

<b>Title</b>	Comments from the Executive
<b>For further information about this report please contact</b>	Graham Leach, Committee Services Officer, 01926 456114 or <a href="mailto:committee@warwickdc.gov.uk">committee@warwickdc.gov.uk</a>
<b>Service Area</b>	Members' 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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006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>	7 June 2011
<b>Background Papers</b>	Executive Agenda – 8 June 2011

<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

**Officer/Councillor Approval**

With regard to officer approval all reports must 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		Bill Hunt
Chief Executive		Chris Elliott
CMT		
Section 151 Officer		
Legal		
Finance		Jenny Clayton
Portfolio Holders		Councillors Caborn, Coker, Doody, Mrs Gallagher Mrs Grainger, Hammon, Kirton, Mobbs and Shilton.

**Consultation Undertaken**

N/A

<b>Final Decision?</b>	Yes
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**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 on 30 March 2011.

2. **RECOMMENDATIONS**

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 OPTIONS 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 10.00am 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 meeting of the Executive on Overview and Scrutiny Committee Comments –  
8 June 2011**

<b>Item no.</b>	<b>Title</b>	<b>Requested by</b>	<b>Reason</b>	<b>Comment to Executive</b>	<b>Executive Response</b>
4	Dog Control Orders	Labour Group  Liberal Democrat Group	There were questions about the extent and operation of proposed orders  Because of its importance to residents in the District.	<p>The Overview and Scrutiny Committee agreed that in principal the orders were a good move, but the detail of schedules needed to be refined.</p> <p>Agree Appendix 1A and 1B the concerns overall related to the dogs on leads and exclusions, therefore the Committee made the following recommendations to the Executive.</p> <p>The Overview and Scrutiny Committee RECOMMENDED to Executive:</p> <ul style="list-style-type: none"> <li>• Negotiated solution with the Jockey Club as racecourse lease holders over the management of the land and the Committee has concerns about 7.12 (ii)</li> <li>• Dogs on leads for crematorium and cemeteries not excluded (a member thought that Oakley should be</li> </ul>	<p>In response to this, the Head of Cultural Services, had circulated an email prior to the meeting informing Members that Mack Golf did not have any legal power to stop members of the public using the perimeter path. There was also the issue of the public footpath which crossed the golf course. Members were mindful that a balance needed to be found to satisfy dog walkers and golfers alike. It was therefore decided that no action would be taken other than with regard to the public footpath, which</p>

				<p>retained as present with dogs not being permitted);</p> <ul style="list-style-type: none"> <li>• Mill Gardens should be removed from the order, to enable dogs to run free but under control, because no complaints have been received about dogs in this area;</li> <li>• Improved signage advertising the order and enforcement, advertising of free bags, promote the number of fixed penalty notices that we have issued each month; and</li> <li>• The orders be amended to reflect the discussions with the golf course on clarity of dog control on their land.</li> </ul> <p>In addition the Overview and Scrutiny Committee would appreciate clarity on who was responsible, either WDC or Mack Golf, for the public right of way by the golf course and who would be responsible for controlling this area, and the advice provided to the Executive be circulated to all Councillors on this.</p> <p>The Committee were mindful of two different type of dog owners and it was the irresponsible ones</p>	<p>would be subject to a Dogs on Lead order.</p> <p>The Portfolio Holder for Environmental Services, Councillor Coker, addressed members and advised that he agreed with most of the comments put forward by the Overview and Scrutiny Committee. He explained to members that the orders were to assist with dealing with unreasonable dog owners and that the majority of the dog community had nothing to fear from their implementation. He reminded members that this had always been an exercise to consult and listen to the responses and in turn was happy to agree to a number of amendments.</p>
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				<p>who caused the problems and who needed to be tackled. The greater need was for enforcement on the street which was where the evidence was for a greater number of complaints.</p>	<p>Councillor Coker stated that he was aware of the issues about the race track at Warwick Racecourse but felt that the track area should remain in the order because a recent report, by the British Horse Racing Board about Warwick Racecourse, had highlighted issues regarding dog fouling on the course. It was felt that it was important to retain a high standard at the Racecourse and to ensure safety for all parties.</p> <p>With regard to the comments regarding cemeteries, Councillor Coker felt that visitors should be allowed to take dogs to gravesides but, contrary to the current byelaws that</p>
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					<p>excluded dogs, these areas should be included in the Dogs on Leads Order. The crematorium at Oakley Wood raised slightly different issues due to the nature of the remembrance gardens and because the venue was a heavily used area, it was felt appropriate that mourners should take priority. Councillor Coker advised that the order should remain as stated in the report, with an access route available from the car park to the woods.</p> <p>Councillor Coker agreed that Mill Gardens should be removed from the orders because no complaints had been received for this area.</p>
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					Members were of the opinion that more play areas in the District needed to be clearly marked to avoid confusion and concerns were raised regarding additional funding for the orders. Officers advised that if additional funding was needed, a report would need to be submitted through the usual routes. With regard to improve signage, publicity and enforcement of the orders and advertising, Councillor Coker advised that funds were already in place to cover implementation costs and that he was fully committed to working with officers to improve communications with the public.
7	<b>2011/12 Service Area Plans and Portfolio Holder Statements</b>	Labour Group  Liberal Democrat Group	Some of the information was incomplete (e.g. p. 7/12, 7/47-49)  Because of importance of these statements as a means of tracking	The Overview and Scrutiny Committee needed to have complete data to enable fuller scrutiny and accountability. This was key to the success of the Council. If Shadow Portfolio Holders were to undertake most of this work, there was an urgent need for training on this area of work for all opposition members.	Prior to the meeting, revised copies of the Development Services Service Area Plan were distributed.  The Executive thanked the committee for their comments and agreed that

			performance and holding Portfolio Holders to account.	There should also be an aim to reduce the number of targets to make the process leaner in line with FFF ambitions of this Council.	training was paramount and should be continually evolving for all members.
8	<b>Coventry and Warwickshire Local Enterprise Partnership: 5 Year Strategy</b>	Labour Group	The relationship between the proposed 'integrated Coventry and Warwickshire strategic spatial strategy' and the District local plan needed to be further clarified	The Overview and Scrutiny Committee supported the recommendations of the report but the Committee empathised the importance of making recommendation 2.2 work as, in their opinion, this would be the key to achieving the full benefit of the LEP.	The Executive agreed with the Scrutiny Committee's comments and assured members that our representatives on the Executive Board would continue to work hard to make the Council's issues and aspirations heard. The Chief Executive advised that as a Council we were not alone in this position and that a number of other authorities felt a lack of representation. However, the District's position as an economic driver gave us some influence.
15	<b>Rural/Urban Capital Improvement Scheme</b>	Labour Group  Liberal Democrat Group	There were questions about the (proposed equal) division of funds between rural and urban areas  Because there did not appear to be a justification for the 50	Although there were inequalities the scheme overall was welcomed by the Overview and Scrutiny Committee as an improvement on the current arrangement and the scheme did provide a tool to leaver money into schemes to enable improved facilities for the community.	The Executive thanked the committees for their comments.



			/ 50 split of funding between urban and rural areas when the large majority of the population live in the urban areas.		
17	<b>Terms of the Warwick District Council / Waterloo Housing Group Development Joint Venture</b>	Labour Group & Liberal Democrat Group	Both because of the importance of this contract to the District.	The Overview and Scrutiny Committee felt there was a need to emphasise the need to recognise those in work modestly paid work. Five year tenancies were reasonable but there was potentially a need in circumstances to have longer leases. Would welcome cross party involvement, ideally shadow portfolio holders, in monitoring effectiveness of the agreement. The Committee sort clarification on 3.1 because originally this proposal was for 300 affordable housing this now reads up to or over 300 homes therefore this should read "will deliver 300 units".	The Executive thanked the committee for their comments.  Councillor Vincett addressed members and agreed that the wording should be altered to read the same throughout. He also stated that he would be happy to submit annual reports and advised that low paid workers would have full protection.
21	<b>Proposed Enterprise Zone</b>	Labour Group	This would be a major development and there were questions about possible benefits and costs, planning and infrastructure issues	The Overview and Scrutiny Committee in essence supported the recommendations. Members had a number of concerns but looked for the Council to discuss the potential with the local parish council.	The Overview and Scrutiny Committee in essence supported the recommendations. Members had a number of concerns but looked for the Council to discuss the

		Liberal Democrat Group	Because this could have dramatic effects on the District.		<p>potential issue with the local parish council.</p> <p>In response, the Executive agreed to hold a briefing prior to Group Meetings on 27<sup>th</sup> June 2011 to bring all members up to speed and if Group's felt they then had any questions that needed answering, they could request clarification from officers before Council on 29<sup>th</sup> June 2011.</p>
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