



# **AUDIT COMMITTEE**

**Agenda Items –  
4 (Requests made under the  
Freedom of Information Act 2000)  
and  
5 (Regulations of Investigatory  
Powers Act)**

**Thursday, 10th January, 2013**

**7.00 pm**

**Town Hall, Watford**

Publication date: 3 January 2013

**CONTACT**

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Sandra Hancock in Legal and Property Services on 01923 278377 or by email to [legalanddemocratic@watford.gov.uk](mailto:legalanddemocratic@watford.gov.uk) .

# COMMITTEE MEMBERSHIP

Councillor I Brown (Chair)  
Councillor A Burtenshaw (Vice-Chair)  
Councillors I Brandon, A Khan and P Taylor

## AGENDA

### PART A - OPEN TO THE PUBLIC

**4. REQUESTS MADE UNDER THE FREEDOM OF INFORMATION ACT 2000**  
(Pages 1 - 44)

This is a half year report of requests made under the Freedom of Information Act 2000 covering the period from 1 April 2012 to 30 September 2012.

**5. REGULATION OF INVESTIGATORY POWERS ACT (RIPA)** (Pages 45 - 48)

This report informs members of the changes to the Regulation of Investigatory Powers Act introduced by the Protection of Freedoms Act 2012 and seeks approval to use NAFN (National Anti Fraud Network) as SPOC (single point of contact) for communications data requests.

## PART A

Report to: Audit Committee

Date of Meeting: 10 January 2013

Report of: Head of Legal and Property Services

Title: Requests made under the Freedom of Information Act 2000

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### 1. SUMMARY

This is a half year report of requests made under the Freedom of Information Act 2000.

From 1 April until 30 September 2012 the Council received 195 requests all but 27 of which were replied to in the required time. A list of the requests is attached at appendices 1 and 2 for information

### 2. RECOMMENDATIONS

To note the contents of this report.

#### Contact Officer:

For further information on this report please contact: Carol Chen  
telephone extension: 8350 e-mail: carol.chen@watford.gov.uk

Report approved by Managing Director

### 3.0 DETAILED PROPOSAL

- 3.1 The Freedom of Information Act 2000 came fully into force on 1<sup>st</sup> January 2005. As a public authority we are obliged to answer written requests for information under the Act within 20 working days
- 3.2 This report covers the periods 1 April 2012 until 30 September 2012.
- 3.3 In this period the Council recorded receiving 195 requests for information under the Act all but 27 were replied to within the statutory 20 working days.
- 3.4 The requests have been varied. Appendices 1 and 2 give a brief summary of each request.
- 3.5 Unfortunately as with my previous report there are a number of requests that have not been replied to within the ambit of Revenues and Benefits.

This has primarily been due to pressure on the service to reduce the backlog of claims as a result of implementing the new computer system, and staff who previously dealt with FOI requests leaving the Council's employment.

- 3.6 The Customer Service Improvement Officer continues to emphasise to departments the need to respond to requests within the statutory time frame. The Head of Legal and Property Services is continuing with her quarterly lunch and learn sessions on the Act to provide a refresher and they are proving very popular.
- 3.7 The Mayor and Managing Director continue to receive a weekly list of all new FOI requests that are received.
- 3.8 When this committee received the last half yearly report in June 2012 members asked for benchmarking data to see how Watford compared with other Hertfordshire districts in responding to requests. Unfortunately despite reminders officers have been unable to get any data. St Albans City and District Council were collating benchmarking information, but they have not supplied any to us for some considerable time.

#### 4.0 **IMPLICATIONS**

##### 4.1 Financial

The Head of Strategic Finance comments that this report indicates that information is found using existing staff resources. If, in the future, the requests increase in number and/or complexity then it may become necessary to review this situation.

##### 4.2 Legal Issues (Monitoring Officer)

The Head of Legal & Property Services comments that ongoing training continues to be provided across the council to ensure officers are aware of the Council's responsibilities under the Act

##### 4.3 Staffing

Requests are currently being managed within existing resources.

##### 4.4 Accommodation

No implications

##### 4.5 Equalities

No implications

#### 4.6 Community Safety

No implications

#### 4.7 Sustainability

No implications

#### 4.8 **Potential Risks**

<b>Potential Risk</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Overall score</b>
Request not replied to within statutory time limit	2	2	4
Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service's Risk Register.			

#### Appendices

Appendix 1 – Summary of FOI requests April to June 2012

Appendix 2 – Summary of FOI requests July to September 2012

#### Background papers:

None

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**SUMMARY OF FOI REQUESTS APRIL-JUNE 2012 (TOTAL 93)****Category codes:**

I (Individual no address/not WBC resident) **IWB** (individual WBC resident) **C** (campaign group) **M** (Media) **O** (Organisation)

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010277435	Verbal and physical assaults on Housing staff	Yes	Yes	No	Inside Housing	M
1010277854	Persons died with no next of kin	Yes	Yes	No	Lostkin.co.uk	O
1010277856	Private hire and Hackney vehicles which are wheelchair accessible	Yes	Yes	No	National Private Hire Assn	O
1010277561	All developments for which planning permission was granted in the last 12 years and where there is a requirement for on site affordable housing.	Yes	Yes	No	Trademarkgroup.co.uk	O
1010278531	Person who has died with no living blood relatives being known when they died, from 1/8/11	Yes	No	No	Individual	I

## Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010278375	Services your Council funds for homeless people and those at risk of homelessness.	Yes	Yes	No	Salvation Army	O
1010278534	<b>Information relating to TRO's in the last 10 years</b>	No	Yes	No	Individual	IWB
1010278635	<b>Details of unclaimed credit balances on business accounts</b>	No	Yes	No	Exacta.co.uk	O
1010278521	<b>Information regarding on the spot fines for environmental offences</b>	No	Yes	No	Manifesto Club	O
1010278832	Minutes of any meetings at which the Council discussed current or future recycling and/or waste management services and details of current services/contracts	Yes	Yes	No	Individual	I
1010279348	New properties built in the Watford Borough over the last five years.	Yes	Yes	No	Fote.org.uk	O
1010278636	<b>What businesses get business rates in the local area</b>	No – unresolved	Still awaiting clarification from requestor		Lucozade Power League Watford Queens School	O



## Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010280022	Pet shop licences and sale of amphibians	Yes	Yes	No	Zoological Society	O
1010279805	Data for the Law Commission Taxi and Private Hire Vehicle Regulation review.	Yes	No – exempt	No	Licensed Private Hire Car Association	O
1010280017	List of private hire operators	Yes	Yes	No	Individual	I
1010279482	Number of data access requests and time taken to respond	Yes	Yes	No	QCC Information Security Ltd	O
1010279960	Organisational structure charts, names and contact details	Yes	Yes – in part	No	Individual	I
1010279922	Number of staff in total including those in waste collection and street cleansing. If these services provided in house	Yes	Yes	No	Individual	I
1010279268	New housing developments in the borough	Yes	Yes	Yes - website	Individual	I
<b>1010279806</b>	<b>Information regarding unpaid Council tax for the last three years.</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Imarco-online.com</b>	<b>O</b>

## Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010280213	How many public health funeral cases you have conducted since February 2012 and details of deceased	Yes	Yes	No	Kinfinders	O
1010280010	Number of Contaminated Land sites determined under Part IIA of the Environmental Protection Act 1990 and entries onto the Part IIA register since 1 April 2007.	Yes	Yes	No	Individual	I
1010280397	Persons died with no next of kin	Yes	Yes	No	Individual	I
1010280548	Contracts with suppliers and if any are of a religious nature	Yes	Yes – in part	No	British Humanist Association	O
1010280581	Staff who have been made redundant and been rehired including associated costs in last 3 years	Yes	Yes	No	BBC	M
1010280720	Any contracts with suppliers of WAN and if WBC moving to PSN and with which other public sector organisations	Yes	Yes	No	Guardian	M

## Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010280590	Information relating to third party complainant(s) involved in enforcement issue	Yes	No	No	Individual	I
<b>1010280103</b>	<b>Credits on business rates accounts</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Cvsuk.com</b>	<b>O</b>
<b>1010280396</b>	<b>List of empty domestic and commercial properties in your area</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Individual</b>	<b>I</b>
1010281716	Total number of affordable/social housing/new builds since 2008	Yes	Yes	No	Individual	I
1010282156	Information regarding planting/purchasing and maintenance of trees over last 10 years	Yes	Yes – in part	No	Individual	I
<b>1010281882</b>	<b>How many jobs previously held by Council staff which were transferred to the private sector</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Frank Dobson MP</b>	<b>MP</b>
1010281398	Information sold from electoral roll, to whom and amount of revenue since 2007	Yes	Yes	No	Bigbrotherwatch	C

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CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010281179	Catering facilities at Town Hall site	Yes	Yes	No	Druglink	O
1010281243	Details regarding closure of Watford Springs	Yes	Yes	No	Individual	IWB
<b>1010281322</b>	<b>Details regarding Sun clock tower site and land Ascot Road</b>	<b>No</b>	<b>Yes – in part</b>	<b>Yes – in part</b>	<b>Individual</b>	<b>IWB</b>
1010281210	Information regarding local businesses, town twinning and local government structure	Yes	Yes	Yes – WBC website	Individual	I
1010281658	Details relating to Section 106 money held/returned	Yes	Yes	No	BBC	M
1010281535	Parking zones extended/number of enforcement officers employed and costs/wait time for issuing of parking permits	Yes	Yes	No	Individual	I
<b>1010281884</b>	<b>Total amount Council Tax and business rates collected since 2005</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Individual</b>	<b>I</b>
<b>1010282149</b>	<b>Credits and write offs on NNDR accounts</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Maxwell Laume Associates</b>	<b>O</b>

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1010281835	All business premises where no relief (for example small business relief, charitable relief, etc) of any type has been granted	No	Yes	No	Individual	I
1010282324	Largest property allocated to a household and which area/what cost to the council	Yes	Yes	No	DataNews	M
1010282279	Any application/bid documents regarding Weekly Collections Support Scheme	Yes	Yes	No	Individual	I
1010282322	Persons died with no next of kin	Yes	Yes	No	Individual	I
1010282486	Details of any contracts relating to street cleaning and waste collection services	Yes	Yes	No	Individual	I
1010282159	Persons died with no next of kin	Yes	Yes	No	Individual	I

Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010282704	Details of the standard payment terms your council employs in dealings with its suppliers, contractors and any other party supplying a service or product at a cost to your council including bill settlement times in last 12 months	Yes	Yes	No	Fpb.org	O
1010282282	<p>1. The number of your employees who completed Neuro-Linguistic Programming (NLP) training courses in the past three years, and the cost of this training.</p> <p>2. The number of your employees who completed training courses provided by Landmark Education in the past three years, and the cost of this training.</p>	Yes	Yes	Yes	Individual	I

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1010282483	If organisation has a Preferred Supplier List/Framework Agreement for the supply of contingent labour (temporary, contract, interim) or permanent IT/ICT staff? Council structure charts	Yes	Yes	No	LA International Computer Consultants Ltd	O
1010282493	Details of all properties that have any historic credit on their account	Yes	Yes	No	capa.uk.com	O
1010282545	Empty Commercial properties with a current rateable value in excess of £40,000 that are within the Council area with addresses	Yes	Yes	No	Individual	I
1010282695	Does the Local Authority run its revenues collection/benefits service function as an in-house service, or is this function outsourced to a 3rd party?	Yes	Yes	No	credoanalytics.com	O

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1010282161	National Non-Domestic Rate accounts in your billing authority area that show a credit (in excess of £500) for any period from 1 April 1990 to date.	No	Yes	No	storeys-es.com	O
1010283546	Which services are supported by the CSC, number of staff and average costs per annum	Yes	Yes	No	credoanalytics.com	O
1010282989	Number of employees your authority has dismissed in the last 5 years inc voluntary redundancies/retirement	Yes	Yes – in part	No	Individual	I
1010283143	Credits on business rates accounts	Yes	Yes	Yes	CBRE Limited	O
1010284118	Money have you received in Decent Homes funding in the financial years 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012?	Yes	Yes	No	Individual	I
1010283895	Level of public funding the Watford Leisure Centre receives	Yes	Yes	No	Individual	I



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1010284276	Reports from the three most recent inspections of catering facilities at Watford FC	Yes	Yes	No	Newsquest.co.uk	M
1010284117	In the last financial year 2011/12 how many incidents did your authority record where refuse collectors were assaulted by members of the public while carrying out council duties/working days lost	Yes	Yes	No	Data News Ltd	M
1010284102	details of contracts held by the authority with external organisations for the treatment of waste	Yes	Yes	No	Individual	I
<b>1010284100</b>	<b>Various information regarding number of employees/BME/earnings of senior management posts</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Individual</b>	<b>I</b>
1010284116	Profit share agreement with contractors that provide major work and maintenance services to leasehold properties?	Yes	Yes - none	No	Individual	I

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1010284113	How many cases have you won/settled/partially won/lost at Leasehold Valuation Tribunals in the financial years 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012?	Yes	Yes – none	No	Individual	I
1010284252	How many leaseholders have received major works bills over 10k and 20k	Yes	Yes – none	No	Individual	I
1010284119	How many Leasehold Valuation Tribunal challenges in past five financial years have involved contractors who are framework partners under agreements with the council?	Yes	Yes – none	No	Individual	I
1010284105	Total number of leaseholders who have received major works bills in the financial years 2007/2008, 2008/2009, 2009/2010, 2010/2011, 2011/2012?	Yes	Yes - none	No	Individual	I

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1010284363	How many public health funeral cases you have referred, or are due to refer, to the Treasury Solicitor	Yes	Yes	No	Lostkin.co.uk	O
1010284970	List of current tattoo studios and ear and body piercing studios/salons registered with the council.	Yes	Yes	No	The After Care Company UK	O
1010284454	From February 2012 details of public health funerals your organisation has performed	Yes	Yes	No	Individual	I
1010284455	<b>Details regarding money spent on taxi fares for council employees in each of the financial years a) 2009/10 b) 2010/11 c) 2011/12</b>	No	Yes	No	Ferrariexpress.com	M

Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010284849	<p>How many notifications under Section 11 of the Data Protection Act 1998 have you received in the last 12 months?</p> <p>How many complaints have you received from people specifically relating to the practice of either pre-ticking or not pre-ticking the edited register opt-out box, or relating to any change in your practise of pre-ticking the Edited Register opt-out</p>	Yes	Yes	No	Pro-gov.co.uk	O

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1010284973	<p>Percentage of Officer recommendations for planning permission turned down by Members.</p> <p>Percentage of Officer recommended refused planning permissions that went to appeal.</p> <p>Percentage of such Officer recommended refusals that were granted permission upon appeal.</p> <p>Officer recommended applications that went to appeal, the percentage that were granted permission:</p>	Yes	Yes	No	Individual	I
1010284505	Car parks etc. where one can park a motor home in their authority area.	Yes	Yes	No	Individual	I
1010285231	All current empty commercial properties within your authority	Yes	Yes	No	Individual	I
1010286270	Details of any zoos in the area	Yes	Yes	No	Captiveanimals.org	O

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1010285236	<b>Details of the locations of all areas of land which you have identified as being potentially contaminated</b>	No	Yes	No	Individual	I
1010285937	Fires that have occurred in licensed hackney carriages and private hire vehicles, for each of the years 2009, 2010, 2011, 2012	Yes	Yes	No	A2Z Licensing	O
1010285730	<b>Payments that the council has made to any Christian churches, Christian ministries or other Christian worship groups</b>	No	Yes	No	Individual	I
1010285784	Details relating to business/commercial planning applications received in the years 2010, 2011 and 2012 so far	Yes	Yes - in part	No	Individual	I
1010285427	Credit balances accrued since your earliest records for the amount owing to all incorporated companies within the authorities billing area	Yes	Yes	No	Lambert Smith Hampton	O

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CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010285426	List of current empty properties.	Yes	Yes	No	Capitalpropertybuyers.co.uk	O
1010286724	Various information relating to staff and costs for services in EHL	Yes	Yes	No	Unison	O
1010285951	Number of incidents of flytipping/costs/enforcement action 2011/12	Yes	Yes	No	Anyjunk Ltd	O
1010286237	Level of spending on property services and facilities management	Yes	Yes	No	Estates Gazette	M
1010286595	Demographic, Psychographic and Sociographic information for the region including premises licenses you have with capacities of more than 2000?	Yes	Yes	No	Wc-media.co.uk	M
<b>1010286533</b>	<b>Details relating to empty residential properties and demolitions</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>tigeraspect.co.uk</b>	<b>M</b>

## Appendix 1

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010286719	Housing development at the former Leggatts School site, has the Council received any Section 106 money for this. If so, has it all been allocated and to what projects?	Yes	Yes	No	Individual	I
1010293078	In-sourcing of local authority services, which is the decision making and process of bringing a local authority back in-house after it has previously been delivered by a contractor acting for the authority.	Yes	Yes	No	Excellenceinbusiness.com	O
1010286593	Addresses and rateable values of all commercial properties that have any historic credit on their account above £1,000. (b) the names and addresses of the owners	Yes	Yes	No	BWB.co.uk	O
1010278262	Applications for funding for social care	Yes	No	Yes - HCC	Citizenrelations.com	O
1010278945	Empty properties under control of local authority and procedures in place for recovery from squatters	No - since withdrawn	No – requestor did not contact to provide clarification as requested	No	Shergroup@cmp.dotmailer.co.uk	O



**SUMMARY OF FOI REQUESTS JULY – SEPT 2012 (TOTAL 102)****Category codes:**

**I** (Individual no address/not WBC resident) **IWB** (individual WBC resident) **C** (campaign group) **M** (Media) **O** (Organisation)

<b>CASE REF</b>	<b>REASON FOR REQUEST</b>	<b>RESPONDED WITHIN TIMESCALE?</b>	<b>INFORMATION PROVIDED?</b>	<b>CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION</b>	<b>REQUEST FROM INDIVIDUAL OR ORGANISATION?</b>	<b>CAT</b>
1010287193	Current grant funding arrangements and contracts that your local authority has with housing associations and other housing providers.	Yes	Yes	No	Unite	O
1010287195	Various information relating to breaches in food law	Yes	Yes in part	No	Individual	I
1010287584	Various information relating to cooling towers	Yes	Yes in part	No	Cieh.org	O
1010287383	Number of council owned vehicles and associated cost	Yes	Yes	No	Individual	I
1010287106	Noise assessment methodologies used for predicting noise from Multi Use Games Areas	Yes	Yes	No	Individual	I

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010287035	Details relating to current fixed line provider	Yes	Yes	No	Individual	I
1010287627	Value of the council's property portfolio	Yes	Yes	No	Individual	I
1010287200	Details including spend on consultancy services for financial year 2011/2012?	Yes	Yes	No	BTS Europe	O
1010287152	Queries relating to draft proposals for extension of school	Yes	No	Yes - HCC	Individual	IWB
<b>1010286978</b>	<b>Details of all live business rates accounts with a 2010 list Rateable Value greater than or equal to £25,000.</b>	<b>No - unresolved</b>			<b>Altus Edwin Chartered Surveyors</b>	<b>O</b>
1010287715	Grants and budgets relating to voluntary and community sector	Yes	Yes	No	Compact Voice	O
1010288265	Information regarding adaptations and disabled facilities grants	Yes	Yes	No	Liz Kendall MP	I

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010287827	Public Health Funerals carried out by your Authority between 1 March 2012 and date of last response	Yes	Yes	No	Anglia Research	O
1010288111	Persons died with no next of kin	Yes	Yes	No	Individual	I
1010288156	Copies of policies relating to personal searchers	Yes	Yes	Yes in part – WBC website	Individual	I
1010287630	Council's spending on bottled water	Yes	Yes	No	Individual	I
1010287628	Cost of refurbishments that the council have made to their property.	Yes	Yes	No	Individual	I
1010288262	Various information relating to Local Plan, Governance, Open Market Housing, waiting list management, private sector housing, housing costs & rural economy	Yes	Yes	No	Individual	I
1010288080	Details regarding bailiffs used for Revenues and parking	Yes	Yes	No	Individual	I

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010288098	Whether council paid enhanced pensions between 1990 – 2003 and copies of extracts from committee reports	Yes	No	Yes – to refer to WBC minute books	Individual	I
1010288084	Details relating to access and copying details from the land charges register	Yes	Yes	No	Individual	I
1010288089	Various information relating to PCN's issued	Yes	Yes	Yes – WBC website	Individual Whatdotheyknow.com	I
<b>1010288151</b>	<b>Council Tax receipts and charges 2011/12 &amp; 2012/13</b>	<b>No - unresolved</b>			<b>Individual</b>	<b>I</b>
<b>1010287712</b>	<b>Theatres in your area and whether they receive any rate relief under section 47 Local Government Finance Act 1988.</b>	<b>No - unresolved</b>			<b>Storeys SSP Ltd</b>	<b>O</b>
<b>1010287633</b>	<b>Rateable value of all vacant commercial premises with a current rateable value over £5,000 within the Authority area and owners details</b>	<b>No - unresolved</b>			<b>Individual</b>	<b>I</b>

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010288105	Overpayments and credits relating to business rates accounts	No	Yes	No	Colliers International	O
1010288668	Charges set by cemeteries and crematoria services	Yes	Yes	No	Individual	I
1010289291	Various details relating to private hire and hackney companies	Yes	Yes	No	Individual	I
1010288651	Persons died with no next of kin	Yes	Yes - none	No	Individual	I
1010288784	Amount of funding and staff time given to trade unions	Yes	Yes	No	Taxpayers Alliance	C
1010288654	Details and amount council has spent on agency staff over the past four years.	Yes	Yes – in part	No	Individual	I
1010288649	Various details regarding IT systems used	Yes	Yes	No	Individual	I

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010289319	Copy of this year's electoral register canvass material including leaflets and brochures including any correspondence relating to Section 11 notifications.	Yes	Yes	No	Individual	I
1010289276	How many homes for social rent (not affordable rent), which have received all necessary approvals, and with financing in place, will be started in each of the next three years in the geographical area under your remit?	Yes	Yes	No	Individual	I
1010288774	Number of drivers who have been charged with illegally parking in a disabled parking bay and amount of fines	Yes	Yes	No	The Co-operative	O

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010288735	All exchanges between your Land Charges Department and IDEA (both pre, post and including February 2007) All internal exchanges and reports showing, inter alia, how Council policy (and any replies thereto) was formulated in relation to IDEA correspondence.	Yes	Yes - none	No	Individual	I
1010288733	Details and outcome of review as to whether local authorities can or cannot charge for property search products.	Yes	Yes – in part	No	Individual	I
1010289395	Number of council officers employed to deal with issues concerning the environment or climate change in a) 2010 b) 2011 and c) 2012 and council's budget	Yes	Yes	No	Individual	I
1010289638	Number of licensed vehicles across all the districts and boroughs within Hertfordshire.	Yes	Yes	No	HCC	O

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010289683	Details regarding elected members who were/are members of your authority's pension scheme	Yes	Yes – none	No	Individual	I
1010289925	<p><b>Copies of all internal correspondence sent by key stakeholders of Watford Borough Council to the following named bodies:</b></p> <p><b>1. Watford Health Campus Project</b></p> <p><b>2. Watford Football Club</b></p> <p><b>3. The two proposed developers for the campus project that includes in its content or title "Farm Terrace Allotments"</b></p> <p><b>between 01/07/11 &amp; 31/12/11.</b></p>	No	Yes - none	No	Individual Whatdotheyknow.com	I



Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010289275	Copy of documents of sale or of any documents related to the sale by which the land currently known as Farm Terrace Allotment was transferred to the ownership of the local authority (or any public body which preceded it) from the previous owner along with any details of restrictions on the land use specified at the time.	Yes	Yes	No	Individual	IWB
1010289769	All recorded information (including meeting minutes and reports and all internal and external correspondence) on the action your Council considered necessary to take in respect of the LGA's letter of 15 January 2010	Yes	Yes- none	No	Individual	I

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010289924	How many employees funded by your local authority were paid off-payroll in 2011-12. Please list (a) names of the commercial/corporate institutions who received public funds for off-payroll salaries, for all off-payroll staff who were paid for by any form of company, commercial institution, personal service company or sole trader, over £500, in 2011-12, and please indicate (b) how many staff were paid for in each instance, and (c) the aggregate payments made to each company over £500.	Yes	Yes – none	No	Individual	I
1010289257	Information concerning the effectiveness of local authorities enforcement activities in the private rented sector during the financial year 2011/12 and the current condition of private rented stock in your area.	Yes	Yes	No	Shelter	O

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010289227	Information relating to the use of IDOX	Yes	Yes	No	Individual	I
1010289388	List of NNDR accounts and ratepayers	Yes	Yes	No	Individual	I
1010290239	Copy of letter sent to complainant regarding accident and confirmation if staff statements have been disclosed	Yes	No - exempt	No	Laser Planet	O
1010290015	Copy of the council register of premises where cooling towers are located	Yes	Yes	No	GEA Cooling Tower Solutions	O
1010290016	Number of taxi ranks	Yes	Yes	No	National Taxi Assn	O
1010290021	Names of various staff with particular job titles and how many staff earning over £30k	Yes	Yes – in part	No	llyons@publicservice.co.uk	O

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010290014	Information whether Tesco lorry had been given special dispensation to park across three disabled parking spaces and also WBC policy with regard to issuing PCN's to disabled drivers not displaying blue badge	Yes	Yes	No	Individual	I
1010290032	Various details of number of Park Homes sites and residents	Yes	Yes	No	Individual	I
1010290405	Number of staff in Planning, how long to process/decide applications, number of planning applications	Yes	Yes	No	Individual	I
1010291570	Number of social housing units you are projected to provide over the next 3 years.	Yes	Yes	No	Vailwilliams.com	O
1010291210	Number of various enforcement or statutory notices and FPN's issued	Yes	Yes	No	Individual	I

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010290882	Number of planning applications submitted to committee and number of applications upheld 2011/12	Yes	Yes	No	Individual	I
1010291561	Details of commercial premises which are currently vacant and where the rateable value of the property exceeds £25,000	Yes	Yes	No	Individual	I
1010291917	Properties that have had an empty rate charge levied at any time since 1st April 2008.	Yes	Yes	No	Exacta PLC	O
1010292083	The number of staff that have access to the Department for Work and Pensions' Customer Information System (CIS and incidents of mis-use/disciplinary action	Yes	Yes	No	Bigbrotherwatch	C
<b>1010292088</b>	<b>Result of the latest food hygiene inspections for each food business.</b>	No	Yes	No	Transparencydata.co.uk	O

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010292058	Persons died no next of kin	Yes	Yes	No	Individual	I
1010291912	Persons died no next of kin	Yes	Yes	No	Individual	I
1010291920	Various questions regarding disposal of ICT equipment and removal of data.	Yes	Yes	No	Individual	I
1010291846	Contracts relating to Mears	Yes	No	Yes – WCHT	Credoanalytics.com	O
1010293078	Decision making and process of bringing a local authority service back in-house after it has previously been delivered by a contractor acting for the authority.	Yes	Yes	No	Excelleceinbusiness.com	O
1010291919	List of empty properties that require investment for use as liveable dwelling.	Yes	No	No	Individual	I
1010291829	All responses to the Localising support for council tax in England consultation	Yes	Yes	No	communities.gsi.gov.uk	O

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010292537	How many homes for affordable rent (not including social rent), which have received all necessary approvals, and with financing in place, will be started in each of the next three?	Yes	Yes	No	Individual	I
1010292532	Information about public health funerals	Yes	Yes	No	Individual	I
1010292224	The total pre-tax annual financial compensation in the last full financial year, including bonuses, for each of the following: 1) Your highest paid employee 2) Your lowest paid directly-employed employee 3) Your lowest paid agency worker or external contractor worker	Yes	Yes	No	Individual	I

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010292223	What is the oldest local bylaw that you have on record that is still implemented by a department of the district council?	Yes	Yes	No	BBC	M
1010292493	What the incremental costs were over the cost of producing the normal canvass of: <ul style="list-style-type: none"> <li>· producing and sending Section 11 instructions/forms and/or information</li> <li>· setting up your IT system/database to record section 11 instructions</li> <li>· processing section 11 requests received from voters</li> </ul>	Yes	Yes	No	Pro-Gov	O
1010292534	Information relating to legal advice procurement regarding land acquisition and Compulsory Purchase Orders in 2012	Yes	Yes – in part	No	Individual	I
1010292541	Outsourced contracts that you have cancelled since July 1st 2012.	Yes	Yes – none	No	Individual	I



## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010292226	Information relating to parking charges	Yes	Yes	No	Individual	I
1010292227	Various information relating to consultations and discussions regarding CTB reform	Yes	Yes	No	Individual	I
1010292757	Facts and figures on local housing supply, types and numbers of units needed, numbers that have been planned or built	Yes	Yes	No	Individual	I
1010293083	How much did the council spend on tablet computers (including iPads) in the last financial year?	Yes	Yes – none	No	Mail on Sunday	M
1010293299	Entire winning Contract including the supplier's tender for Telecom Networks and Provision of Mobile Solutions for Watford BC which was scheduled to comment in June 2012.	Yes	No	No	K Kom Technology	O

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CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010292562	Whether specific Planning Officer has dealt with the planning applications that a resident has submitted for any of his properties	Yes	Yes	No	Individual	I
1010293087	Information regarding WBC approach to Green Belt development.	Yes	Yes	No	Reigate & Banstead Council	O
1010292755	All correspondence in respect of a planning application that pertains to the proposed extension to the rear outbuilding, whether they be manuscript notes of telephone conversations, e mails or letters.	Yes	Yes	No	Individual	I
<b>1010292586</b>	<b>Cost of sending council tax related letters.</b>	<b>No - unresolved</b>				<b>I</b>
1010293151	How many people are on the Watford allotments waiting list and how many plots are currently vacant	Yes	Yes	No	Individual	I

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CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010293469	Land sites designated as contaminated under Part 2A of the Environmental Protection Act (1990)	Yes	Yes	No	Institution of Environmental Sciences	O
1010293462	Public health funerals that have taken place in the last 6 months	Yes	Yes	No	fraserandfraser.co.uk	O
1010293806	How much paid monthly or annually for leased, hired or loaned vehicles	Yes	Yes	No	Individual	I
1010293144	Any correspondence or documents involving Watford Borough Council and the local Sikh community (under the organisation Watford Sikh Association or Gurdwara Sri Guru Singh Sabha) between the years 1995 to 1998.	Yes	Yes	No	Individual	I
1010294163	Copies of correspondence between Local Authority and The Property Codes Compliance Board (also known as The PCCB) since the 1st of January 2012	Yes	Yes – none	No	Intelligent Information	O

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010293093	Information about Housing Benefit payments for the month of May 2012 paid to private rented sector landlords	No - unresolved			Individual on behalf of the media	M
1010293460	All business premises with a credit held on the account	No - unresolved			Individual	I
1010294474	Information regarding collection and recycling of waste	Yes	Yes	No	Eco Plastics Ltd	O
1010294165	List of all employer's names for CRB certificates processed by your organisation.	Yes	Yes	No	Individual	I
1010294798	Information relating to waiting list for accessible homes, occupational therapists and applications for disabled facilities grants	Yes	Yes in part	Yes - HCC	papworth.org.uk	O
1010294956	Persons died with no next of kin	Yes	Yes	No	Individual	I

## Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010295283	Public health funeral that have been conducted by your local authority	Yes	Yes	No	Individual	I
1010294820	Providers of IT Asset Disposal/Recycling & Data Destruction	Yes	Yes -none	No	ice-reuse.co.uk	O
1010295205	Flat 34, Gade Close, Rickmansworth Road, Watford WD18 7JH. Various information relating to planning application and contaminated land	Yes	Yes	No	Individual	I
1010295206	Information relating to council tax benefit (CTB) and local council tax support (LCTS):	Yes	Yes	No	Individual	I
1010295582	Pest control services provided by the council	Yes	Yes	No	British Pest Control Association	O

Appendix 2

CASE REF	REASON FOR REQUEST	RESPONDED WITHIN TIMESCALE?	INFORMATION PROVIDED?	CUSTOMER ADVISED ON ALTERNATIVE LOCATION OF INFORMATION	REQUEST FROM INDIVIDUAL OR ORGANISATION?	CAT
1010295346	Information regarding paragraph 47 of the National Planning Policy Framework, to supply specific deliverable sites sufficient to provide five years worth of housing against housing requirements and for years 6-10 and, where possible, for years 11-15	Yes	Yes	No	Individual	I

## PART A

**Report to:** Audit Committee  
**Date of meeting:** 10 January 2013  
**Report of:** Head of Legal and Property Services  
**Title:** RIPA

### 1.0 **SUMMARY**

1.1 The Protection of Freedoms Act 2012 introduced changes to RIPA (the Regulation of Investigatory Powers Act) with effect from 1 November 2012. This report informs members of those changes and seeks approval to use NAFN (National Anti Fraud Network) as SPOC (single point of contact) for communications data requests.

### 2.0 **RECOMMENDATIONS**

2.1 That the committee notes the changes made by the Protection of Freedoms Act 2012

2.2 That the Council uses NAFN as SPOC for communications data requests.

2.3 That the following posts are authorised to apply to the magistrates court to seek the necessary approvals for surveillance and communications Data:

Managing Director  
Head of Strategic Finance  
Executive Director  
Head of Environmental Services  
Head of Finance Shared Services  
Licensing Manager  
Fraud Manager  
Senior Fraud Investigator  
Licensing Enforcement Officer  
Enforcement Officer  
Anti Social Behaviour Co Ordinator

**Contact Officer:**

For further information on this report please contact: Carol Chen Head of Legal and Property Services  
telephone extension: 8350                      email: carol.chen@watford.gov.uk

**Report approved by:** Managing Director

### 3.0 **DETAILED PROPOSAL**

- 3.1 The Protection of Freedoms Act 2012 and RIPA (Directed Surveillance and Covert Human Intelligence Sources)(Amendment) Order 2012 came into effect on 1 November 2012. The Act and regulations made a number of changes to the Council's powers to undertake surveillance using RIPA
- 3.2 From 1 November 2012 the council has not been able to use RIPA to investigate matters relating to anti social behaviour and can only carry out covert directed surveillance if the criminal offence under investigation is punishable by at least 6 months imprisonment, or where an offence is thought to have been committed under Sections 146, 147 or 147A of the Licensing Act 2003 for under age sales of alcohol, and the offence of under age sales of tobacco.
- 3.3 In addition the use of directed surveillance and/or the acquisition of communications data using RIPA now needs to be authorised by a Justice of the Peace before it can take effect.
- 3.4 All officers who use RIPA have been informed of these changes and the council's policy on the use of RIPA has been amended accordingly. The Council doe need to authorise post holder to apply to the Magistrates Court for approvals to use directed surveillance and communications data under section 223 of the Local Government Act 1972 as these are court proceedings. The post holders listed in the recommendation are those either authorised to approve the use of RIPA powers or those seeking to exercise them and it is recommended that they all be authorised.
- 3.5 RIPA allows the council to acquire communications data where it is to investigate any of the matters referred to in paragraph 3.2 above. To date the council has not made use of it. In order to make use of it, if required, the Council needs to have a dedicated SPOC or single point of contact. The Council subscribes to the National Anti Fraud Network (NAFN) and they provide a legally compliant RIPA telecommunications service. All NAFN intelligence officers are accredited SPOCS under RIPA. They ensure requests are legally compliant and conform to codes of practice. Officers recommend that the council makes use of this service rather than have to train officers internally to be a SPOC. The council still needs to have it's own designated person for communications data and this will be the Head of Finance for Shared Services. He is already the designated person for Three Rivers and oversees the shared service fraud team, who are the team most likely to need to use these powers. The Head of Legal and Property will be the Senior Reporting Officer.

### 4.0 **IMPLICATIONS**

#### 4.1 **Financial**

- 4.1.1 The Head of Strategic Finance comments that any expenditures incurred in accessing outside agencies can be contained within existing budgets.



4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Legal and Property Services comments that the legal implications are contained within the body of the report.

4.3 **Equalities**

4.3.1 The council is required to follow the law in undertaking covert surveillance activities.

4.4 **Potential Risks**

4.4.1 None apparent

4.5 **Staffing**

4.5.1 Using NAFN for communications data will support internal staff resources

Background papers

No papers were used in the preparation of this report.

File Reference

- None

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