

NORTH DEVON COUNCIL

COUNCIL: 23 NOVEMBER 2022

QUESTIONS TO THE LEADER OR THE CHAIR OF A COMMITTEE SUBMITTED UNDER PART 4 COUNCIL PROCEDURE RULES, PARAGRAPH 10.4 OF THE CONSTITUTION

Question for the Leader from Councillor Ley

“Out of common courtesy, I request to be informed of the outcome of an issue which arose in April 2020 when I received a complaint, made by a Council employee, alleging a serious breach of the members code of conduct.

This was referred to a firm of external specialist solicitors, who conducted their investigation in October 2020, subsequently issuing a draft report in early May 2021, which concluded that there had been no breach of the members code of conduct.

Thinking this was the end of the matter, the complainant then came back with a further 20 questions which I was requested to respond to.

Since doing so on 31-5-21, I have been kept completely in the dark, why?”

Councillor Worden, Leader’s response

“This Code of Conduct investigation was carried out by an independent third party firm of solicitors and co-ordinated by the previous Monitoring Officer. On review of the file associated with this investigation it has been discovered that Councillor Ley is indeed correct that the report concluding the investigation was not sent to him, or notification of the outcome provided, as it ought to have been. From a review of the file it is apparent that this was an omission and one which the current Monitoring Officer is happy to rectify and, indeed, has done and Cllr Ley is now in receipt of the final report. The Monitoring Officer is content to discuss the conclusions of the report with Councillor Ley and address any questions he may have although, since this is a confidential report, it is better that this is done outside of a public meeting.”

Question for the Leader from Councillor Pearson

“We live in a beautiful environment but it is blighted in places by fly-tipping and littering. I and others have asked that we deploy a mobile camera in known hot-spots in order to support and improve enforcement. There have also been requests for in-vehicle cameras to provide evidence to support enforcement actions.

I would like to know why these requests have not been fulfilled and whether it is in fact policy not to support enforcement with the available technology.”

Councillor Worden, Leader’s response

“Councillor Pearson is correct that we do live in a beautiful environment that needs to be protected. As Councillor Pearson knows, the Council does take fly-tipping very seriously and is active in investigating and prosecuting those people that commit those offences. The last successful prosecution was only a few weeks ago resulting in a total liability on the offender of just short of £1000. In investigating those crimes, the Council uses a range of investigative techniques and has considered the use of CCTV and mobile cameras. The use of surveillance techniques is heavily regulated especially if the surveillance through a mobile camera is covert in nature. There are also data protection issues to consider before employing such devices. The council is currently evaluating particular cameras and ascertaining how they may be deployed within the strict legislative framework that exists. The council has also received grant funding as part of the Safer Streets project for a mobile camera which will be available to be used within the scope of the project. That may cover flytipping offences within the geographical area of the project as long as the use comes within the scope of the project and the current authorisations issued for the CCTV system. The procurement of that camera is underway at present.”