
Meeting	Economy & Place Scrutiny Committee (Pre-Decision Calling-In)
Date	11 September 2017
Present	Councillors N Barnes (Chair), K Myers (Vice-Chair), Funnell, Hunter, Steward (Substitute), Reid and Taylor (Substitute)
Apologies	Councillors D'Agorne and Gates

1. Declarations of Interest

Members were asked to declare, at this point in the meeting, any personal interests, not included on the Register of Interests, or any prejudicial or disclosable pecuniary interests they may have in respect of business on the agenda.

Cllr Funnell disclosed a personal non-prejudicial interest in agenda item 3 (Future Management of Allotments: Next Steps) due to her being the holder of a plot at Scarcroft allotments.

2. Public Participation

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme on general matters within the remit of the Economy & Place Scrutiny Committee (pre-decision calling-in).

Mr Barry Bothamley spoke on behalf of tenants living in the Tang Hall area and asked about the following, should the transfer of the management to the Charitable Incorporated Organisation (CIO) be approved:

- whether plots operated by schools for educational purposes would remain free of charge;
- whether different sites would continue to be treated equally in every aspect;
- whether additional maintenance would be undertaken before the transfer to the CIO;
- the reasons why no Trustees from sites in the North of the City had joined the Board of the CIO;

- the reasons why no other options in relation to the allotment management, such as involvement of the Tang Hall community group, had been considered in the future arrangements.

3. Pre-Decision Called-In Item: Future Management of Allotments Next Steps

Members considered the summary report providing background to the pre-decision call-in of the item, setting out the reasons for the call-in and inviting the Committee to consider what feedback, if any, it may wish to make.

Cllr Kramm, a calling-in member, introduced the calling-in item, highlighting the need for wider public debate on the issue as well as enquiring about:

- whether the new organisation would be resilient enough to provide new developments of the allotments, taking into account human and financial resources available;
- whether any future new allotments provided by the Council would also be managed by the new organisation;
- whether any existing allotments would be closed after the transfer;
- whether measures would be put in place to avoid allotment rent increases after the transfer;
- the legal implications of the transfer, including who had the responsibility for providing new allotments as well as the scope for in-house provision should the transfer not meet the stakeholders' expectations.

Cllr Carr then spoke in his capacity as the Executive Member with interim responsibility for Culture, Leisure and Tourism, highlighting that:

- the ownership of the allotments would stay with the City of York Council (CYC);
- the rents would not necessarily be affected as the rents could continue to be set by CYC;
- CYC would still have a duty to provide new allotments when required.

It was noted that this model had been adopted successfully in other local authorities, including in York. It was also suggested that the consultation undertaken as part of the decision-making process had been adequate as the allotment holders affected by the change had been written to and given time to speak on the matter.

The Operations Manager for Public Realm (Strategy and Contracts), was in attendance to answer Members' questions. He provided the Members with the summary of the project's timeline, highlighting that the consultations and progress letters had been sent to current allotment holders in

September 2016, January 2017 and August 2017, with 90 responses received. It was clarified that two papers were being prepared as part of the project, one to approve the new organisation by the Executive Member for Culture, Leisure and Tourism in September 2017, and one to approve the lease by the Executive in October 2017. The following was then highlighted:

- the organisation had scope for nine Trustees and, so far, only five had been recruited, which meant that additional volunteers could be recruited in the future;
- the net savings would be achieved by removing costs such as CYC Officers' salaries, room rent in West Offices or Committee provision;
- no allotments were due for closure;
- the rents for allotments would be frozen until at least 2019;
- the legacy issues in relation to maintenance would be dealt with by CYC;
- there had never been the split of time or costs in relation to the management of different sites and all allotments would continue to be treated in the same manner;
- no proposals in relation to the single-site transfer had been received from the Tang Hall community group;
- maintenance work was covered from the allotment holders' deposits should they leave their plots in inadequate conditions.

In response to Members' questions, the Officer advised that the law did not state specific issues in relation to the allotment provision such as ratios, standards or location and that, in order to close the allotments, evidence of lack of demand would need to be submitted. It was also clarified that, depending on historic land acquirement agreements, both parishes and CYC would continue to own allotment sites and that the allotment prices, which were only dependent on the size of the plot, were standard across the City.

Members acknowledged the effort that had been put in the project although it was pointed out that additional reassurance in relation to communication between CIO and CYC as well as memorandum of understanding could be sought. It was also suggested that the governance document, the constitution and the indicative business plan prepared by the Trustees should be shared with the owners as part of the consultation in order to enable them to make additional comments on the proposal. Members highlighted that people who were currently on the waiting list for the allotment provision should be included in the consultation process.

Resolved:

1. That the additional comments and recommendations below be included for submission of the report to the Executive Member for Culture, Leisure and Tourism, to take into account when making his decision:
 - a) free allotment provision for schools should continue;
 - b) additional consultations with people who were on the waiting list for the allotments should be undertaken;
 - c) the major documents such as the governance document, indicative business plan and the constitution should be available to download on the CYC website, sent to site secretaries for further circulation and included in the press release;
 - d) a memorandum of understanding on communications between CIO and CYC in relation to allotment management should be agreed;
 - e) additional Trustees be recruited to the CIO from around the city.

2. That the Executive Member for Culture, Leisure and Tourism be invited to make his decision at a future Executive Member Decision session in light of the above.

Reason:

To enable the called-in matter to be dealt with efficiently and in accordance with the new pre-decision call-in agreements.

Cllr Neil Barnes, Chair

[The meeting started at 4.30 pm and finished at 5.45 pm].