

 Finance & Audit Scrutiny Committee - 4 November 2014		Agenda Item No. <h1 style="text-align: right;">5</h1>
Title	Comments from the Executive	
For further information about this report please contact	Graham Leach Democratic Services Manager & Deputy Monitoring Officer 01926 456114 committee@warwickdc.gov.uk	
Service Area	Civic & Committee Services	
Wards of the District directly affected	N/A	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	Finance & Audit minutes 02/09/2014 Executive minutes 03/09/2014	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Deputy Chief Executive		
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holders		

Consultation Undertaken	
N/A	
Final Decision?	Yes
Suggested next steps (if not final decision please set out below)	

1. Summary

- 1.1 This report summarises the Executive's response to comments given by the Finance & Audit Scrutiny Committee on reports submitted to the Executive on 1 October 2014.

2. Recommendation

- 2.1 That the responses made by the Executive be noted.

3. Reasons for the Recommendation

- 3.1 This report is produced to create a dialogue between the Executive and the Finance & Audit Scrutiny Committee, ensuring that the Scrutiny Committee is formally made aware of the Executive's responses.

4. Alternative Options Considered

- 4.1 The Committee receives and notes the minutes of the Executive instead.

5. Budgetary Framework

- 5.1 There is no impact on the budgetary framework. This is for the Committee's information only.

6. Policy Framework

- 6.1 The work carried out by the Committee helps the Council to improve in line with its priority to manage services openly, efficiently and effectively.

7. Background

- 7.1 As part of the scrutiny process, the Committee no longer considers the whole of the Executive agenda.
- 7.2 Councillors are emailed at the time of the publication of the Executive and Scrutiny Committee agendas, asking them to contact Committee Services by 9.00 am on the day of the Scrutiny Committee, to advise which Executive items they wish the Scrutiny Committee to pass comment on and the reasons why.
- 7.3 As a result, at its meeting on 30 September 2014, the Finance & Audit Scrutiny Committee considered the items detailed in the appendices. The responses which the Executive gave are also shown.

Responses from the meeting of the Executive held on 1 October 2014 to the Finance and Audit Scrutiny Committee's comments

Item no	3	Title	Scrap Metal Dealers Act 2013
Scrutiny Comment	<p>The Finance & Audit Scrutiny Committee supported the recommendations in the report and was pleased that collectors would now be licensed. However, residents had highlighted concerns to Members about the noise omitted by the collector's vehicle sirens when collecting scrap metal and proposed that an amendment to the Policy, banning the use of sirens exclusively, be considered by the Executive.</p> <p>In addition, it was felt that the Scrap Metal dealers could be encouraged when applying for, or renewing, a licence to contact potential customers by more traditional methods i.e. leaflet drops and advertising.</p>		
Executive Response	<p>The Executive agreed with the comments of the Finance & Audit Scrutiny Committee and for this recommended that subject to the inclusion of wording explaining that "The use of amplified horns is not permitted under section 62 of the con troll of pollution act 1974 makes it offence to use a loudspeaker in the street"</p>		

Item no	4	Title	Fees and Charges 2015/16
Scrutiny Comment	<p>The Finance & Audit Scrutiny Committee supported the recommendations in the report and thanked the officers for attending and assisting with their robust questioning.</p> <p>One of the main concerns was the overall trend to increase prices in Cultural Services. Members felt that there was some unfairness in the increase of the Health and Fitness Casual Use fees for the over 60's / Disabled / Unemployed categories but accepted that benchmarking exercises had been undertaken and the Council still charged significantly lower fees than the private sector.</p> <p>Members also felt strongly that recommendation 2.3 needed challenging. The recommendation was to ensure charging consistency but Members highlighted the lower charges for Kenilworth car parks compared to Leamington and Warwick.</p>		
Executive Response			

Item no	6	Title	St Mary's Lands Business Strategy
Scrutiny Comment	The Finance & Audit Scrutiny Committee supported the recommendations in the report and were satisfied with the assurances given by the Deputy Chief Executive at the meeting. Members had significant concerns by the high costs and man hours that had been spent reacting to enquiries about St Mary's Lands.		
Executive Response	The Executive welcomed the views of the two scrutiny Committees and shared the concerns regarding the cost of responding to enquiries about St Mary's Lands. They also recognised the concern regarding increased car parking for the Golf Course on this special piece of land which any Town would welcome and cherish. The recommendations were proposed subject to recommendation 2.4 being amended to include "as we continue to work closely with stakeholders and develop detailed businesses cases we take comments like those of the scrutiny committee, on board".		

Item no	7	Title	Multi-Storey Car Park Structural Surveys
Scrutiny Comment	<p>The Finance and Audit Scrutiny Committee supported the recommendations in the report but felt that 2.1 needed to include reference to the correct Procurement procedures.</p> <p>Members also queried whether any of the structural damage would be covered under insurance policies and proposed an additional recommendation.</p> <p>The Finance and Audit Scrutiny Committee propose that recommendation 2.1 be amended to read:</p> <p>"...is used to secure the services of a specialist consultant, in accordance with the Code of Procurement Practice, to assist in developing...."</p> <p>An additional recommendation 2.4 was also proposed to read: "Officers be asked to investigate the possibility of whether the cost of the works could be recovered by the Council's insurance policies, before the estimated life expectancy of the structures expires."</p>		
Executive Response	The Executive recognised the concerns of the Scrutiny Committee but highlighted that paragraph 3.3 of the report referred directly to the Code of Procurement Practice. However, they accepted that recommendation 2.1 of the report should be amended to read this and agreed to include the additional recommendation.		

Item no	8	Title	Significant Business Risk Register
Scrutiny Comment	The Finance and Audit Scrutiny Committee propose that this report be deferred to the November Executive because Councillor Mobbs was unexpectedly called away from the meeting and therefore could not answer any questions that Members had.		
Executive Response	The Leader of the Executive explained while he was regretful he was unable to attend the Scrutiny Committee for this item, there was no reason why they could not have considered the report and made comments about it in his absence. He also agreed to attend the January meeting of the Scrutiny Committee when they were next due to consider this matter.		

Item no	11	Title	Skills Initiative Funding
Scrutiny Comment	The Finance & Audit Scrutiny Committee supported the recommendations in the report.		
Executive Response			

Item no	12	Title	Asbestos Contract
Scrutiny Comment	The Finance & Audit Scrutiny Committee supported the recommendations in the report but had significant concerns that this was the second time an exemption to the Code of Procurement Practice had been requested. Members appreciated the circumstances behind the request but advised that the Finance and Audit Scrutiny Committee would be unable to support any exemptions to this contract in the future.		
Executive Response	The Executive noted the concerns of the Scrutiny Committee.		