

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **20th** day of **SEPTEMBER 2011** at **4.30pm**

Present:

- Mr D Cloke – Chairman
- Mr D Whitcomb – Vice Chairman
- Mr R Baldwin
- Mr D Lake
- Mrs L Rose

Head of Corporate Services
Monitoring Officer
Improvement Programme Manager
Borough Committee Secretary

In attendance Mr T Pearce

OSC 9 APOLOGIES FOR ABSENCE

An apology for absence was received from Mrs A Clish-Green.

***OSC 10 CONFIRMATION OF MINUTES**

The Minutes of the meeting held on 14 June 2011 were agreed and signed by the Chairman as a true record.

***OSC 11 COMMITTEE PERFORMANCE**

The Improvement Programme Manager presented a report (page 6 to the agenda) which provided Members with information on those key indicators where performance was ten per cent or more below target for Quarter One of 2011-2012. Appendices were attached to the report which gave a snapshot of performance against key indicators and also more detail on those where performance was below target. The five indicators highlighted which were ten per cent below target were:

a. *'Percentage of major applications determined within 13 weeks (NI 157a)'*

Performance indicator had not met its target. There were two major applications delegated within the 13 weeks and five major applications were taken to Committee.

b. *'Percentage of planning appeals allowed (BV 204)'*

Performance indicator did not meet its target. There were 15 appeals (13 were delegated decisions and two were Committee decisions). Out of the 15 appeals, there were nine appeals that were allowed (seven were delegated decisions and two were Committee decisions).

- c. 'Time taken to process housing benefit/council tax benefit new claims and change events (NI 181)'**
Performance indicator had not met its target by one day.
- d. 'Working days lost to sickness absence (BV12)'**
Performance indicator had not met its target. This was due to two instances of long-term sickness.
- e. 'Percentage of calls answered in 20 seconds (CST5)'**
Performance indicator had not met its target due to the fact that summonses were issued at the beginning of the month which had adversely affected the service level. Performance was improving towards the end of the month and the service level averaged in the mid 70%.

The national indicator set had been removed and a single data set had been introduced. This was a single transparent list of every piece of data that central government required from councils.

It was also reported that a project had been incorporated in the Council's Transformation Programme to look at performance measures which were relevant and important to the local community. Members would be invited to be involved in the work as the project progressed. It was planned that the revised indicators would be introduced in April 2012.

It was **AGREED** that Members note the 2011-12 Quarter One performance reports.

***OSC 12 POST OFFICES**

Following on from the notification reported at the last Overview & Scrutiny meeting regarding the proposed new operating models for Post Offices, concerns had been raised about the effect these would have on West Devon Post Offices. A request had been made to send out a survey to all Post Offices similar to one sent out by Eastleigh Borough Council in order to gauge the perceived effects of changes proposed by Post Office Limited. The question of carrying out such a survey for local Post Offices was discussed but it was decided not to commit to one at this time.

In the interim, a meeting was arranged with a representative from Post Office Limited. However, before this took place, details of the pilot scheme were announced and, as there were no post offices in West Devon taking part, it was decided that it was too early in the process for the Council to meet with Post Office Limited.

Apparently, there had been a huge amount of interest in the pilot scheme and, as a result, it has been over-subscribed. Since Post Office Limited was only looking to pilot a small number of branches during this particular phase of activity, not everyone who had shown an interest would be taking part.

An e-mail from Post Office Limited stated that it was now looking ahead beyond this year of continuing with the pilots to the wider roll-out of main and local branches. Whilst it needed to maintain its nationwide coverage and ensure the network was commercially successful, wherever possible it wanted to introduce the new models where they fitted the wishes and plans of sub postmasters, customers and stakeholders such as local authorities.

The Council had been assured by Post Office Limited that the new operating models would be voluntary and those post offices that did not want to change would continue to receive core funding.

Concern was expressed at the meeting that the range of services provided at Post Offices was too limited.

Members **AGREED** not to carry out a survey at this time but to maintain a 'watching brief' on the situation and asked for more information to be obtained on the proposed changes and for a list of those Post Offices included in the pilots.

***OSC 13**

**REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA):
REPORT ON INSPECTION AND AUTHORISATION**

The Monitoring Officer presented a report (page 12 to the agenda) which outlined details of the triennial inspection visit by the Office of the Surveillance Commissioners together with the findings and recommendations for action. A copy of the His Honour Judge N Jones' report was attached as an appendix to the agenda.

The Inspector made the following recommendations: that as the two Councils were sharing services with a common officer cadre, they should

- a. conduct RIPA authorisations and operations through a unified system;
- b. ensure the Senior Responsible Officer and RIPA Co-ordinator exercise robust oversight and quality control;
- c. appoint authorising officers who can authorise RIPA surveillance for either Council;

- d. provide training for authorising officers soon and follow it with refresher training about every 18 months;
- e. produce a unified policy and procedures document for the two Councils.

These recommendations were, essentially, for actions that would have been necessary in any event to unify and harmonise the processes for the operation of RIPA between the two Councils, but it was helpful to have the independent and experienced views of HHJ Jones to discuss the various aspects and advise exactly what should be done to achieve compliance with the authorities' statutory requirements.

The Monitoring Officer was now planning the process by which these steps should be achieved, notably harmonising the policies by taking the best of each (the new policy would be reported for adoption by Council in due course) and training for officers. The last (joint) training session was in February 2010, since when use of RIPA processes had been infrequent. Regular updating was, therefore, essential and the Council would engage an external trainer for this purpose.

There has been one request for authorisation of covert surveillance which was granted by the Head of Environmental Health & Housing, a duly authorised officer, regarding a benefits matter.

Members **AGREED** that officers take the necessary steps to implement the recommendations of the Regulation of Investigatory Powers Act (RIPA) Inspector as contained in his report.

(The Meeting Closed at 5.00pm)