

# Overview and Scrutiny Committee

Tuesday 30 June 2015

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A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Tuesday 10 June 2014 at 6.00pm.

## Membership:

Councillor Boad  
Councillor Bromley  
Councillor Mrs Cain  
Councillor D'Arcy  
Councillor Davison  
Councillor Edgington

Councillor Mann  
Councillor Margrave  
Councillor Naimo  
Councillor Parkins  
Councillor Mrs Redford

## Agenda

### 1. **Emergency Procedure**

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

### 2. **Substitutes**

To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

### \*3. **Appointment of Chair**

To appoint the Chair of the Committee for the ensuing municipal year.

### \*4. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

**\*5. Minutes**

To confirm the minutes of the meetings held on 8 April 2015.

**(Item 5/Page 1)**

**\*6. Comments from the Executive**

To consider a report from Democratic Services.

**(Item 6/Page 1)**

**\*7. Review of the Work Programme & Forward Plan**

To consider a report from Democratic Services.

**(Item 7/Page 1)**

**\*8. Executive Agenda (Non Confidential Items and Reports) – Wednesday 1 July 2015**

To consider the non-confidential items on the Executive agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the day of the meeting.

**You are requested to bring your copy of that agenda to this meeting.**

**(Circulated separately)**

**\*9. Public and Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs 1,2 & 3 of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

**\*10. Executive Agenda (Confidential Items and Reports) – Wednesday 1 July 2015**

To consider the confidential items on the Executive agenda which fall within the remit of this Committee. The only items to be considered are those which Committee Services have received notice of by 9.00am on the day of the meeting.

**You are requested to bring your copy of that agenda to this meeting.**

**(Circulated separately)**

**(\*Denotes those items upon which decisions will be made under delegated powers, as previously granted by the Council).**

Published on 22 June 2015

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**The agenda is also available in large print, on request, prior to the meeting by calling 01926 353362.**

# Overview and Scrutiny Committee

Minutes of the meeting held on Wednesday 8 April 2015 at the Town Hall, Royal Leamington Spa at 6.00 pm.

**Present:** Councillor Mrs Falp (Chairman); Councillors Mrs Blacklock, Mrs Bromley, Ms Dean, Edwards, Mrs Grainger, Gill, Mrs Higgins, Illingworth and Wreford-Bush.

**Also Present:** Councillors Mrs Gallagher and Mobbs.

Apologies for absence were received from Councillors Boad, Copping and Guest.

## 116. **Substitutes**

There were no substitutes.

## 117. **Declarations of Interest**

There were no declarations of interest.

## 118. **Minutes**

The minutes of the meeting held on 10 March 2015 were taken as read and signed by the Chairman as a correct record.

## 119. **Comments from the Executive**

The Committee considered a report from Democratic Services which detailed the responses the Executive gave to the comments the Overview and Scrutiny Committee made regarding the reports submitted to the Executive in March.

**Resolved** that the report be noted.

## 120. **The Learning Academy**

The Committee received a verbal report on The Learning Academy from the Human Resources Manager. She explained that this was a partnership of Nuneaton, Rugby, Stratford, North Warwickshire, Warwickshire County, Coventry and Warwick District Councils; to form a learning consortium and profit from joint training initiatives to save costs on training. On average, two to three training events were arranged through this partnership and cited last year's "Art of Brilliance" course, which 30 officers from Warwick District Council attended at no cost to the Council.

(Councillor Edwards arrived close to the end of this item of discussion.)

## 121. **Member Children's Champions – End of Year Report**

The Committee considered a report from Councillors Mrs Falp and Mrs Gallagher; both the Council's appointed Children's Champions.

## **OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**

The Executive agreed in September 2014 that two Member Children's Champions should be appointed to work with the Officer Children's Champion to ensure that the Council was delivering its children's safeguarding responsibilities. Overview and Scrutiny Committee also decided that it should have an annual end of year report from the Member Children's Champions as part of its scrutiny of the safeguarding function and this was the first of those reports.

Councillors Mrs Falp and Mrs Gallagher informed the Committee that whilst there had been a slow start to the role, they were now satisfied with progress and had caught up any lost time. They gave an example of how the promotion of the role had worked well, which was given in paragraph 8.7 of the report.

The aim was to raise awareness of the work amongst Members and Council officers. To this end, promotion of the work would appear on Council pay slips.

The Committee sought assurance from the Head of Health & Community Protection that his department was ensuring taxi drivers were being given advice on carrying young passengers and he assured the Members that advice was being given and information packs were provided to taxi drivers. He undertook to keep the Deputy Chief Executive (BH) informed of the work being done.

**Resolved** that

- (1) the end of year report be noted; and
- (2) a recommendation be made to the new Overview & Scrutiny Committee for further scrutiny activity of the Council's children's safeguarding activities to be undertaken.

### **122. End of Term Report**

The Committee considered an end of term report to be made to the Council on the work the Overview & Scrutiny Committee had undertaken during the year. This report also included the work that had been undertaken by the Health Scrutiny Sub-Committee.

**Resolved** that it be recommended to Council that the list of matters considered by the Overview & Scrutiny Committee and the Health Scrutiny Sub-Committee during the municipal year 2014/15, as detailed in appendix A to the report, be noted.

The report would be submitted to Council on 22 April 2015.

### **123. Review of the Work Programme & Forward Plan**

The Committee considered its work programme for 2015/16 and the latest published version of the Forward Plan.

## **OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**

The Deputy Chief Executive (AJ) was asked to find out what would be included in the report on Forward Plan Reference 653 – 5 year Action Plan for Warwick's Town Centre Management Group. Members wished to know if this would encompass part of Warwick's Action Plan.

The Chairman also suggested that the new Overview & Scrutiny Committee might consider whether adaptation to homes to help those with disabilities might warrant a Task and Finish Group to improve the process.

**Resolved** that the report be noted.

### **124. Executive Agenda (Non-confidential items and reports) – Thursday 9 April 2015**

The Committee considered the following non-confidential items which would be discussed at the meeting of the Executive on Thursday 9 April 2015.

#### Item number 7 – Smoking etc. Policy

The Committee noted the recommendation in the report.

#### Item number 8 – The way forward for scrutinising Health Issues at Warwick DC – Recommendations from the Overview & Scrutiny Committee

The Committee noted the recommendation in the report.

#### Item number 3 – Revisions to the Constitution

Page 17 of the report – A(3):

The Committee was surprised that this clause did not state an indicative upper cost limit at which point consultation with the Portfolio Holder or the Leader would be required before going ahead.

Page 22 of the report – MO(8):

The Committee recommended that the wording was altered to read: "Appoint the membership of *any additional* Licensing & Regulatory Sub-Committees known as Licensing & Regulatory Panels".

Page 23 of the report – MO(13):

The Committee recommended that the wording was altered to read: "*Initiate* reviews of the Members' Allowances Scheme."  
The words "in accordance with that Scheme" should be deleted.

#### Item number 4 – IT Provision for Councillors from May 2015

The Committee recommended that all recommendations in the report were removed and replaced with:

- 2.1 That the Executive awaits a detailed update on the results of the iPad trial, and, if necessary, extends the trial.
- 2.2 That the Executive agrees that further work be undertaken to improve the system prior to the submission of a report to the Executive at a later date.

**OVERVIEW AND SCRUTINY COMMITTEE MINUTES (Continued)**


2.3 That the Executive is assured that adequate IT provision arrangements are in place for new councillors.

(Councillor Mobbs arrived at the meeting at the start of this item of business.)

Members of the Committee were given an update on Councillor Copping, who was seriously ill. The Committee wished him continued good progress in his recovery.

The Chairman thanked all the Members for their work during the year and she also thanked officers who had supported the Committee during the year.

(The meeting finished at 8.10 pm)

 <b>Overview and Scrutiny Committee – 30 June 2015</b>		<b>Agenda Item No.</b>  <div style="text-align: right; font-size: 2em;"><b>6</b></div>
<b>Title</b>	Comments from the Executive	
<b>For further information about this report please contact</b>	Lesley Dury, Committee Services Officer, 01926 456114 or <a href="mailto:committee@warwickdc.gov.uk">committee@warwickdc.gov.uk</a>	
<b>Service Area</b>	Democratic Services	
<b>Wards of the District directly affected</b>	N/A	
<b>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</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	8 April 2015	
<b>Background Papers</b>	Executive Minutes – 9 April 2015	

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

<b>Officer/Councillor Approval</b>		
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).		
	<b>Date</b>	<b>Name</b>
Relevant Director		
Chief Executive		
CMT		
Section 151 Officer		
Legal		
Finance		
Portfolio Holders		

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



## 1. **Summary**

- 1.1 This report informs the Committee of the response the Executive gave to their comments regarding the reports submitted to the Executive in April.

## 2. **Recommendation**

- 2.1 The responses made by the Executive are noted.

## 3. **Reasons for the Recommendation**

- 3.1 This report is produced to create a dialogue between the Executive and the Overview and Scrutiny Committee. It ensures that the Overview and Scrutiny Committee are formally made aware of the Executive's responses.
- 3.2 Where the Overview & Scrutiny Committee have made a recommendation as opposed to a comment the Executive are required to respond to the recommendation(s) made, including whether or not they accept the recommendation(s).

## 4. **Alternative Option considered**

- 4.1 This report is not produced and presented to the Committee.

## 5. **Budgetary Framework**

- 5.1 All work for the Committee has to be carried out within existing resources.

## 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 new scrutiny process, the Committee is no longer considering the whole of the Executive agenda.
- 7.2 On the day of publication of the Executive agenda all Councillors are sent an e-mail asking them to contact Committee Services, by 09.00am on the day of the Overview and Scrutiny Committee meeting to advise which Executive items they would like the Committee to consider.
- 7.3 As a result the Committee considered the items detailed in appendix 1. The response the Executive gave on each item is also shown.
- 7.4 In reviewing these responses Committee can identify any issues for which they would like a progress report. A future report, for example on how the decision has been implemented, would then be submitted to the Committee at an agreed date which would then be incorporated within the work programme.

**Response from the meetings of the Executive on Overview and Scrutiny  
Committee Comments – 9 April 2015**


<b>Items no.</b>	3	<b>Title</b>	Revisions to the Constitution	<b>Requested by</b>	Independent Group
<b>Reason considered</b>	Comments and concerns.				
<b>Scrutiny Comment</b>	<p>Page 17 – A(3) The Overview &amp; Scrutiny Committee was surprised that this clause did not state an indicative upper cost limit at which point consultation with the Portfolio Holder or the Leader would be required before going ahead.</p> <p>The Overview &amp; Scrutiny Committee recommends that:</p> <p>Page 22 – MO (8) the wording is altered to read "Appoint the membership of <i>any additional</i> Licensing &amp; Regulatory Sub-Committees known as Licensing &amp; Regulatory Panels"; and</p> <p>Page 23 – MO (13) the wording is altered to read "<i>Initiate</i> reviews of the Members' Allowances Scheme". The words "in accordance with that Scheme" should be deleted.</p>				
<b>Executive Response</b>	<p>The Democratic Services Manager &amp; Deputy Monitoring Officer explained to the Executive that Overview &amp; Scrutiny Committee had informally asked officers to look at DS4(ii) to ensure the wording was correct. Following discussions with the Head of Development Services, it was agreed that the Executive should be advised to remove this delegation as it was not required.</p> <p>The Leader welcomed the comments from the Scrutiny Committee and recommendations in the report were agreed, subject to the changes they proposed along with the removal of delegation DS4(ii) being made. The Executive also asked the Monitoring Officer to consider the comments from the Scrutiny Committee regarding Counsel fees and provide advice on this ahead of Council in April 2015.</p>				

<b>Item no.</b>	4	<b>Title</b>	IT Provisions for Councillors from May 2015	<b>Requested by</b>	Labour Group / Independent Group
<b>Reason considered</b>	<p>Labour Group - Questions about operation of this change.</p> <p>Independent Group – Questions re accessibility to those with disabilities.</p>				
<b>Scrutiny Comment</b>	<p>The Overview &amp; Scrutiny Committee recommends that all recommendations in the report are removed and replaced with:</p> <p>2.1 - That the Executive awaits a detailed update on the results of the iPad trial, and, if necessary, extends the trial.</p> <p>2.2 - That the Executive agrees that further work be undertaken to improve the system prior to the submission of a report to the Executive at a later date.</p>				

	2.3 - That the Executive is assured that adequate IT provision arrangements are in place for new councillors.
<b>Executive Response</b>	<p>The Leader recognised the proposals were the way forward for the Council and it did offer a number of benefits. That said, there were concerns from members with regard to this proposal and the Leader knew that before it progressed, a significant majority of members needed to be comfortable with the new technology.</p> <p>In response to the comments from Overview &amp; Scrutiny Committee, the Leader accepted the concerns of members of this Council and those of the Overview &amp; Scrutiny Committee and therefore proposed and agreed that:</p> <p>1 - The Executive notes the concerns of members with regard to moving away from paper agendas and reports;  2 - The Executive authorises the current trial of iPads to be continued;  3 - The Executive receives a further report in the Autumn of 2015 detailing the progress of the trial and how the issues raised have been resolved and recommending a way forward; and  4 - Officers make sufficient IT provision for Councillors after the election in May 2015.</p>

<b>Item no.</b>	7	<b>Title</b>	Smoking Policy	<b>Requested by</b>	Labour Group
<b>Reason considered</b>	Questions about enforcement.				
<b>Scrutiny Comment</b>	The Overview & Scrutiny Committee noted the recommendations in the report.				
<b>Executive Response</b>	The recommendations in the report were agreed.				

<b>Item no.</b>	8	<b>Title</b>	The way forward for scrutinising Health Issues at Warwick DC	<b>Requested by</b>	Labour Group
<b>Reason considered</b>	To clarify Terms of Reference				
<b>Scrutiny Comment</b>	The Overview & Scrutiny Committee noted the recommendations in the report.				
<b>Executive Response</b>	The Executive agreed that the recommendations in the report go forward to Council for approval.				

 <b>Overview and Scrutiny Committee – 30 June 2015</b>		<b>Agenda Item No. 7</b>
<b>Title</b>	Review of the Work Programme & Forward Plan	
<b>For further information about this report please contact</b>	Lesley Dury, Committee Services Officer, 01926 456114 or <a href="mailto:committee@warwickdc.gov.uk">committee@warwickdc.gov.uk</a>	
<b>Service Area</b>	Democratic Services	
<b>Wards of the District directly affected</b>	N/A	
<b>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</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	8 April 2015	
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality and Sustainability Impact Assessment Undertaken</b>	No
n/a	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service		
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)		
Consultation & Community Engagement		
n/a		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

## 1. **Summary**

- 1.1 This report concerns the setting of the Committee's work programme for 2015/16.
- 1.2 To enable members to make decisions on the content of the programme, Appendix One lists those items (mandatory and discretionary) that the previous Committee envisaged it would have scrutinised post-May 2015 had it remained in existence and Appendix Two sets out the current Forward Plan for the period June-September 2015.

## 2. **Recommendations**

- 2.1 That Committee notes those mandatory items that it is required to include in its 2015/16 Work Programme, as set out at Appendix One.
- 2.2 That Committee determines whether it wishes to include any of the non-mandatory items, also set out within Appendix One, which the previous Committee envisaged it would scrutinise post-May 2105 had it remained in existence within its 2015/16 Work Programme.
- 2.3 That Committee reviews the Forward Plan, set out at Appendix Two, to determine if it wishes to scrutinise any of the proposed future items that will be brought to Executive in advance of their presentation to that Committee.
- 2.4 That Committee determines if there are any other items it wishes to scrutinise so that additions can be made to the 2015/16 Work Programme as appropriate.

## 3. **Reasons for the Recommendations**

- 3.1 The Overview and Scrutiny Committee has the opportunity to scrutinise any report, falling within its jurisdiction, as set out in the Council's Constitution, prior to its consideration by Executive. Each agenda will include two standing items entitled Executive Agenda Non Confidential Items and Reports (date of next Executive) and Executive Agenda Confidential Items and Reports (date of next agenda). This allows political groups or individual members to formally request that an item or report on the published agenda for the next Executive is brought to this Committee for scrutiny (normally) the evening before it is presented to Executive. The Committee will have the opportunity to informally comment on the report or make formal recommendations, either of which will be presented to Executive, and will be considered prior to them making their decision.
- 3.2 In addition, the Overview and Scrutiny Committee will operate its own Work Programme, set annually and updated as appropriate on an on-going basis. A further standing item on the Committee agenda will be an item entitled Review of Work Programme and Forward Plan.
- 3.3 As this is the first Overview and Scrutiny Committee since the election the Committee needs to set an initial Work Programme for the year, albeit that an opportunity to amend this exists on a monthly basis to ensure it remains relevant and current. Topics can be added or removed as the Committee sees fit, unless it is mandatory.

- 3.4 In considering its Work Programme for 2015/16 the Committee will need to acknowledge that there are a number of mandatory items that need to be included within it, having previously been agreed by Council. These are an End of Year report which will, after its contents are agreed, be presented to Executive (as required by Article 6 of the Constitution) and an end of year report from the Member Children's Champions.
- 3.5 In addition the Committee is required to undertake health scrutiny and to scrutinise the delivery of the Council's statutory responsibilities in respect of the Crime and Disorder Act 1998. Further information of these aspects of the Committee's work is set out in sections 9 and 10 of this report.
- 3.6 The previous Overview and Scrutiny Committee also had a number of non-mandatory items on its Work Programme, which were either scheduled to be brought to Committee after the May elections or which were awaiting a decision. These are also listed within Appendix One and further information is set out within section 11 of this report.
- 3.7 This Committee can choose to incorporate all, some or none of these items within its 2015/16 Work Programme.
- 3.8 The role of the Overview and Scrutiny Committee also provides for pre-decision scrutiny of items which are planned to be taken to a future Executive (over and above the ability to scrutinise an item on the published agenda for the next Executive meeting, as described in paragraph 3.1) and scrutiny of issues that will feed into policy development.
- 3.9 The Forward Plan, set out at Appendix Two, reflects the future work programme for the Executive. The Committee has the ability to review the Forward Plan and determine which items it wishes to wish to have an input into before the Executive takes a decision and either:
- nominate one member to investigate that future decision/policy and report back to a future meeting of the Overview and Scrutiny Committee, before the final report is submitted to the Executive.
  - request an officer report to be submitted to a future meeting of the Overview and Scrutiny Committee, before the final report is submitted to the Executive.
- Any such items selected for future scrutiny should then be included within the 2015/16 Work Programme.
- 3.10 Finally, members of the Committee, have the opportunity to determine if there are any other items, additional to those included within the appendices, that it wishes to include on its 2015/16 Work Programme, the timing of when these should appear and the format in which it wishes to undertake the scrutiny (i.e. report to a future Committee, individual member scrutiny and report back, Task and Finish Group)

#### 4. **Policy Framework**

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

## **5. Budgetary Framework**

- 5.1 All work undertaken by the Committee has to be carried out within existing resources.
- 5.2 In reality, this means that there is a limit to the officer resources available to assist Members, particularly in respect the number of Task and Finish Groups that can be supported concurrently. Consequently, Committee may wish to consider prioritisation of those areas of future investigation.

## **6. Risks**

- 6.1 This Committee contributes to the effective minimisation of risk by fulfilling its duties in a timely manner and scrutinising the work undertaken by the Executive, pre or post-decision.

## **7. Alternative Options Considered**

- 7.1 Other than the mandatory items it is for the Committee to determine the content and extent of its Work Programme.

## **8. Background**

- 8.1 There are five main roles of overview and scrutiny in local government. These being:
- Holding to account
  - Performance management
  - Policy review
  - Policy development
  - External scrutiny
- 8.2 The pre-decision scrutiny of Executive decisions falls within the role of 'holding to account'. To feed into the pre-decision scrutiny of Executive decisions, the Committee needs to examine the Council's Forward Plan and identify items which it would like to have an impact upon.
- 8.3 The Council's Forward Plan is published on a monthly basis and sets out the key decisions to be taken by the Council in the next twelve months (A key decision is a decision which has a significant impact or effect on two or more wards and/or a budgetary effect of £50,000 or more). The Council only has a statutory duty to publish key decisions to be taken in the next four months. However, the Forward Plan was expanded to a twelve month period to give a clearer picture of how and when the Council will be making important decisions.
- 8.4 The Forward Plan also identifies non-key decisions to be made by the Council in the next twelve months, and the Committee, if it wishes, may also pre-scrutinise these decisions.
- 8.5 The Committee should be mindful that any work it wishes to undertake would need to be undertaken without the need to change the timescales as set out within the Forward Plan.

8.6 At each meeting, the Committee can also make comment on specific Executive items, where notice has been given by 9am on the day of the Overview and Scrutiny Committee meeting. The Committee will also receive a report detailing the response from the Executive, on the comments the Committee made on the Executive agenda in the previous cycle.

8.7 Aside from those items discussed as per the process set out in 8.6, at each meeting the Committee will examine its Work Programme at every meeting to determine the schedule of topics it wishes to examine in greater detail.

## 9. **Health Scrutiny**

9.1 Under the previous Committee, a Health Scrutiny Sub-Committee was set up to handle health scrutiny work and was required to recommend the way forward for Health Scrutiny for future years. The Sub-Committee was formed for the municipal year 2014/2015 only, so it no longer exists.

9.2 Overview & Scrutiny agreed the Sub-Committee's recommendation that the subject was wide enough to merit full committee status, and a report went forward via the Executive to the last Council to this effect. Since the Council was in the final stages prior to the election, Members determined to effectively pass the decision on to the new Council. As things stand, any health scrutiny work at the moment will be carried out by Overview & Scrutiny, but this Committee may wish to consider whether it wishes to review this. Options could include reinstating the Sub-Committee or setting up a working party, for example.

9.3 At Council 22 April 2015 the following was decided:

Minute 102 (referring to Minute 154 – Executive 9 April 2015)

..that the consideration of the establishment of a Health Scrutiny Committee be deferred for consideration by the Council's successor, so that it can consider whether it could service such a large number of members or it would wish to have a leaner structure and in addition to this, officers consider methods of producing a leaner structure for the Council to consider.

## 10. **Crime and Disorder Scrutiny**

10.1 Section 17 of the Crime and Disorder Act 1998 sets out this Council's statutory responsibilities, stating:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area."

10.2 The Council is required to scrutinise this area of activity but how this is best done is complicated by the existence of a Community Safety Partnership (CSP) covering the Stratford and Warwick district council areas of South Warwickshire.

10.3 The CSP is a statutory body comprising representatives from Warwickshire Police, Probation, the Clinical Commissioning Group (health), this Council, Stratford District Council and Warwickshire County Council. This Council is



represented on the CSP by the Portfolio Holder for Health & Community Protection and one other Councillor nominated by the Executive.

- 10.4 The CSP receives and agrees an annual strategic assessment, agrees annual priorities, monitors performance on a six monthly basis and produces a rolling 3 year partnership plan which it is required to update annually.
- 10.5 The previous Overview and Scrutiny Committee determined that as the Council was represented on the CSP at senior level that it did not wish to undertake any additional scrutiny as the attendance of the Health and Community Portfolio Holder at its meetings (see section 11 ) would provide sufficient opportunity to question progress in this area of activity.
- 10.6 It is for the new Committee to determine whether it is of the same view or wishes to adopt a different approach.

## **11 Previous Committee's Non-Mandatory Items Work Programme Items**

11.1 The following topics were set into the last Committee's Work Programme:

- Housing Allocations Policy – a written report had been requested but as this item is due to go to Executive in July there is now insufficient time for this to come to Committee (although there will be the opportunity to scrutinize the report as per the process described in paragraphs 3.1 and 8.6)
- Review of the Taxi Token Scheme – the now dissolved Health Scrutiny Sub-Committee requested that this be added to the Work Programme to examine whether there was scope for this budget to be reallocated to support the Voluntary Hospital Transport Service.
- Social Value in Procurement – this was added to the report at the request of a previous Chairman of the Overview & Scrutiny Committee, former Councillor Mrs Blacklock. It was originally envisaged that this would be a relatively simple report from the Procurement Team but discussions with the Head of Finance have concluded that the issues are broader and more cross-cutting than originally thought and a possible delivery date for a report back had not been finalised.
- Local Plan Infrastructure Delivery Plan – the last Committee envisaged a quarterly update, although this was predicated on an assumption that the Local Plan would progress to Examination in Public in the autumn.
- Outside Appointments Report – the previous Committee asked those Members nominated to serve on outside bodies as a Council representative, to submit a report on their work on that body on an annual basis each November. The Committee felt that this was a means of holding the nominated councilors to account and establishing that the Council is getting good value from their attendance as a nominee. As a result of this scrutiny, the past Committee, had, on occasion, made recommendations to Executive that formal representation by a Councillor on an outside body was no longer appropriate or necessary.

11.2 It is completely within this new Committee's remit to choose which of the topics should remain on its own Work Programme. If the Committee decides to retain certain topics, then a timetable will need to be set, bearing in mind staffing resource within departments affected. Typically, Members may either ask for a date and the Lead Officer or the Committee Services Officer will liaise with the department manager concerned to find out if this is possible; or Members will

simply ask the Lead Officer or the Committee Services Officer to agree a date with the department manager. This is then set into the Work Programme, and any delays will be reported back.

- 11.3 The previous Committee would also have regular slots within its Work Programme when it would ask Portfolio Holders to attend a meeting to answer questions on a written report on activity within their portfolio area. Various options for this type of scrutiny were tested with the previous Committee ultimately settling on an annual attendance by each Portfolio Holder, scheduled into the Work Programme, supplemented by additional requests for an individual Portfolio Holder to attend as and when the Committee felt there was a specific issue requiring attention.
- 11.4 The Leader would also be asked to attend Committee to report back on his involvement with the Coventry & Warwickshire Local Enterprise Partnership (CWLEP) as a Board Member, as and when was considered appropriate.
- 11.5 Again, it is for the current Committee to decide whether it wishes to continue with either of these arrangements.
- 11.6 The previous Committee had also resolved to establish a Task & Task & Finish Group to scrutinize the use of Sales & Lettings Boards within the district. A scoping document was agreed by Overview & Scrutiny in March 2015, but since the election was imminent, no further work was done, and membership of the Task & Finish Group was not decided. The issue had also been the subject of debate at Full Council, where a number of now former Councillors made plain their desire to see this work progress. This Committee needs to make a decision on whether they wish this item to be included within its 2015/16 Work Programme.
- 11.7 Additionally, the previous Committee was in the early stages of work on another potential Task & Finish Group project involving St Mary's Lands. Two former Councillors were vigorously pursuing this issue but the last meeting of the previous Committee resolved that it would be premature to progress this work because of various outstanding issues and no further work should be done on the draft Scoping Document until these issues had been resolved. Again, it is for this Committee to decide whether this Task & Finish Group should proceed at an appropriate time or if it should be set aside.
- 11.8 Finally, at the last meeting the previous Committee, a suggestion was made by one of its Members to form a new Task & Finish Group to examine the provision of adaptations to homes to help those with disabilities. The suggestion was not taken up as it was felt that it should be a matter for the new Committee to determine whether this should become a feature of its Work Programme.

## Overview and Scrutiny Committee Work Programme 2015

### Post May 2015:

Title	Where did item originate from	Format	Lead Officer	Membership of Task & Finish	Next report date if applicable	Completion date
<b>Mandatory Items</b>						
End of Term report	Mandatory	Written report	Committee Services		April 2016	
Children's Champions – End of Year Report	Council recommendation	Written report	Bill Hunt and Member Children Champions		April/May 2016	
Review whether current arrangements for Crime and Disorder Scrutiny continue	Mandatory (see point 10 in the report)	TBA	Richard Hall / Pete Cutts			
Health Scrutiny – the way forward	Mandatory (see point 9 in the report)	TBA	Richard Hall / Rob Chapleo			

<b>Title</b>	<b>Where did item originate from</b>	<b>Format</b>	<b>Lead Officer</b>	<b>Membership of Task &amp; Finish</b>	<b>Next report date if applicable</b>	<b>Completion date</b>
<b>Non-mandatory items</b>						
Social Value in Procurement	November 2013	Report	Mike Snow	N/A		Waiting on report to Exec on where Social Value sits in Council – not just a procurement item
Housing Allocations Policy		Written report	Andrew Thompson		June 2015	
Review of Taxi Token Scheme – See Health Scrutiny Minutes October 2014 and November 2014	Health Scrutiny Sub-Committee October and November 2014	TBA	TBA		TBA	
Outside appointments Report – Annual statement of the work undertaken by the Body	O & S September 2013	Written report	Lesley Dury		Every November	No end date as this is an annual report
Local Plan Infrastructure Delivery Plan		Report	Tony Ward/Dave Barber		Quarterly update	Local Plan Infrastructure Delivery Plan
Holding Portfolio Holders to account		Report / Q & A			Annually	

Title	Where did item originate from	Format	Lead Officer	Membership of Task & Finish	Next report date if applicable	Completion date
<b>Non-mandatory items</b>						
CWLEP update		Verbal Report	Councillor Mobbs		Quarterly if an update is available	
<b>Task &amp; Finish Groups</b>						
T & F Group - Sales and Lettings Board Notices – To agree the Scoping Document & agree membership of T & F Group	O & S February 2015	T & F Group Scoping Document	TBA	TBA – but members who wrote the Scoping document may wish to be included		TBA
Racing Club – Warwick, St Mary’s Lands – Scope Document	O & S June 2014 and revised guidance by Committee on 13 January 2015	Written report.	Former Councillors Kinson OBE & Mrs Bromley		TBA	Racing Club – Warwick, St Mary’s Lands – Scope Document
Housing – Adaptations for people with disabilities – to consider whether to set up a Task & Finish Group to streamline the assessment process	Suggestion made by Councillor Mrs Falp – O & S 8 April 2015					



## **APPENDIX 2 - FORWARD PLAN**

### **Forward Plan June 2015 to September 2015**

**COUNCILLOR ANDREW MOBBS**  
**LEADER OF THE EXECUTIVE**

The Forward Plan is a list of all the Key Decisions which will be taken by the Executive or its Committees in the next four months. The Warwick District Council definition of a key decision is: - a decision which has a significant impact or effect on two or more wards and/or a budgetary effect of £50,000 or more.

Whilst the majority of the Executive's business at the meetings listed in this Forward Plan will be open to the public and media organisations to attend, there will inevitably be some business to be considered that contains, for example, confidential, commercially sensitive or personal information.

This is formal notice under the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012 that part of the Executive meeting listed in this Forward Plan will be held in private. This is because the agenda and reports for the meeting will contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. Those items which are proposed to be considered in private are marked as such along with the reason for the exclusion in the list below.

If you would like to make representations or comments on any of the topics listed below, including the confidentiality of any document, you can write to the contact officer, as shown below, at Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ. Alternatively you can phone the contact officer on (01926) 353362. If your comments are to be referred to in the report to the Executive or Committee they will need to be with the officer 7 working days before the publication of the agenda. You can, however, make comments or representations up to the date of the meeting, which will be reported orally at the meeting. The Forward Plan will be updated monthly and you should check to see the progress of the report you are interested in.

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## Section 1 – The Forward Plan June 2015 to September 2015

Topic and Reference	Purpose of report	If requested by Executive –date, decision & minute no.	Date of Executive, Committee or Council meeting	Publication Date of Agendas	Contact Officer & Portfolio Holder	External Consultees/ Consultation Method/ Background Papers
<b>16 June 2015</b>						
Final Accounts (Ref 669)	To report on the Council's outturn position for both revenue and capital		16 June 2015	08/06/15	Marcus Miskinis Cllr Whiting	
<b>1 July 2015</b>						
Housing Allocations Policy (Ref 607)	To approve a new housing allocations policy (Moved reason 1 Portfolio Holder has deferred the consideration of the report due to Purdah)		<del>Executive 9 April 2014</del> Executive 01/07/15	Tuesday 23/06/15	Ken Bruno Cllr Phillips	Housing Strategy 2014 – 2017
Disposal of WDC owned land at Station Approach (Ref 692)	To agree the details of the proposed disposal of this land.  <b>It is intended that this report will be Confidential by virtue of the information relating to the financial or business affairs of any particular person (including the authority holding that information)</b>		Executive 01/07/15	Tuesday 23/06/15	Bill Hunt / Phil Clarke Cllr Cross	
Baginton, Bubbenhall, Stoneleigh and Ashow	To approve the designation for said area.		Executive 01/07/15	Tuesday 23/06/15	Lorna Coldicott Cllr Cross	Statutory consultees plus those expressing interest – via web,

Neighbourhood Plan Designation (Ref 693)						press, emails & letters.
Contaminated Land Inspection Strategy (Ref 702)	To approve an updated strategy.		Executive 01/07/15	Tuesday 23/06/15	Grahame Helm Cllr Shilton	Environment Agency, Natural England, Public Health, neighbouring local Councils
St Michael's Leper Hospital Contract and Bond (Ref 703)	This report asks Executive to release Coventry Turned Parts Limited (CTPL) from a Bond entered into by the aforementioned and Warwick District Council which was agreed following a contract also between the parties.		Executive 01/07/15	Tuesday 23/06/15	Andrew Jones Cllr Mrs Gallagher	Executive Meeting 12 <sup>th</sup> February 2014; Executive Meeting 18 <sup>th</sup> April 2012
Authority to Sign Deeds of Easement (Ref 704)	To enable access to the route of the Cubbington flood alleviation scheme.		Executive 01/07/15	Tuesday 23/06/15	Grahame Helm Cllr Shilton	District Valuer, Legal Services, Landowners
Discretionary Relief Application (Council Tax) (Ref 706)	To receive an application for Discretionary Relief  <b>It is intended that this report will be Confidential by virtue of the information relating to an individual</b>		Executive 01/07/15	Tuesday 23/06/15	David Leech Cllr Whiting	
Long Barn, Plestowes (Ref 707)	Judicial Review of Planning Decisions  <b>It is intended that this report will be Confidential by virtue of the information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b>		Executive 01/07/15	Tuesday 23/06/15	Liam D'Onofrio Cllr Cross	



Pre-Application Charging (Ref 708)	To approve the introduction of a proposed pre-application charging regime within Development Management		Executive 01/07/15	Tuesday 23/06/15	Gary Fisher Cllr Cross	Minute 103 Executive 14/01/15
Bishop's Tachbrook Community Centre (Ref 709)	Consideration of the business case for the release of funding to help pay for a new community centre in Bishop's Tachbrook		Executive 01/07/15	Tuesday 23/06/15	Chris Elliott Cllr Coker	
Housing Advisory Group Terms of Reference (Ref 710)	To notify of an urgent decision taken by the Chief Executive using his Special Powers.		Executive 01/07/15	Tuesday 23/06/15	Graham Leach / Chris Elliott Cllr Mobbs	
Warwick Town Centre Area Action Plan (Ref 653)	<del>To consider a 5 year action plan for Warwick Town</del> To cease work on the plan.		Executive 01/07/15	Tuesday 23/06/15	Lorna Coldicott Cross	Report of public consultation on Preferred Options

## 29 July 2015

Budget Review Q1 (Ref 694)	To report expenditure for current year and update financial projections		Executive 29/07/15	Tuesday 21/07/15	Jenny Clayton Cllr Whiting	
Council Tax Reduction Scheme (Ref 695)	To consider alternative Banded Scheme for Council Tax Reduction		Executive 29/07/15	Tuesday 21/07/15	Andrea Wyatt Cllr Whiting	
Gypsy and Traveller Provision (Ref 705)	To update Members on progress made on the identification of sites for the use of Gypsies and Travellers		Executive 29/07/15	Tuesday 21/07/15	Lorna Coldicott Cllr Cross	

Tenants Incentive Grant Scheme (Ref 687)	To approve a revised Policy		Executive 29/07/15	Tuesday 21/07/15	Jacky Oughton Cllr Phillips	
Strategic Opportunity Proposal (Ref 712)	<p>To update Members on the current position.</p> <p><b>It is anticipated that this report will be, in part, Confidential by virtue of the information relating to the financial or business affairs of any particular person (including the authority holding that information)</b></p>		Executive 29/07/15	Tuesday 21/07/15	Chris Elliott Cllrs Mobbs, Coker, Phillips, Whiting, Cross & Gallagher	<p>The Local Plan proposals have been subject to a number of public consultations and planning applications involved have also been subject to public consultation. The proposal has been the subject of discussion privately and confidentially with a number of agencies but especially with the County Council. Submission version of Local Plan; Planning Application (W/14/1076); Planning Application (W/14/0967); Report to Executive in October 2014 re Council Housing Programme; Report to Executive in November 2014 re Sports and Leisure Review.</p> <p>Reports to Council and Executive January &amp; March 2015 re: SOP</p>

RCW / Cadets Rent issue (Ref 713)	To update on the current position		Executive 29/07/15	Tuesday 21/07/15	Chris Elliott Cllr Mobbs	
Becoming a Dementia Friendly Council (Ref 714)	To consider a report from Health and Community Protection		Executive 29/07/15	Tuesday 21/07/15	Rob Chapleo Cllr Mrs Grainger	
Support and Re- settlement Service (Ref 715)	To consider an exemption from the Code of Procurement Practice.		Executive 29/07/15	Tuesday 21/07/15	Jacky Oughton Cllr Phillips	
<b>3 September 2015</b>						
Asset Management Strategy (Ref 641)	To propose an Asset Management Strategy for all the Council's buildings and land holdings. (Moved Reason 6 Seeking further clarification on implications of report)		<del>5 November 2014</del> Executive (03/09/15)	25/08/15	Bill Hunt Cllrs Coker & Mobbs	
Budget Review to include Financial Projections and Business Rates Pooling (Ref 696)	To report on the latest financial prospects for the current and future 5 years		Executive 03/09/15	25/08/15	Jenny Clayton  Cllr Whiting	
<b>30 September 2015</b>						
Leisure Development Programme (Ref 688)	To seek approval on the next stage of the programme on investment and management options		30 September 2015	22/09/15	Rose Winship  Cllr Mrs Gallagher	Background Exec 05/11/14

Fees and Charges (Ref 697)	To propose the level of fees and charges to be levied from 2 <sup>nd</sup> January 2016		Executive 30/09/2015	22/09/15	Andy Crump Cllr Whiting	
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**Section 2 Key decisions which are anticipated to be considered by the Council between October 2015 and January 2016**

<b>Topic and Reference</b>	<b>Purpose of report</b>	<b>If requested by Executive –date, decision &amp; minute no.</b>	<b>Date of Executive, Committee or Council meeting</b>	<b>Publication Date of Agendas</b>	<b>Contact Officer &amp; Portfolio Holder</b>	<b>External Consultees/ Consultation Method/ Background Papers</b>
<b>4 November 2015</b>						
Budget Review Q2 (Ref 698)	To report expenditure for current year and update financial projections		Executive 04/11/15	27/10/15	Jenny Clayton Cllr Whiting	
Supporting People Grant Changes (Ref 674)	To provide an update on the outcome of the Supporting People Funding consultation and its effect on Warwick District  (Moved Reason 2- Waiting for further information from a Government Agency)		<del>Executive 11<sup>th</sup> February 2015</del> Executive 04/11/15	27/10/15	Jacky Oughton Cllr Phillips	
<b>2 December 2015</b>						
Private sector housing grants policy (Ref 658)	To propose a revised policy for the allocation of grant funding for private residents		<del>Executive – 11<sup>th</sup> March 2015</del> Executive – 02/12/15	24/11/15	Abigail Hay Cllr Phillips	TBC
General Fund Budgets 2016-17 to include Budget Review for the current year	To consider the following year revenue budgets for the General Fund		Executive – 02/12/15	24/11/15	Marcus Miskinis Cllr Whiting	

(Ref 699)						
HRA Budgets 2016-17 (Ref 700)	To consider the following year revenue budgets for the HRA		Executive – 02/12/15		Mark Smith  Cllr Whiting	
<b>13 January 2016</b>						

## TO BE CONFIRMED

Topic and Reference	Purpose of report	History of Committee Dates & Reason code for deferment	Contact Officer & Portfolio Holder	Expansion on Reasons for Deferment	External Consultees/ Consultation Method/ Background Papers	Request for attendance by Committee
Health Strategy (Ref 576)	To update members on the formulation of the Council's Health Strategy, following the return of Public Health to local authorities  (Moved March 14 Reason 3)	<del>Executive 12</del> <del>March 2014</del>  TBC	Rob Chapleo  Cllr Mrs Grainger	The strategy will need to take into account the approach of the new administration and County Health & Wellbeing Strategy		
Cleaning Services (Ref 659)	To approve a revised way of delivering the Cleaning Services to Council buildings.	<del>14<sup>th</sup> Jan 2015</del> <del>Executive 11<sup>th</sup></del> <del>March 2015</del>  2 February 2015  2 March 2015	Jacky Oughton Cllr Phillips	Moved from January – Reason 5 – pending further legal advice on implications of report		

### **Section 3 – Items which are anticipated to be considered by the Executive but are NOT key decisions**

<b>Topic and Reference</b>	<b>Purpose of report</b>	<b>If requested by Executive – date, decision &amp; minute no.</b>	<b>Date of Executive, Committee or Council meeting</b>	<b>Publication Date of Agendas</b>	<b>Contact Officer &amp; Portfolio Holder</b>	<b>External Consultees/ Consultation Method/ Background Papers</b>
<b>16 June 2015</b>						
<b>1 July 2015</b>						
RUCIS Application	Rural/Urban Capital Improvement Scheme application for Cubbington Village Hall		Executive 01/07/15	23/06/15	Jon Dawson Cllr Whiting	
<b>29 July 2015</b>						
<b>3 September 2015</b>						
Statement of Accounts 2015-2015 (Ref 701)	To formally approve the Council's statutory accounts 2014/15		Council 23/09/15		Marcus Miskinis Cllr Whiting	
<b>30 September 2015</b>						



Delayed reports:

If a report is late, officers will establish the reason(s) for the delay from the list below and these will be included within the plan above:

1. Portfolio Holder has deferred the consideration of the report
2. Waiting for further information from a Government Agency
3. Waiting for further information from another body
4. New information received requires revision to report
5. Seeking further clarification on implications of report.

**Details of all the Council's committees, Councillors and agenda papers are available via our website [www.warwickdc.gov.uk/committees](http://www.warwickdc.gov.uk/committees)**

**The forward plan is also available, on request, in large print on request, by telephoning (01926) 353362**