

	Overview and Scrutiny Committee – 26 September 2017	Agenda Item No. 4
Title	Comments from the Executive	
For further information about this report please contact	Lesley Dury, Committee Services Officer, 01926 456114 or committee@warwickdc.gov.uk	
Service Area	Democratic 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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	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	30 August 2017	
Background Papers	Executive Minutes – 31 August 2017	

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).		
	Date	Name
Relevant Director		
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 informs the Committee of the response the Executive gave to their comments regarding the reports submitted to the Executive 31 August 2017.

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.

8. **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 – 30 August 2017

Items no.	8	Title	12 Month Waste Container Charging Update	Requested by	Labour Group
Reason considered	Issues regarding justification for charging.				
Scrutiny Comment	The Overview & Scrutiny Committee supported the recommendations in the report.				
Executive Response	The recommendations in the report were approved.				

Items no.	10	Title	Disposal of WDC land off the Holt / Cubbington Road, Lillington, Leamington Spa	Requested by	Labour Group
Reason considered	Detailed justification for no public consultation.				
Scrutiny Comment	The Overview and Scrutiny Committee accepted the recommendations in principle but formally recommend that these are subject to a public consultation if it transpires that this is a legal requirement when disposing of open space public land.				
Executive Response	<p>The recommendations in the report were approved subject to recommendation 2.1 being amended, taking into consideration the recommendation of the Overview & Scrutiny Committee, to read as follows:</p> <p>“That Executive approves, the “in-principle” disposal of land as set out on the terms contained in the Private and Confidential Appendix One, with agreement to the ultimate sale of the land being delegated to Deputy Chief Executive (AJ), in consultation with the Portfolio Holder for Neighbourhood Services, who will among other things, ensure that Section 123 of the Local Government Act 1972 is adhered to.”</p>				

Items no.	12	Title	Delivery of the proposed Hotel forming part of the St Mary's Lands Masterplan, Warwick	Requested by	Green party Labour Group
Reason considered	<p>Green Party: Questions raised: (a) why the brief in Appendix 1 is so broad/vague; (b) the potential bias associated with the "success fee"; and (c) why there is no timeline with decision points for potential phases after the completion of the feasibility study.</p> <p>Labour Group: Legality and justification of 21 year lease and land valuation.</p>				
Scrutiny Comment	The Overview & Scrutiny Committee supported the recommendations in the report.				
Executive Response	<p>The recommendations in the report were approved subject to recommendation being amended so that it read:</p> <p>"That the proposal at Appendix 1 is agreed as the way to bring the hotel forward and that further reports be brought back to Executive at the end of stages 1-2 and 3."</p>				