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6 December 2012

To: Chairman – Councillor Francis Burkitt
Vice-Chairman – Councillor David McCraith
Members of the Corporate Governance Committee – Councillors Richard Barrett,
Mark Hersom, Douglas de Lacey, Ted Ridgway Watt, Peter Topping and
John Williams

Quorum: 3

Dear Councillor

You are invited to attend the next meeting of **CORPORATE GOVERNANCE COMMITTEE**, which will be held in **MONKFIELD ROOM, FIRST FLOOR** at South Cambridgeshire Hall on **FRIDAY, 14 DECEMBER 2012 at 9.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA		PAGES
1. Apologies for Absence To receive apologies for absence from committee members.		
2. Declarations of Interest		
3. Minutes of Previous Meeting To confirm the minutes of the meeting held on 28 September 2012, as a correct record.		1 - 4
AUDIT REPORTS		
4. Internal Audit Progress Report		5 - 8
5. External Audit: Annual Audit Letter 2011-12 and Certification of Claims Report		9 - 16

INFORMATION ITEMS

6. **Regulation of Investigatory Powers Act 2000 (RIPA) - Quarterly Update** 17 - 20

7. **Matters of Topical Interest
Annual Governance Statement**

The Chairman of the Committee and the Executive Director have been discussing the use and efficacy of a number of year end reports and statements and the potential for rationalising these or ceasing their production. Principally, but not exclusively, these include; the Statement of Accounts, the Plain English Accounts, the Annual Governance Statement, the annual Performance Report, the Corporate Plan and an Annual Report.

While some of these reports are required by regulation / statute and others are considered best practice it is clear their readership amongst and accessibility to stakeholders is limited at best. The Executive Director has therefore commissioned RSM Tenon to review best practice among their client base and to form recommendations on how these documents will be produced this year end. A more detailed consideration will be put before the Committee in March 2013 but the Committee may wish to consider a general discussion at this stage to inform that review.

Head of Finance, Policy and Performance

The Committee may wish to be aware that John Garnham, formerly Principal Accountant, was appointed to this post earlier this month. As such John will be the Council's Deputy Chief Finance Officer.

8. **Dates of Next Meetings**

The Committee is requested to note the following meeting dates:

- 22 March 2013 at 09:00am
- 28 June 2013 at 09:00am
- 27 September 2013 at 09:00am
- 13 December 2013 at 09:00am

OUR VISION

South Cambridgeshire will continue to be the best place to live and work in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment. The Council will be recognised as consistently innovative and a high performer with a track record of delivering value for money by focussing on the priorities, needs and aspirations of our residents, parishes and businesses.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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- **Do not** use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.
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The Council is committed to openness and transparency. The Council and all its committees, sub-committees or any other sub-group of the Council or the Executive have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) upon request to enable the recording of business, including any audio / visual or photographic recording in any format.

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Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

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Since 1 July 2008, the Council has operated a Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

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Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of a meeting of the Corporate Governance Committee held on
Friday, 28 September 2012 at 9.00 a.m.

PRESENT:	Councillor Francis Burkitt – Chairman Councillor David McCraith – Vice-Chairman	
Councillors:	Douglas de Lacey Peter Topping	Ted Ridgway Watt John Williams
Officers:	Patrick Adams Alex Colyer Fiona McMillan Sally Smart	Senior Democratic Services Officer Executive Director, Corporate Services Legal & Democratic Services Manager and Monitoring Officer Principal Accountant Financial & Systems
External:	Andrew Clewer Neil Gibson Paul King Daniel Harris	Ernst & Young Audit Commission Audit Commission RSM Tenon

Apologies for absence were received from Councillor Richard Barrett and Mark Hersom.

55. DECLARATIONS OF INTEREST

None.

56. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 27 September 2012 were agreed as a correct record.

57. INTERNAL AUDIT QUARTERLY REPORT

Daniel Harris, RSM Tenon, presented his report, which provided an update on progress made on the internal audit plan for 2012/13 which was approved by the Committee in March 2012. The Chairman praised the new format of the report.

It was noted that management had agreed the recommendations made in the reports for 2012/13, with agreed target dates for implementation.

It was agreed that the Internal Auditor's report on Governance should be shared with the members of the Committee, due to the relevance that the report had to the work of the Committee.

The Committee **NOTED** the report.

58. INTRODUCTION FROM THE COUNCIL'S NEW EXTERNAL AUDITORS ERNST & YOUNG

Andy Clewer, from Ernst & Young, explained that following the Government's decision to go out to tender for the external audit contracts for the public sector in 10 geographical areas, Ernst & Young had been awarded the contract for the southern and the eastern regions. The Audit Commission's role had been reduced to an overseeing function. The officers in the Audit Commission, who had been responsible for auditing the public sector in the eastern region, would be transferred over to Ernst & Young and no redundancies

would be necessary. It was understood that Ernst & Young would provide staff who had transferred from the Audit Commission with stability and job opportunities in a large organisation after about two years of uncertainty. It was expected that Neil Gibson and Paul King would continue to audit the Council, after their transfer to Ernst & Young.

Andy Clewer stated that he considered the Council to be a low risk organisation. He stressed that the aim of Ernst & Young was to provide as much continuity as possible and in that light Paul King and Neil Gibson would continue as the Council's external auditors. It was noted that Ernst & Young used different auditing methods to those practiced by the Audit Commission and the Council could expect to see the use of new technology, particularly with regard to benchmarking.

It was noted that Ernst & Young's audit fee would be approximately 40% less than the charge levied by the Audit Commission. Andy Clewer explained that there were three reasons for the reduction:

- The change in the terms and conditions for staff transferred.
- The removal of the overhead charge for the Audit Commission.
- The tender exercise.

The Committee thanked Andy Clewer for his presentation and informative answers.

59. EXTERNAL AUDIT: ANNUAL GOVERNANCE REPORT 2011/12

Paul King introduced this report, which summarised the findings from the 2011/12 audit and concluded that an unqualified opinion and certificate would be issued and the Council had made proper arrangements to secure economy, efficiency and effectiveness in use of resources. It was noted that the 30 September 2012 deadline for the agreement of the Statement of Accounts had been met. Discussion focused on the two uncorrected errors in the revised financial statements.

Repurchased element of Equity Share housing

Neil Gibson explained that the valuation of the repurchased element of Equity Share housing had been assessed at its social housing instead of its market value. The Executive Director explained that this issue would be rectified for future years. It was estimated that the undervaluation of £943,000 was due to approximately 15 houses.

Minimum Revenue Provision

Neil Gibson explained that a review of the Housing Revenue Account had revealed that since 2004 the minimum revenue provision to cover future debts had been undervalued by a cumulative total of £320,000 and a total of £52,000 for 2011/12. It was understood that the original error had been made under a different team of auditors.

Right to Buy

In response to questioning, the Executive Director explained that the Council had made a provision for an increase in Right to Buys but in the current economic climate the number of properties sold under this legislation had been far less than prepared for.

External audit fees

It was noted that external audit's fees for work on claims and returns was £32,400, which was £3,000 more than expected. It was understood that the Council was claiming back millions of pounds from the Government and so it was important that this area was properly audited.

Guidance booklet

The Committee thanked staff for the production of a "Plain English" guidance booklet on the accounts, which presented the information in an easily understood format.

Members of the Committee unanimously agreed to thank staff for their work with regard to the Annual Governance Report.

The Committee **NOTED** the adjustments to the financial statements included in the report at appendices 2 and 3.

The Committee **APPROVED** the letter of representation on behalf of the Council.

60. FINANCIAL REGULATIONS

The Committee discussed this item, which recommended amendments to the Financial Regulations to allow more flexibility to appoint and remove authorised signatories quickly and easily.

It was agreed that decisions to remove an officer from the list of authorised signatories should not be subject to call-in as any delay could be potentially damaging to the authority.

It was noted that there were a number of grammatical corrections (including modal verbs) required to the proposed amendments to the Constitution and it was agreed that delegated authority should be given to the Legal and Democratic Services Manager to make these changes.

The Committee unanimously

AGREED

- A)** To amend the final sentence of paragraph 6.4 of the proposed Financial Regulations to "...and the Chief Financial Officer be authorised to delete authorised signatories from the list with immediate effect. Members will be informed through the Weekly Bulletin of any amendments."
- B)** To delegate authority to the Legal and Democratic Services Manager to make a number of minor grammatical corrections to the proposed Financial Regulations.

RECOMMENDED TO COUNCIL The revised Financial Regulations for approval.

61. APPROVAL OF THE STATEMENT OF ACCOUNTS 2011/12

The Executive Director introduced this report which invited the Committee to approve the 2011/12 Statement of Accounts and agree the letter of representation. It was noted that it was a legal requirement for the Statement of Accounts to be agreed by 30 September 2012.

The Committee

APPROVED The 2011/12 Statement of Accounts.

AGREED The letter of representation.

62. REVISED POLICY: REGULATION OF INVESTIGATORY POWERS ACT 2000

The Legal and Democratic Services Manager presented this report which recommended the amendment of the Council's policy following legislative changes introduced in the Protection of Freedoms Act 2012 which will come into force on 1 November 2012 and to give an update on the use of Regulation of Investigatory Powers Act (RIPA) powers in the

last quarter. The Legal and Democratic Services Manager explained that from 1 November 2012 all local authority surveillance authorised under RIPA will have to be approved by a Magistrate, although it was unclear whether this had to be requested from the courts in person or whether it would be a far simpler procedure. It was noted that the Council had only used these powers once in the last quarter.

The Committee unanimously

NOTED The information contained in the report about the Council's use of surveillance powers in the period July to September 2012.

AGREED The recommendations for amendments to the Council's RIPA policy as laid out in Appendix A.

63. **TREASURY MANAGEMENT BENCHMARKING 2011/12**

The Principal Accountant Financial and Systems presented this report, which showed that the Council had achieved a return of 2.45% on its combined investments, compared to 1.20% for its comparator group and 1.19% for the overall group. In response to questioning the Principal Accountant Financial and Systems assured the Committee that the Council's investments were low risk and the returns were achieved through careful cash flow forecasting, enabling longer term deposits, rather than investing with high risk banks offering higher rates.

It was noted that the interest rates offered by banks to the Council were confidential and it was suggested that although this information had been readily shared with councillors, it might not be possible to put in the public domain. It was suggested that in future the names of the banks which the Council invested with should be made public to enable others to judge the authority's assertion that it did not make high risk investments.

The Chairman congratulated officers on achieving high returns through low risk investments and the Committee **NOTED** the report.

64. **MATTERS OF TOPICAL INTEREST**

None.

65. **DATES OF NEXT MEETINGS**

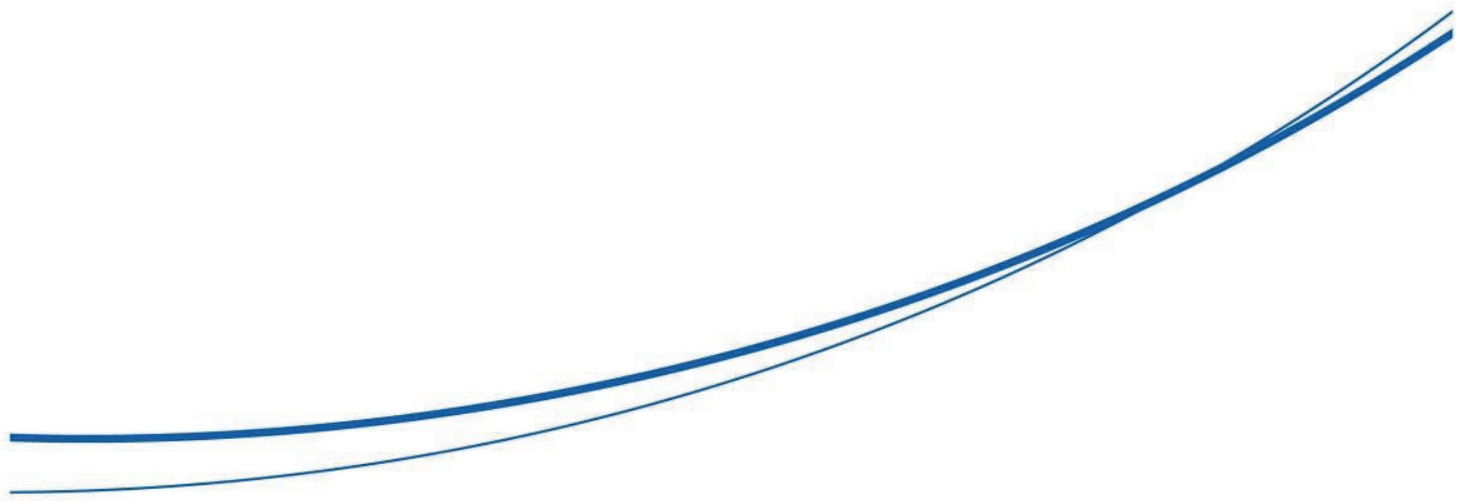
The Committee **NOTED** the following meeting dates:

- Friday 14 December 2012 at 9am
- Friday 22 March 2013 at 9am

The Committee **AGREED** the following future meeting dates:

- Friday 28 June 2013 at 9am
- Friday 27 September 2013 at 9am
- Friday 13 December 2013 at 9am

The Meeting ended at 10.30 a.m.



South Cambridgeshire District Council

Internal Audit Progress Report

Corporate Governance Committee Meeting: 14 December 2012

Introduction

The internal audit plan for 2012/13 was approved by the Corporate Governance Committee in March 2012. This report provides an update on progress against that plan and summarises the results of our work to date.

Summary of Progress against the Internal Audit Plan

Assignment <i>Reports considered today are shown in italics</i>	Status	Opinion	Actions Agreed (by priority)		
			High	Medium	Low
2012/13					
Section 106 Housing and Other Requirements including Open Spaces (1.12/13)	FINAL	Amber / Green	0	3	4
Planning and Growth (2.12/13)	FINAL	Amber / Green	0	1	4
Medium Term Financial Planning (3.12/13)	FINAL	Green	0	0	0
Governance (4.12/13)	FINAL	Amber / Green	0	4	3
<i>Housing Rents (5.12/13)</i>	<i>FINAL</i>	<i>Green</i>	0	1	2
<i>Repairs – Partnership Arrangements (6.12/13)</i>	<i>FINAL</i>	<i>Red</i>	1	6	3
<i>Supported Housing (7.12/13)</i>	<i>FINAL</i>	<i>Amber/Green</i>	0	1	2
<i>General Ledger (8.12/13)</i>	<i>FINAL</i>	<i>Green</i>	0	0	0
Housing Allocations and Voids (9.12/13)	Draft issued 9 October 2012				
Capital Expenditure and Capital Accounting (10.12/13)	Draft issued 9 October 2012				
<i>Creditors (11.12/13)</i>	<i>FINAL</i>	<i>Green</i>	0	1	2
Insurances (12.12/13)	Draft issued 12 October 2012				
Asset Management (Housing) (13.12/13)	Draft issued 19 October 2012				
Income & Debtors (14.12/13)	Draft issued 22 October 2012				
Procurement (15.12/13)	Draft issued 2 November 2012				
NNDR (16.12/13)	Draft issued 19 November 2012				
Payroll (including Expenses & Pensions)	12 November 2012				
Cash, Banking & Treasury	22 November				

Management	2012				
Reconciliation testing	28 November 2012				
Council Tax	13 December 2012				
ICT Review	December 2013				
Risk Management	03 December 2012				
Environmental Health / Waste Management	03 January 2013				
Housing Benefits	08 January 2013				
Annual Governance Statement	18 February 2013				
Follow Up	18 February 2013				
Top up testing	11 March 2013				
Performance Management	11 March 2013				
Mears Follow Up Review	25 March 2013				

Other Matters

Planning and Liaison:

Since the last Corporate Governance Committee we have met with Management to discuss the progress of the audit plan and to scope a number of 2012/13 audits.

We had an agreed protocol with the previous External Auditor (Audit Commission) to ensure maximum reliance can be placed on our work and reduce where possible any duplication. Following the changes to External Audit for 2012/13 (as a result of the national procurement exercise reported previously), the new External Auditors may have a differing methodology which could result in the protocol changing moving forward. This may impact on the level of resources required within the Internal Audit Plan to deliver the protocol. We are in contact with Ernst and Young and have a meeting arranged for the 18th December to discuss joint working and will report back to the Corporate Governance once further information is known.

We have issued one red (negative) opinion on the Repairs – Partnership Arrangements audit since the previous Committee meeting. The Corporate Governance Committee should note that any negative assurance opinions will be noted in the annual report. However, no common weaknesses have been identified so far within our reports for 2012/13.

Management have agreed all of the recommendations in the reports finalised above, with agreed target dates for implementation.

Internal Audit Plan 2012/13 - Change Control:

Since the last Corporate Governance Committee, the Executive Director – Corporate Services has requested an additional follow up review of the Red opinion on the Repairs – Partnership Arrangements (6.12/13) review reported at this meeting. This will involve working closely with the Partner (Mears) along with council officers.

Information and Briefings:

We have issued three updates electronically since the last Corporate Governance Committee:

- LG eUpdate August 2012
- LG eUpdate September 2012
- LG eUpdate October 2012

The matters raised in this report are only those which came to our attention during our internal audit work and are not necessarily a comprehensive statement of all the weaknesses that exist, or of all the improvements that may be required. Whilst every care has been taken to ensure that the information provided in this report is as accurate as possible, based on the information provided and documentation reviewed, no complete guarantee or warranty can be given with regard to the advice and information contained herein. Our work does not provide absolute assurance that material errors, loss or fraud do not exist.

This report is prepared solely for the use of Authority and senior management of South Cambridgeshire District Council. Details may be made available to specified external agencies, including external auditors, but otherwise the report should not be quoted or referred to in whole or in part without prior consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended for any other purpose.

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Our reference CA22312A

19 October 2012

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commission.gov.uk

Dear Member

— **South Cambridgeshire District Council Annual Audit Letter 2011/12**

I am pleased to submit my Annual Audit Letter which summarises my 2011/12 audit of South Cambridgeshire District Council.

Financial statements

On 28 September 2012 I presented my Annual Governance Report (AGR) to the Corporate Governance Committee outlining the findings of my audit of the Authority's 2011/12 financial statements. I will not replicate those findings in this letter.

Following the Corporate Governance Committee, on 28 September 2012, I:

- issued an unqualified opinion on the Authority's 2011/12 financial statements included in the Authority's Statement of Accounts;
- concluded that you have made proper arrangements to secure economy, efficiency and effectiveness in your use of resources; and
- certified completion of the audit.

Duties under the Audit Commission Act 1998

I did not exercise any powers under the Audit Commission Act.

Closing remarks

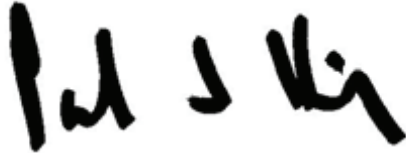
I have discussed and agreed this letter with the Chief Executive and Executive Director, Corporate Services. While this has been another challenging year for the Authority I wish to thank the finance staff for their positive and constructive approach they have taken to my audit. I also wish to thank senior management and the Corporate Governance Committee for their support and co-operation during the audit.

Audit Commission, 3rd Floor, Eastbrook, Shaftesbury Road, Cambridge CB2 8BF

T 0844 798 4200 F 01223 353073 www.audit-commission.gov.uk

This is my final Annual Audit Letter as District Auditor, as the Authority will have a new appointed auditor for 2012/13 following the outcome of the Audit Commission procurement exercise to outsource the work of the Audit Commission's Audit Practice. I should like to take this opportunity to once again thank the Authority and their staff for the professional approach to the audit during the time that I have been the appointed auditor.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul King', written in a cursive style.

Paul King
District Auditor

Certification of claims and returns - annual report

South Cambridgeshire District Council

Audit 2011/12



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Introduction

Local authorities claim large sums of public money in grants and subsidies from central government and other grant-paying bodies and are required to complete returns providing financial information to government departments. My certification work provides assurance to grant-paying bodies that claims for grants and subsidies are made properly or that information in financial returns is reliable. This report summarises the outcomes of my certification work on your 2011/12 claims and returns.

Under section 28 of the Audit Commission Act 1998, the Audit Commission may, at the request of authorities, make arrangements for certifying claims and returns because scheme terms and conditions include a certification requirement. Where such arrangements are made, certification instructions issued by the Audit Commission to its auditors set out the work auditors must do before they give their certificate. The work required varies according to the value of the claim or return and the requirements of the government department or grant-paying body, but in broad terms:

- for claims and returns below £125,000 the Commission does not make certification arrangements and I was not required to undertake work;
- for claims and returns between £125,000 and £500,000, I undertook limited tests to agree form entries to underlying records, but did not undertake any testing of eligibility of expenditure; and
- for claims and returns over £500,000 I planned and performed my work in accordance with the certification instruction to assess the control environment for the preparation of the claim or return to decide whether or not to place reliance on it. Depending on the outcome of that assessment, I undertook testing as appropriate to agree form entries to underlying records and test the eligibility of expenditure or data.

Claims and returns may be amended where I agree with your officers that this is necessary. My certificate may also refer to a qualification letter where there is disagreement or uncertainty, or you have not complied with scheme terms and conditions.

Results of 2011/12 certification work

This section summarises the results of my 2011/12 certification work and highlights any significant issues arising from that work.

The number of claims/returns certified has reduced as work is no longer undertaken on Housing Finance Base Data Return and the Disabled Facilities Grant.

Table 1: Results of 2011/12 certification work

Claim or return	Value of claim or return presented for certification (£'000)	Value of any amendments made (£)	Was a qualification letter issued?	2011/12 Certification Fee (£)	2010/11 Certification Fee (£)
Housing and council tax benefit scheme	32,288	90	No	23,258	20,563
Pooling of housing capital receipts	829	Nil	No	2,800	1,890
HRA subsidy	(12,526)	Nil	No	2,132	2,009

Claim or return	Value of claim or return presented for certification (£'000)	Value of any amendments made	Was a qualification letter issued?	2011/12 Certification Fee (£)	2010/11 Certification Fee (£)
National non-domestic rates return	63,905	Nil	Yes	4,201	4,459
Housing Finance Base Data Return	n/a	n/a	n/a	n/a	4,982
Disabled Facilities Grant	n/a	n/a	n/a	n/a	471
Total certification fees				32,391	34,374

Conclusion

My work in this area supported the view that I expressed in the Annual Governance Report that the Authority has a strong financial management base. It in particular confirms that there is a strong claims preparation process in place. I therefore, similar to last year, have no recommendations in respect of certification work.

The major fee variance related to Housing Benefits. This arose due to the increased income changes of recipients within the random sample of claims that were chosen for review and reflects an increasing complexity; there were also some minor changes required to the claim.

Although a qualification letter was issued in respect of the National non-domestic rates return, this was in respect of technical issues and issues that the Authority was already in discussion with the Department about. These items were for information rather than amendment to the claim.

Closing remark

As with the audit of the accounts the Authority has taken a positive and constructive approach to my certification work. I wish to thank the Authority staff for their support and co-operation during the certification work.

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The Statement of responsibilities of grant-paying bodies, authorities, the Audit Commission and appointed auditors in relation to claims and returns issued by the Audit Commission explains the respective responsibilities of auditors and of the audited body.



www.audit-commission.gov.uk

October 2012

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Corporate Governance Committee 14th December 2012
AUTHOR/S: Executive Director (Corporate Services) / Legal & Democratic Services
Manager

**REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)
QUARTERLY UPDATE ON USE OF RIPA**

Purpose

1. To update the Committee on the new requirement for authorisations to be obtained from the Magistrates Court, the new directed surveillance crime threshold and the use of RIPA powers in the last quarter.

Recommendations

2. That Corporate Governance Committee:

NOTE the information contained in the report about the council's use of surveillance powers in the period October to December 2012.

Background

3. The Regulation of Investigatory Powers Act 2000 (RIPA) regulates covert investigations by the Council. It was introduced to ensure that individuals' rights are protected while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
4. Following a Home Office Review into counter-terrorism and security powers the Protection of Freedoms Act 2012 was passed on 1st May 2012 with the effect that from 1st November 2012 all local authority surveillance authorised under RIPA have to be approved by a Magistrate. The role of the Magistrate is to ensure that the correct procedures have been followed and the relevant factors have been taken into account. The new provisions allow the Magistrate, on refusing an approval of an authorisation, to quash that authorisation.
5. The Council's RIPA policy was amended by the Committee at its September meeting in advance of the new legislation to ensure it complies with the law.
6. Guidance was issued by the Home Office in October on the operation of the judicial approval process and on the directed surveillance crime threshold. The new judicial approval mechanism is in addition to the existing Council authorisation processes and the Council will still be subject to the inspection regime of the independent RIPA oversight Commissioners.

Directed Surveillance Crime Threshold

7. The crime threshold, which also came into force on 1st November, means that local authorities cannot authorise directed surveillance for the purpose of preventing disorder unless this involves a criminal offence which carries a custodial sentence of

six months or more (the Serious Crime Test) or relates to the underage sale of alcohol or tobacco.

8. Local authorities may continue to authorise use of directed surveillance in more serious cases as long as the other tests are met - ie. that it is necessary and proportionate and where prior approval from a JP has been granted.
9. Local authorities may not authorise the use of directed surveillance under RIPA to investigate disorder that does not involve criminal offences or to investigate low-level offences including littering, dog control and fly-posting.

The council’s use of RIPA in Quarter 4 2012

10. The information in the table below outlines the authorisations granted by the council during the fourth quarter of the year 2012.

Quarter	Directed surveillance	CHIS	Total	Purpose
October - December 2012	2	0	2	1)Benefit Fraud (joint investigation with DWP) – ongoing investigation in Willingham 2) Fly Tipping in Swavesey Ongoing investigation – authorisation successfully obtained from Cambridge Magistrates Court (the first RIPA application in Cams)

Implications

11.

Financial	No implications
Legal	Authorisation of surveillance activity gives that surveillance “lawful authority” for the purposes of the European Convention on Human Rights
Staffing	No implications
Risk Management	See comments under “Legal”
Equality and Diversity	See comments under “Legal”
Equality Impact Assessment completed	No adverse impact
Climate Change	No implications

Effect on Strategic Aims

13. None identified.

Conclusions / Summary

14. This report updates the Committee on the Council's use of RIPA powers in the last quarter. The new procedures will affect the council's investigators and authorising officers by adding a further level of scrutiny of its authorisation forms. The Council has successfully obtained its first authorisation from the Magistrates Court with no areas of concern being raised.

Background Papers: the following background papers were used in the preparation of this report:

The Protection of Freedoms Act 2012

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