

# **LONDON BOROUGH OF TOWER HAMLETS**

## **COUNCIL MEETING**

**WEDNESDAY 27<sup>th</sup> OCTOBER 2010**

### **EXECUTIVE DECISIONS TAKEN UNDER SPECIAL URGENCY PROVISIONS**

### **REPORT OF THE LEADER OF THE COUNCIL FOR INFORMATION**

#### **1. SUMMARY**

- 1.1 The Authority's Constitution (Part 4.2, Access to Information Procedure Rules) provides that the Leader shall submit a quarterly report as necessary to the Council on any Executive (Cabinet) decisions taken during the preceding three months under the Special Urgency provisions at Access to Information Rule 19.1.
- 1.2 Rule 19.1 applies to key decisions where prior notice of the decision has not been included in the Forward Plan but it is nevertheless necessary for reasons of urgency to take the decision at the Cabinet meeting, and where it has additionally not been possible to provide notice of the decision in accordance with the General Exception provisions in Access to Information Rule 18.
- 1.3 During the period 7<sup>th</sup> July to 8<sup>th</sup> September 2010, one decision was taken by the Executive (Cabinet) under the Special Urgency provisions at Access to Information Rule 19.1. A brief summary of the matters in respect of which the decision was made is included overleaf for information.

#### **2. RECOMMENDATION**

- 2.1 That the report be noted.

**EXECUTIVE DECISIONS TAKEN UNDER SPECIAL URGENCY**  
**PROVISIONS – 7<sup>th</sup> July 2010 to 8<sup>th</sup> September 2010**

**1. Enforcement Policy and RIPA (CAB 041/101) – Cabinet meeting 8<sup>th</sup> September 2010, Agenda item 10.2**

The Cabinet approved an umbrella enforcement policy to govern its regulatory functions, replacing individual departmental policies dealing with enforcement:

- A corporate policy applying to all criminal and quasi-criminal enforcement functions, across all service areas, was best practice and consistent with promotion of key principles of proportionality of enforcement consistency and transparency.
- The new policy also updated the conduct of covert investigations by the Authority and the rights of individuals; although the Authority had had a policy in place since 2004 that was congruent with the law under the RIPA [Regulation of Investigatory Powers Act 2000] dealing with surveillance where necessary to prevent or detect crime, protect public health and safety.
- The Secretary of State had issued new codes of practice under RIPA in March 2010, and consistent with those codes of practice Cabinet agreed that Members should have oversight of the Authority's implementation of RIPA.

This report was unavailable for public inspection within the timescales set out in the Authority's constitution because there was a need to implement the new enforcement policy with the revised RIPA [Regulation of Investigatory Powers Act 2000] policy by September [2010] in order that the changes and Member oversight required by the new code of conduct referred to in the report [paragraph 5.12] could be implemented prior to the next inspection in December 2010. Consideration of the proposals contained in the report could not reasonably be deferred to a later Cabinet meeting because of the required timeline for their implementation, and consideration of the report was therefore needed as a matter of urgency.