

Review Committee – 6 October 2020

Minutes of the meeting of the **Review Committee** held on **6 October 2020** when there were present:-

Chairman: Cllr J C Burton
Vice-Chairman: Cllr D J Sperring

Cllr Mrs D L Belton
Cllr C C Cannell
Cllr Mrs J R Gooding
Cllr B T Hazlewood
Cllr Mrs J E McPherson

Cllr Mrs C M Mason
Cllr R Milne
Cllr Mrs C A Pavelin
Cllr M G Wilkinson

VISITING MEMBERS

Cllrs D S Efde, M J Steptoe, A L Williams and S E Wootton

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Mrs L Shaw and P J Shaw

SUBSTITUTES

Cllr D Merrick - for Cllr Mrs L Shaw
Cllr S A Wilson - for the Green Group

OFFICERS PRESENT

M Hotten - Assistant Director, Place & Environment
L Moss - Assistant Director, People & Communities
S Worthington - Principal Democratic & Corporate Services Officer
L Morris - Democratic Services Officer

152 MINUTES

The Minutes of the meeting held on 1 September 2020 were approved as a correct record and would be signed by the Chairman in due course, subject to noting that the workplan had been admitted for discussion by the Committee, despite not being included on the agenda.

The Assistant Director, Place & Environment, in response to a Member concern relating to the resourcing of the Management Companies and Managing Agents in New Developments Working Group, that Members of the Working Group would be contacted over the next few days and another meeting would be scheduled. The necessary legal opinion had been obtained.

153 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

The Committee considered the report of the Assistant Director, People & Communities on the Council's RIPA activity, which also outlined some changes in the RIPA policy. The Assistant Director, People & Communities brought to Members' attention paragraphs 4.3 and 4.4 and advised that

correspondence had only recently been received from the Camera Surveillance Commissioner detailing findings from a recent survey about local authorities overt surveillance processes, with particular reference to CCTV. The Assistant Director, People & Communities advised the Committee that a further update on how the Council will respond to these findings will be presented to a future meeting.

1. In response to a Member question as to whether it was usual for the Council to have no RIPA activity over a period of 12 months and if this was because applications had been turned down the Assistant Director, People & Communities confirmed that it was usual to report zero RIPA activity, in part because the Council does not undertake fraud investigations, which are carried out by the DWP and other statutory bodies have their own processes for RIPA authorisations e.g trading standards. The Council's approach is also consistent with the offences considered suitable for RIPA authorisations (see RIPA policy - Section 9 Seriousness threshold).

The Chairman asked if the the review of the Surveillance Camera Commissioner's report and recommendations would be in association with other Local Authorities or if each local authority would examine its own individual compliance with the camera assessment codes. The Assistant Director, People & Communities confirmed each local authority would be reviewing its own policies.

Responding to a request from the Chairman for an update on proposed officer RIPA training for this year and the costs of the training, given that RIPA was so seldom used, the Assistant Director, People & Communities advised that online training had been provisionally booked for January 2021; the Commissioner would expect the relevant officers to have refresher RIPA training to evidence continuing competences. It was confirmed that the cost for up to 20 attendees was approximately £2,000.

RESOLVED

- (1) That the Council's annual usage of RIPA be noted.

RECOMMENDED TO COUNCIL

- (1) That the amendments to the Council's RIPA policy, set out in section 4 of the report, be approved. (ADPC)

(12 voted for the Motion, 0 against and 0 abstained.)

154 WASTE AND RECYCLING STRATEGY

The Committee considered the report of the Assistant Director, Place & Environment on the Council's Waste & Recycling Collection Policy. The Assistant Director, Place & Environment explained to Members' that this was only to be noted as it was already in place and was being formalised.

The Chairman of the Committee gave his thanks to the Working Group for their hard work and raised some questions. The Chairman noted that reference to 'charges' were made in the report that appeared to be at the discretion of the Council and was concerned that this may be interpreted incorrectly by members of the public, and queried if the charges could be put into the report for clarity. The Assistant Director, Place & Environment advised that this was something that could be looked at within the document to make this clearer. A member of the Working Group stated that the reason this was initially avoided was so different situations could be assessed on a case-by-case basis, and to apply common sense to each situation.

The Chairman also raised concern that the onus was on the householder to ensure that their bins were compliant with RDC policy when putting them out, and queried if the Council were doing enough to inform residents of what their obligations are. The Assistant Director, Place & Environment advised that himself and the Portfolio Holder for Environment had discussed this, and recognised that in certain cases, better campaigns needed to be put in place, and stated that this was something that would be put into practice over the next couple of months.

The Chairman drew attention to section 2.8 of the Waste & Recycling Collection Policy relating to damage to private roads and drives due to collections and queried how this was currently being managed. The Assistant Director, Place & Environment advised that under usual circumstances, RDC will only collect bins from the public highway but take everything on a case-by-case basis. It was stated that on some occasions, a letter from the resident would be needed to confirm that they were happy for this to take place in order to ensure the Council did not take liability for any damage. The Portfolio Holder for Environment advised Members that should they have any issues with missed collections, they could contact him regarding this.

The Chairman of the Committee raised a point that one of the most common issues raised by residents was regarding how bins are placed once they have been collected and stated that he felt it would be pertinent to include this in the plan. The Assistant Director, Place & Environment advised that he would certainly consider this, however, advised that a reasonable placement to one person may seem unreasonable to another.

Resolved

That the content of the report and attached policy be noted. (ADPE)

155 KEY DECISIONS DOCUMENT

In response to a Member question in respect of the Leisure Contract and when a decision would be made to review the contract and determine what would happen beyond March 2021, the Chairman advised that it was currently too early to make a decision, but it might be possible to review this in

December 2020. The Portfolio Holder for Environment advised that the first reports were expected this month.

156 WORK PLAN

The Chairman noted that the Constitution Review and the review of the Council's Overview & Scrutiny function were included in the work plan for November, but advised that this may be premature and advised Members that they would be notified as soon as practicable if this could not be achieved.

The Principal Democratic & Corporate Services Officer advised Members that a survey form would be finalised and uploaded to the Council website and on the Council's social media channels encouraging residents to submit ideas for future reviews; this was included on the work plan for January.

EXCLUSION OF THE PRESS AND PUBLIC

Resolved

That the press and public be excluded from the meeting for the remaining business on the grounds that exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 would be disclosed.

157 REVIEW OF GROUNDS MAINTENANCE AND STREET CLEANSING CONTRACTS

The Committee considered the exempt report of the Assistant Director, Legal & Democratic on the call-in of an Executive decision.

Detail of the discussion is set out in the exempt appendix to the Minutes.

Resolved

That the report be accepted and the Executive decision made. (ADPE)

(9 Members voted for the Motion, 0 voted against and 1 abstained)

The meeting closed at 8.36 pm.

Chairman

Date

If you would like these minutes in large print, Braille or another language please contact 01702 318111.