

Minutes of: **PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE**

Date of Meeting: 25 July 2011

PRESENT: Councillor Crawforth (Chair)
Councillors Aldred, Cheetham (substitute for L Barnes), Morris, Roberts, Smith (substitute for Robertson), Stansfield

Irene Divine (co-opted Member)

IN ATTENDANCE: Sarah Blackwell, Assistant Solicitor
Phil Seddon, Head of Finance
Pat Couch, Scrutiny Support Officer
Brendan O'Reilly, Rossendale Transport Ltd
Matthew Parkes, Rossendale Transport Ltd
Alistair Nuttall, Rossendale Transport Ltd
Councillor Essex
Councillor Neal

1 Member of the public

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Barnes and Robertson.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minute of the meeting held on 20th June 2011, be approved and signed by the Chair as a correct record.

3. URGENT ITEMS

There were no urgent items for discussion.

4. DECLARATIONS OF INTEREST

Councillor Crawforth declared a personal interest as a Board Member of Rossendale Transport.

Councillor Cheetham declared a personal interest as a Board Member of Rossendale Transport.

Councillor Essex declared a personal interest as a Board Member of Rossendale Transport.

5. PUBLIC QUESTION TIME

A member of the public asked a question in relation to the future of Rossendale Transport which Councillor Cheetham responded.

6. CHAIR'S UPDATE

The Chair welcomed everyone to the meeting and reminded Members that at the Overview and Scrutiny Management Committee meeting on 5th September there would be a presentation from representatives of the Primary Care Trust and the Mental Health Trust on their proposals for mental health services in the Borough.

7. REGULATIONS OF INVESTIGATORY POWERS ACT 2000 (RIPA)

The Assistant Solicitor presented Members with the first quarterly report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000.

Following guidance from the Home Office and following a meeting of full Council on 23rd March 2011, it was agreed that Performance Overview and Scrutiny would receive quarterly reports on the Council's use of RIPA, to ensure that it was being used consistently with the Council's Policy.

For the period from 1st April to 30th June 2011, the council had authorised directed surveillance on two occasions. No requests had been refused.

The first authorisation involved monitoring a site to establish whether an abatement notice was being complied with relating to noise and dust. The authorisation had now been cancelled as the notice appeared to have been complied with and no further complaints have been received from neighbouring residents.

The second authorisation related to suspected offences under food safety/health and safety and planning legislation. This investigation was still ongoing and the outcome would be reported within the next quarterly report.

The Council had received an inspection from the Office of Surveillance Commissioners on 26th May on its use of RIPA. The inspection report would be presented to the Committee within the next quarterly report.

A number of questions were raised by Members in relation to the following, which the Assistant Solicitor responded.

- What happens to the evidence of surveillance and whether the information was kept on file in case of reoccurrence?
- Issues with travellers and whether RIPA could be used in these instances
- Costs of covert surveillance

- Whether evidence was destroyed if nothing was proven
- Benchmarking in relation to other neighbouring authorities

The Assistant Solicitor indicated that the Council had not used RIPA in the last financial year and that Council staff had recently received refresher training on using RIPA.

A Member asked that if there had been a joint operation, could the information be recorded by each local authority. The Assistant Solicitor agreed to discuss this with managers.

Resolved

That the Committee notes the Council’s use of RIPA powers for the period from 1st April to 30th June 2011.

8. EXCLUSION OF THE PUBLIC AND PRESS

That the public and press be excluded from the meeting during consideration of the following item of business on the grounds that it involves the disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) under Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972 and information which is subject to any obligation of confidentiality as defined in Part 1 Paragraph 3 of Schedule 12A to the Local Government Act 1972.

NB: Alistair Nuttall, Matthew Parkes and Brendan O’Reilly from Rossendale Transport joined the meeting for the following item.

9. ROSSENDALE TRANSPORT LIMITED

Matthew Parkes, Finance Director, presented information on their projected budget for the next 3 years, which had recently been presented to the Rossendale Transport Board.

Brendan O’Reilly gave Members an update on changes to some of their timetables to enable cost savings.

Members raised questions to which the Directors of Rossendale Transport present responded.

Resolved:

That the Committee noted the information presented by Directors of Rossendale Transport.

The meeting commenced at 6.30pm at finished at 8.25pm

Signed: **(Chair)** Date: