

COUNCIL – 7 JANUARY 2019

STATEMENT BY COUNCILLOR JOHN NOCK

CABINET MEMBER FOR LEGAL AND GOVERNANCE

GOVERNANCE

Regulation of Investigatory Powers Act 2000 (RIPA)

I am pleased to be able to report on the findings of the recent desk top review by the Investigatory Powers Commissioner's Office of the Council's arrangements. The review found that there was no need for a physical inspection at this stage with only a small number of recommendations being made. These matters have now been addressed, the RIPA Policy updated and presented to the December meeting of the Council's Standards Committee.

Performance Management

The format of the quarterly performance management report has been further developed to improve the quality of information being presented. The report has also been expanded and now contains details of in respect of any instances of directed surveillance, the use of covert human intelligence sources (CHIS), or the acquisition and disclosure of communications data authorised under the Regulation of Investigatory Powers Act 2000 (RIPA). The new format has been well received by Cabinet.

PROCUREMENT

The existing procurement partnership will cease with effect from 31 March 2019 with Selby District Council having upskilled and resourced their own procurement service ready for the new financial year. Discussions are ongoing in regard to forming a new procurement partnership/service for Scarborough, Ryedale and Craven Councils.

Print Plus

Print Plus is still continuing to push for external commercial opportunities. They are currently looking at a project for Hambleton District Council to print and mail out all their garden waste collection licences – 21,000 items. We are hoping to hear a positive response to our proposal in January. The work has a value of approximately £18k, and will run over a 3 month period from March 2019. The digital file creation for over 800 legal fees packs for Selby District Council is about 70% complete now, and the total value forecast for the work is £27.5k – it will be completed for the end of this financial year. The Craven District Council scanning and digital file creation of approximately 1500 storage boxes full of planning and building control files did not come off. Our proposed cost was outside of the budget that CDC had available, and the work has now been put out to tender. Election Kangaroo Board production and orders remain and are picking up, with the latest order for East Riding Council generating approximately £5000 of income for SBC. The forecast for next year remains cautiously optimistic, and we will be pushing to try and convert any opportunities into actual jobs/sales over the coming months

LEGAL SERVICES

The environmental enforcement litigation caseload has been particularly high in the last month with a large number of prosecutions being brought forward to Court. All fly-tipping, littering and Environmental Protection Act matters have resulted in successful prosecutions, with fines of up to £400 being imposed, and full costs awarded to the Council in many cases. A number of selective licensing prosecutions are also before the Court at present, plus the Legal Service is working with Environmental Health colleagues to bring forward street trading prosecutions to next month's non-CPS Court. The message is clear that the Council is prepared to take robust enforcement action against those few citizens who detrimentally affect the enjoyment of the Borough by the law abiding majority.

On the commercial side, the commercial lawyers within the Legal Service are playing a key role in supporting the Corporate Modernisation programme, presently advising on the corporate review of fees and charges. This is to ensure that the Council uses all legal avenues available to it, to maximise its ability to recover costs incurred around the provision of discretionary services. This will enable a clear and corporately consistent basis of charging to be operated, ensuring that, as a baseline position, the cost of discretionary services is not subsidised to an unnecessary or undesirable degree by Council funds. This, in turn, will support clearly informed decision making in connection with the rationalisation and modernisation of the services that we provide to our residents, businesses and visitors.