

Subject:	RIPA Quarterly Report	Status:	For Publication
Report to:	Performance Overview & Scrutiny	Date:	24 th October 2011
Report of:	Director of Business	Portfolio Holder:	Finance & Resources
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	The Committee is recommended to review and note the Council's use of RIPA powers for the period from the 1 st July 2011 to 30 th September 2011.

2. PURPOSE OF REPORT

- 2.1 To provide the Committee with a quarterly report on the Council's use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA).

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
 - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
 - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 There are no specific risk issues for members to consider arising from this report.

5. BACKGROUND AND OPTIONS

- 5.1 The Council has a number of statutory functions which involve officers investigating the conduct of others with a view to bringing legal action against them. These functions include investigating flytipping, noise nuisance control, planning contraventions, benefit fraud, licensing and food safety legislation.
- 5.2 Whilst the majority of investigations are carried out openly, some investigations must be carried out using covert surveillance techniques. The Regulation of Investigatory Powers Act regulates the authorisation and monitoring of these investigations to safeguard the public from unwarranted intrusion of privacy.

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

5.4 This is the second quarterly report.

Authorisations this Quarter

5.5 For the period from 1st July 2011 to the 30th September 2011 the Council has authorised use of RIPA on **nil** occasions. No requests have been refused.

5.6 The two authorisations granted last quarter have now been closed. One of those authorisations confirmed that an abatement notice had been complied with. The other has resulted in evidence of various health and safety and licensing offences and prosecution proceedings are now being prepared.

5.7 Members are also asked to note that the Council received an inspection from the Office of the Surveillance Commissioners on 26th May 2011 on its use of RIPA. As a result of the inspection, the Director of Business has amended the Council's RIPA Policy in consultation with the Portfolio Holder to reduce the number of authorising officers to two; the Head of Legal and the Head of Health, Housing & Regeneration.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no immediate financial implications arising from the report.

7. MONITORING OFFICER

7.1 No comments to add.

8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

8.1 No Human Resources Implications arising from the report.

9. CONSULTATION CARRIED OUT

9.1 None.

10. CONCLUSION

10.1 Members are asked to note the Council's use of RIPA this quarter.

Background Papers

Document	Place of Inspection
Rossendale Borough Council Code of Practice for carrying out Surveillance under the Regulation of Investigatory Powers Act	http://www.rossendale.gov.uk/downloads/RIPA_POLICY_-_AMENDED_VERSION_1_2_11.pdf