2. Recorded material may be downloaded from the system in line with the objectives of the scheme.
- 7.3. Images (stills and footage) may be viewed by the Police for the detection of crime.
- 7.4. A record will be maintained of the release of images to the Police or other authorised applicants. A register will be available for this purpose.
- 7.5. Viewing of images by the Police must be recorded in writing and in the log book. Requests by the Police are allowable under section 29 of the Data Protection Act (DPA) 1998.
- 7.6. Should images be required as evidence, a digital copy may be released to the Police.
- 7.7. The Police may require the Council to retain images for possible use as evidence in the future. Such images will be securely stored until they are needed by the Police.
- 7.8. Applications received from outside bodies to view or release images will be referred to the Town Clerk. In these circumstances, images will normally be released where satisfactory documentary evidence is produced showing that they are required for legal proceedings, a subject access request, or in response to a Court Order. A fee may be charged appropriate for subject access requests.
- 7.9. Retention: Images will be retained for only as long as these are required. The system will automatically delete all recordings held on the main control unit after approximately one month.

## **8. BREACHES OF THE CODE (including breaches of security)**

Any breach of the CCTV Code of Practice will be investigated by the Town Clerk, in order for him/her to take any appropriate disciplinary action

## **9. COMPLAINTS**

Any complaints about the CCTV system should be addressed to the Town Clerk

## **10. SUBJECT ACCESS AND FREEDOM OF INFORMATION**

- 10.1. The Data Protection Act (DPA) provides Data Subjects (individuals to whom "personal data" relates) with a right to data held about themselves, including those obtained by CCTV
- 10.2. Requests for Data Subject Access should be made in writing to the Town Clerk
- 10.3. A request for Subject Access will be charged at £10, which is the maximum allowable under the DPA
- 10.4. A request under the Freedom of Information Act 2000 will be accepted, where such a request is appropriate

## **CCTV Code of Practice**

### **1. Introduction and Accountability**

The Horley Town Council has a comprehensive closed circuit television (CCTV) surveillance system for the purpose of the prevention and detection of crime and the safety and welfare of staff, and park users.

The system is owned by Horley Town Council and images from the system are strictly controlled and monitored by authorised personnel.

This policy has been prepared from the standards set out in the Information Commissioner's CCTV Code of Practice 2008 and the Surveillance Camera Code of Practice 2013 published by the Home Office. Its purpose is to ensure that the CCTV system is used to create a safer environment for staff and visitors to the Council Offices and its Recreation Grounds and to ensure that its operation is consistent with the obligations on the Town Council imposed by the Data Protection Act 1998.

In line with the Home Office 12-point code of conduct the use of the system will:

- always be for the purpose specified which is in pursuit of a legitimate aim and necessary to meet an identified pressing need
- take into account its effect on individuals and their privacy
- have as much transparency as possible, including a published contact point for access to information and complaints
- have clear responsibility and accountability for all surveillance activities including images and information collected, held and used
- have clear rules, policies and procedures in place and these must be communicated to all who need to comply with them
- have no more images and information stored than that which is strictly required
- restrict access to retained images and information with clear rules on who can gain access
- consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards
- be subject to appropriate security measures to safeguard against unauthorised access and use
- have effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with
- be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value, when used in pursuit of a legitimate aim
- be accurate and kept up to date when any information is used to support a surveillance camera system which compares against a reference database for matching purposes

### **2. Operation**

The Town Clerk is responsible for the operation of the CCTV system and for ensuring compliance with this policy. Any concerns in respect of the system's use or regarding compliance with this policy should be addressed to the Town Clerk.

### **3. Location**

This code of conduct applies to all CCTV systems operated by the Town Council. Currently CCTV is present at the Council Offices, Horley Recreation Ground, Court Lodge Playing Fields including the Innes Pavilion and Michael Crescent Centenary Park. It will also encompass all other CCTV images that, in due course, are added to the system.

The system is operational and images are capable of being monitored for 24 hours a day throughout the whole year.

Images captured on camera will be recorded on the main CCTV servers which are held in secure locations. Although every effort has been made in the planning and design of the CCTV system to give it maximum effectiveness, it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.

For the purposes of the Data Protection Act 1998, the Data Controller is The Horley Town Council and the Council is legally responsible for the management and maintenance of the CCTV system.

No unauthorised access to the system is allowed at any time. Normal access is strictly limited to authorised staff only. Surrey Police will monitor cameras from Reigate Police Station under a separate Memorandum of Understanding.

In an emergency and where it is not reasonably practicable to secure prior authorisation, access may be granted to persons with a legitimate reason to access the CCTV system.

Before granting access to the CCTV system, controllers must satisfy themselves of the identity of any visitor and ensure that the visitor has the appropriate authorisation. All visitors will be required to complete and sign the visitors' log, which shall include their name, department or the organisation they represent, the person who granted authorisation for their visit (if applicable) and the start and finish times of their access to the CCTV system.

It is recognised that the images obtained comprise personal data and are subject to the law on Data Protection. All copies will be handled in accordance with the procedures.

Recorded images will only be reviewed with the authority of the Town Clerk. Copies of digital images will only be made for the purposes of crime detection, evidence in relation to matters affecting safety, evidence for prosecutions, or where otherwise required by law.

All staff involved in the operation of the CCTV system will, by training and access to this Policy, be made aware of the sensitivity of handling CCTV images and recordings.

The Town Clerk will ensure that all staff are fully briefed and trained in respect of all functions; operational and administrative, arising within the CCTV control operation. Training in the requirements of the Data Protection Act and this policy will also be provided.

#### **4. Recordings**

The system is supported by digital recording facilities which will function throughout operations in real time. As the images are recorded digitally, the process of identifying retrieval dates and times will be computerised. Images will be cleared automatically after a set time.

Unless required for evidential purposes or for the investigation of crime, recorded images will be retained for no longer than 30 days from the date of recording. However, the Town Council recognises that, in accordance with the requirements of the Data Protection Act, no images should be retained for longer than is necessary. Accordingly, some recorded images may be erased after a shorter period, for example where it can be determined more quickly that there has been no incident giving rise to the need to retain the recorded images. Digital images will be automatically erased after a set period, which will be no longer than 30 days.

In the event of the digitally recorded image being required for evidence or the investigation of crime it will be retained for a period of time until it is no longer required for evidential purposes or any investigation into a crime has been completed.

#### **5. Digital Recording and Access Procedures**

All disks containing images to remain the property of the Town Council.

Requests by persons for viewing or copying of disks or obtaining digital recordings will be usually be made by prior authority of the Police.

Requests from the Police will arise in a number of ways, including:

- requests for a review of recordings in order to trace incidents that have been reported
- immediate action relating to live incidents, eg immediate pursuit
- for major incidents that occur when images may have been recorded continuously
- individual Police Officers seeking to review recorded images

It is important that access to, and disclosure of, the images recorded by CCTV is restricted and carefully controlled, not only to ensure that the rights of individuals are preserved but also to ensure that the chain of evidence remains intact, should the images be required for evidential purposes. Users of CCTV will also have to ensure that the reasons for which they may disclose copies of the images are compatible with the reasons or purposes for which they originally obtained those images. These aspects of the policy reflect the Second and Seventh Data Protection Principles of the Data Protection Act 1998.

All requests for access or disclosure will be recorded. The Town Clerk will make decisions on access to recorded images by persons other than Police Officers. Requests by the Police for access to images will not normally be denied and can be made without the above authority, provided they are accompanied by a written request signed by a Police Officer who must indicate that the images are required for the purposes of a specific crime enquiry.

If access or disclosure is denied, the reasons will be documented.

If access to or disclosure of the images is allowed then the following will be documented:

- the date and time at which access was allowed or the date on which disclosure was made
- the reason for allowing access or disclosure
- the extent of the information to which access was allowed or which was disclosed

Appropriate forms will be used to document routine disclosure to the Police.

## **6. Photographs and hard copy prints**

Photographs and hard copy prints taken from digital images are subject to the same controls and principles of Data Protection as other data collected. They will be treated in the same way as digital images.

At the end of their useful life all computer disks, still photographs and hard copy prints will be disposed of as confidential waste.

This code of practice will be reviewed annually to assess its implementation and effectiveness and it will be promoted and implemented throughout the Academy.

*This Policy and Code of Practice was recommended by the F&GP Committee on 17 January 2017 and approved by Full Council on 7 February 2017.*

*It is subject to annual review*

**Report for the Period:** 01 April 2016 to 31 December 2016

**Horley Edmonds Endowment Fund**

	Receipts	Payments	
<b>Market Value of fund at 31 March 2016</b>			<b>£108,420.93</b>
<b>Total Fund at 31 December 2016</b>			<b>£108,420.93</b>

**Horley Edmonds Fund**

	Receipts	Payments	
<b>Opening Balance at 01 April 2016</b>			<b>£1,995.92</b>
Dividend receipts and cash distributions from Endowment Fund	£3,252.62		
Contribution to Community Foundation		£1,219.74	
Grant Payments		£1,000.00	
Grant Payment Returns*	£241.25		
<b>TOTAL</b>	<b>£3,493.87</b>	<b>£2,219.74</b>	
<b>Balance available for grant making at 31 December 2016</b>			<b>£3,270.05</b>

**Statement of Grants Given**

**01 April 2016 to 31 December 2016**

<b>Date</b>	<b>Applicant</b>	<b>Amount</b>	<b>Note</b>
18/04/2016	Guildford Shakespeare Company	£500.00	Provision of interactive sessions on GCSE Shakespeare text for schools which have an above average number of students eligible for free school meals and fewer than the average of students achieving 5 A-C GCSEs (including Maths and English).
02/09/2016	The Lucy Rayner Foundation	£500.00	Workshops about mental health resilience for young people delivered in schools

**2 grants given to the value of £1,000.00**

\*Grant Payment Returns:

£1,000 was awarded to the Delta Club in 2015 to support the costs of specialised transport to enable disabled members to meet together. In May 2016, £241.25 was returned by the Club and credited back into the Horley Edmonds Fund, representing unspent monies from the grant – due to the Club closing down.