

AGENDA – OVERVIEW & SCRUTINY COMMITTEE – 14th OCTOBER 2014

PART ONE - OPEN COMMITTEE

1. Apologies for absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency.

4. Confirmation of Minutes

Meeting held on 24th June 2014 (previously circulated)

Page

5. CAB UPDATE – presentation from Stephen Davis, CX of Torrington, North, Mid and West Devon

6. T18 Update

Report of Executive Director (TW)

1

7. Update on Locality and Commissioning Member Group

Verbal update of Head of Planning, Economy and Community

8. Ombudsman Update and Annual Letter

Report of Monitoring Officer

8

9. Report on RIPA

Report of Monitoring Officer

19

10. Performance Indicators Q1 2014/15

Report of Customer Services Manager

53

11. Work programme

66

**12. Regulation of Investigatory Powers Act 2000:
Report on Inspection and Authorisation**

Members to note that there have been no requests to use the powers under RIPA during the last quarter

PART TWO ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION IS LIKELY TO BE DISCLOSED (if any)

If any, the Committee is recommended to pass the following resolution:-

“RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting the grounds that exempt information may be disclosed as defined in Part I of Schedule 12A to the Act”.

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813662 or email arose@westdevon.gov.uk

STRATEGIC RISK ASSESSMENT

Reports to Members

Members will be aware of the requirement to take account of strategic risk in decision making. This note is designed to support Members consider strategic risks as part of the assessment of reports from officers.

There are an increasing number of issues that we have a statutory requirement to take into account which affect all aspects of the Council's policies and service delivery (e.g. Human Rights Act). There are also discretionary issues we choose to highlight in our reports (e.g. Financial Implications, and Impact on Council Priorities and Targets). Common Law duty requires Local Authorities to take into account all things they need to take into account! The Courts hearing Judicial Review applications make this their starting point in deciding whether any decision is reasonable.

Officers have a responsibility to assess the implications of recommendations to Members. Members should ensure that before making a decision they have undertaken a similar consideration relating to the risks associated with the report.

Examples of risk to be considered:-

Statutory Requirement :

- Equalities and Discrimination, particularly Race Equality. (Consider the impact on each of the following equality areas: Race, Religion and Belief, Gender, Sexual Orientation, Disability, Age)
- Human Rights
- Crime and Disorder
- Health and Safety
- Employment Legislation
- Data Protection
- Freedom of Information
- Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest, and biodiversity

Corporate Requirement :

- Impact on Council's Reputation
- Impact on Priorities, Cross-Cutting themes, Targets and / or Commitments
- Impact on Standing Orders / Financial Regulations
- Impact on Council's Assets
- Financial Risks
- Compliance with National Policies and Guidance
- Impact on Sustainability

Members' attention is drawn to the Risk Assessment section within each report. Members are encouraged to consider whether the report has satisfactorily identified all likely negative impacts and mitigating action that will be taken. Members also need to consider the opportunities presented by actions, noting that any change entails an element of risk. The challenge is to effectively manage that risk.

RISK SCORING MATRIX

| Impact/Severity | | Target impact | Stakeholder impact | Finance impact |
|------------------------|---------------|---|--|--------------------------|
| 1 | Insignificant | Low impact on outcome & target achievement & service delivery | Low stakeholder concern | Low financial risk |
| 2 | Minor | Minor impact on outcome & target achievement & service delivery | Minor stakeholder concern | Minor financial risk |
| 3 | Moderate | Moderate outcome & target achievement & service delivery | Moderate stakeholder concern | Moderate financial risk |
| 4 | Serious | High impact on outcome & target achievement & service delivery | High stakeholder concern | High financial risk |
| 5 | Very serious | Very high impact on outcome & target achievement & service delivery | Very high stakeholder concern | Very high financial risk |
| Likelihood/Probability | | Risk | Opportunity | |
| 1 | Very low | Negligible chance of occurrence; has not occurred | Possible opportunity yet to be investigated with low likelihood of success | |
| 2 | Low | Low chance of occurrence; has occurred infrequently but within internal control | Opportunity being investigated with low likelihood of success | |
| 3 | Medium | Equal chance of occurrence or non occurrence; could occur more than once and be difficult to control due to external influences | Opportunity may be achievable with careful management | |
| 4 | High | More likely to occur than not occur; has occurred more than once and difficult to control due to external influences | Good opportunity which may be realised | |
| 5 | Very high | Very high chance of occurrence but not a certainty; has occurred recently | Clear reliable opportunity with reasonable certainty of achievement | |

Risk score = Impact/Severity x Likelihood/Probability

| | | | | | | |
|-------------------|---|---|----|----|----|----|
| Likelihood | 5 | 5 | 10 | 15 | 20 | 25 |
| | 4 | 4 | 8 | 12 | 16 | 20 |
| | 3 | 3 | 6 | 9 | 12 | 15 |
| | 2 | 2 | 4 | 6 | 8 | 10 |
| | 1 | 1 | 2 | 3 | 4 | 5 |
| | 0 | 1 | 2 | 3 | 4 | 5 |
| Impact | | | | | | |