

	Overview and Scrutiny Committee – 31 May 2017	Agenda Item No. 5
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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	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	4 April 2017	
Background Papers	Executive Minutes – 5 April 2017 and 12 April 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 in April 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.

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 – 4 April 2017**

Items no.	3	Title	Housing Appeals and Review Panel	Requested by	Labour Group
Reason considered	To understand more clearly the rationale for the proposal.				
Scrutiny Comment	The Overview & Scrutiny Committee noted the report and informed the Executive that they have added a report to their Work Programme, in 12 months, to understand the number and type of housing appeals being made and the outcomes of these.				
Executive Response	The Executive thanked the Overview & Scrutiny Committee and in recognising the concerns that were raised, the Portfolio Holder for Housing & Property Services proposed the recommendations with a minor amendment to recommendation 2.2 of the report to include reference to ensure that Ward Councillors were consulted on officer led appeals.				

Items no.	4	Title	Code of Procurement Practice Update	Requested by	All
Reason considered	Formed part of the Committee's Work Programme for that meeting.				
Scrutiny Comment	<p>The Overview & Scrutiny Committee asked the Executive to:</p> <p>(1)investigate; if there were any potential issues that could come from officers asking the same three companies for three quotes for the same service each time; if there were how could this be mitigated in potentially small market environment; and how to improve the advertising of the opportunity of the smaller contracts where only three quotes were required; and</p> <p>(2)look at the process for voluntary sector commission work, the majority of which would fall within the requirement for formal tendering process defined in the revised code, to reduce the burden on volunteers who would be delivering an enhanced service for the Council at a reduced cost; and consider if an exemption could be approved in advance.</p>				
Executive Response	The Executive noted the comments from the Overview & Scrutiny Committee and explained that while the Council was keen to support local business there was a need to operate within regulations. There was recognition of the voluntary sector concern but Members did not believe this was an area that could be taken forward. That said, they were confident officers would be mindful of these concerns.				

Items no.	8	Title	Response to the LGA Corporate Peer Challenge 2016	Requested by	Labour Group
Reason considered	To gain a better understanding of how Members can be involved in implementing the recommendations and Action Plan; and of its measures and timings.				

Scrutiny Comment	The Overview & Scrutiny Committee noted the report and informed the Executive that they will be watching the development of the action plan carefully as the proposed actions come forward.
Executive Response	<p>The Leader explained that the Peer Review report had not been brought forward previously because it had taken time to reflect and develop the plan. In addition to the report, there had been a further away day for the Corporate Management Team and the Executive with the Local Government Association.</p> <p>The Leader explained that Appendix 2 to the Peer Review report contained a proposed action plan. It was probable that action 7 would not be brought forward until the new Council, but when it did it would be a report and not a Notice of Motion. This said the Council continued to monitor the Combined Authority, the landscape of devolution and there were the Joint Committee meetings across the sub-region.</p> <p>The Leader recognised that while Portfolio Holders would continue to lead on their respective areas, they needed to lead on Fit for the Future which in itself needed to be seen as a driver to improvement.</p> <p>The Leader recognised that the Council was beginning to work more closely with stakeholders by keeping people better informed through the Media Team with a view to telling everyone not just the press.</p>

**Response from the meetings of the Executive on Joint Finance & Audit
Scrutiny and Overview & Scrutiny Committees Comments – 11 April 2017**

Items no.	4	Title	Europa Way – Strategic Opportunity Proposal	Requested by	All
Scrutiny Comment	The Committees noted the contents of the report.				
Executive Response	No response was made by the Executive.				

Items no.	6	Title	Europa Way – Strategic Opportunity Proposal	Requested by	All
Scrutiny Comment	The Committees noted the revised business plan from the football club and their commitment to it. The Committee recognised that the business plan would continue to be monitored by the Council as part of this project. It also noted that at an appropriate time, the business plan may be subject to a further independent assessment.				
Executive Response	The Executive agreed with comments from the joint meeting and explained that decisions would need to be taken at appropriate stages based on the information available at that time.				

Items no.	7	Title	Note of Decision taken under Chief Executive’s Emergency Powers	Requested by	All
Scrutiny Comment	<p>The Committee noted the contents of the report.</p> <p>Councillor Mrs Falp explained to the Committee that she had excluded herself from the consultation by the Chief Executive on this decision because of a conflict of interest she had on the decision. The Chief Executive confirmed that this had been the case.</p> <p>In addition, Councillors Mrs Falp and Margrave asked for it to be recorded that they were not in favour of the decision taken by the Chief Executive.</p>				
Executive Response	No response was made by the Executive				