

## CORRESPONDENCE UPDATE – INFORMATION REPORT

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### Background

1. Following most Committee meetings, the Chair writes a letter to the relevant Cabinet Member or officer, summing up the Committee's comments and recommendations regarding the issues considered during that meeting. This cover report provides a record of those letters and any other correspondence received since the previous Committee meeting.

### Issues

2. At the Committee meeting on the 13 October Members considered the following items:
  - Recycling & Waste Restricting Programme – Update on Implementation of Phase 1 (this included a public question and statement from Mr Lee Fisher a representative of a group of residents from the Penylan ward);
  - Planning Service – Member Update.
3. After the meeting the following letters were sent by the Chair of the Environmental Scrutiny Committee:
  - A letter to Councillor Bob Derbyshire, Cabinet Member for the Environment following the meeting on the 13 October – attached as **Appendix 1**;
  - A letter to Mr Lee Fisher, the representative of a group of residents from Penylan following the meeting on the 13 October – attached as **Appendix 2**;
  - A letter to Councillor Ramesh Patel, Cabinet Member Transport, Planning & Sustainability following the meeting on the 13 October – attached as **Appendix 3**.

4. Since the last correspondence report the following replies have been provided to letters written on behalf of the Environmental Scrutiny Committee. These are listed below:
- A reply to the letter sent to Councillor Ramesh Patel, Cabinet Member for Transport, Planning & Sustainability following the Environmental Scrutiny Committee meeting on 15 September – attached as **Appendix 4**;
  - A reply to the letter sent to Councillor Bob Derbyshire, Cabinet Member for the Environment following the Environmental Scrutiny Committee meeting on 15 September – attached as **Appendix 5**;
  - A reply to the letter sent to Councillor Bob Derbyshire, Cabinet Member for the Environment following the Joint Environmental and Policy Review & Performance Scrutiny Committee item on the 26 August 2015 – attached as **Appendix 6**.

### **Legal Implications**

5. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

6. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However,

financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

## **RECOMMENDATIONS**

7. The Committee is recommended to note the content of the letter contained in **Appendices 1, 2, 3, 4, 5 & 6.**

**Marie Rosenthal**

**Director of Governance & Legal Services**

**4 November 2015**