

 Overview and Scrutiny Committee – 30 June 2015		Agenda Item No. <div style="text-align: right; font-size: 2em;">6</div>
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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	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	8 April 2015	
Background Papers	Executive Minutes – 9 April 2015	

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 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**

Items no.	3	Title	Revisions to the Constitution	Requested by	Independent Group
Reason considered	Comments and concerns.				
Scrutiny Comment	<p>Page 17 – A(3) The Overview & 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 & 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 & Regulatory Sub-Committees known as Licensing & 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>				
Executive Response	<p>The Democratic Services Manager & Deputy Monitoring Officer explained to the Executive that Overview & 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>				

Item no.	4	Title	IT Provisions for Councillors from May 2015	Requested by	Labour Group / Independent Group
Reason considered	<p>Labour Group - Questions about operation of this change.</p> <p>Independent Group – Questions re accessibility to those with disabilities.</p>				
Scrutiny Comment	<p>The Overview & 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.
Executive Response	<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 & Scrutiny Committee, the Leader accepted the concerns of members of this Council and those of the Overview & 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>

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

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