

EXECUTIVE MEETING ON 7 JULY 2020



DECISION RECORD

Record of decisions made by the Executive pursuant to Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of publication: 9 July 2020

** Executive decisions will not be implemented until the expiry of 5 working days to take account of the Call-In procedure.*

<u>No.</u>	<u>Item</u>	<u>Decision</u>	<u>Reasons for the Decision</u>	<u>Details of alternative options considered and rejected at a meeting</u>	<u>Any declarations of conflict of interest and/or dispensations granted</u>
10	Revised Regulation of Investigatory Powers Act (RIPA)	a) The revised Regulation of Investigatory Powers Act (RIPA) Policy at	The adoption of the new RIPA Policy is a requirement to ensure compliance with	In respect of the RIPA policy, as this is a requirement of legislation, no other	None

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	Policy and Use of Social Media in Investigations Policy	Appendix A of the report be adopted. (b) The new Use of Social Media in Investigations Policy at Appendix B be adopted.	legislation and Home Office Codes of Practices. Additionally, the Investigatory Powers Commissioner's Office expects the use of social media to be specifically included in all up to date policies. Provision on use of social media is made in the policy; further, the new Use of Social Media in Investigations Policy, is adopted goes above and beyond what is required as a minimum. The Overview and	option was considered. The Use of Social Media in Investigations Policy is not specifically required, so the options were to adopt such a policy or to decide not to do so.	

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			Scrutiny Committee support the adoption of both policies.		
11	Revenue and Capital Outturn	To approve (a) The transfer of the General Fund revenue outturn of £16k underspend to the General Reserve (b) That capital budgets of £30.898m be carried forward to 2020/21 to fund ongoing capital schemes	To advise members on the General Fund Revenue Outturn for 2019/20 and provide explanations for significant variances against approved budget; and to advise members of the financing arrangements for the 2019/20 Capital Outturn. The final outturn for the year, detailed in this report is	None considered.	None

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			still subject to external audit and the final audited accounts will be presented to the Audit and Governance Committee on 22 September 2020.		
14	Urgent Key Decision - Pavement Licence Policy and Procedure	a) That the approach to determining applications for pavement licences, laid out in section 3 of the report, be approved; (b) That the duration for a pavement licence shall be seven	The council must have a procedure in place in order to determine pavement licence applications. A fee and the duration of licences need to be agreed, and appropriate delegations need to be in place.	The policy and procedures for the determining pavement licences is not reserved for Council under the Bill/Act, therefore, these are Executive matters. The Executive has the	None

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		<p>months;</p> <p>(c) That authority to establish a schedule of standard conditions to attach to licences be delegated to the Head of Housing and Health;</p> <p>(d) That responsibility for determining and, if required, revoking, pavement licences be delegated to the Head of Housing and Health;</p> <p>(e) That fees be set at the maximum</p>		<p>power to delegate functions relating to the determination of applications to an officer. It is recommended to delegate this decision-making authority to the Head of Housing and Health, rather reserving this for the Executive or an individual member or members, to ensure timely determination. This</p>	

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		<p>permitted level of £100 in order to, at least in part, recover the cost of issuing licences; and</p> <p>(f) That the making of any minor amendments to the policy and procedure be delegated to the Head of Housing and Health acting in consultation with the Executive Member for Neighbourhoods.</p>		<p>is considered particularly important because if the council does not make a decision on an application within 14 days of receipt, the application will automatically be granted for 12 months with no conditions.</p> <p>The length of licence granted is a matter for the authority to decide</p>	

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				<p>but must be a minimum of 3 months. The proposal detailed above is that any granted licence should run for a period of 7 months from the date of issue, subject to the 'sunset clause' date of 30th September 2021. As noted above, the council may determine that the only way an applicant</p>	

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				<p>can meet the requirements of the legislation or the council's conditions is to apply a condition giving the licence a duration of less than seven months.</p> <p>The level of fee can be determined by the authority anywhere between charging no fee up to a maximum of £100. Officers have calculated that the</p>	

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				<p>maximum allowable fee will not cover the cost of administering the regime so it is recommended to charge the maximum £100 in order to recover as much of the cost of processing as possible.</p>	
<p>This decision record does not include items forwarded to Council, or items which were for noting only.</p>					