

**Present:** Councillor Ric Metcalfe (*in the Chair*),  
Councillor Donald Nannestad, Councillor Chris Burke,  
Councillor Sue Burke, Councillor Bob Bushell and  
Councillor Neil Murray

**Apologies for Absence:** None.

**58. Confirmation of Minutes - 21 November 2022**

RESOLVED that the minutes of the meeting held on 21 November 2022 be confirmed and signed by the Leader as a correct record.

**59. Declarations of Interest**

No declarations of interest were received.

**60. John Dawber Garden**

Purpose of Report

To consider a request to transfer, under a lease, the care and maintenance of the John Dawber Gardens from the City Council to a dedicated trust.

Decision

That a 5 year lease in principle be agreed by the Council as the basis of terms with the Dawber Gardens Community Trust, subject to the findings of the advertisement, delegating the decision to proceed, and final format of any legal agreement to the Director of Communities and Environment, the Chief Finance Officer and the City Solicitor. Progress to be reviewed in 12 months' time.

Alternative Options Considered and Rejected

1. To not support the long lease request.
2. To consider an alternative arrangement of a management agreement.

A Management Agreement would not constitute a transferable interest in the property in the hands of the Trust or offer the Trust any security of tenure beyond a reasonable notice period for termination. In the absence of a lease (typically requiring 25 years), the Trust may be unable to raise finance or accept grant funding if needing to be secured against a longer term interest in the property.

Reasons for the Decision

In 1986 the City Council formerly opened the John Dawber gardens, within the Lawn complex, a collaborative endeavour with the John Dawber Trust.

The project celebrated both the City's twining links and the county's connection with the great plant hunter and botanist, Sir Joseph Banks.

Originally the gardens were associated with an adjacent heated conservatory, but due to the prolonged period of austerity, and associated Council funding restrictions, the conservatory had to be removed. Funding for the garden had remained very basic. Consequently, the planting and infrastructure was 36 years old, and now in need of a total refurbishment throughout.

In recognition that the Council was now entering yet another challenging period for funding, it had to be stated that there was no prospect of internal funding being available in the short/medium term.

The Council had recently received a request for a lease for the site from a newly formed group dedicated to the care and maintenance of the site.

The group, having applied for formal charitable trust status, comprised a number of interested parties including local residents, volunteers on the site previously, some with experience of charitable trusts such as Liquorice Park and the John Dawber Trust.

The newly formed Dawber Gardens Community Trust had submitted to the council an outline of how they would like to proceed. Suffice to say it proposed to rejuvenate the gardens by a combination of volunteer works, investment from businesses and groups of businesses within the city, and by seeking external funding.

**61. Recommendation from Committee- Performance Scrutiny Committee - 17 November 2022 - Operational Performance Report Quarter 2 - 2022/23**

Purpose of Report

To consider a request from Performance Scrutiny Committee to report back into that Committee on future cost saving decisions taken which impacted on performance in terms of how service level provision was affected.

Decision

The Leader of the Council to give an assurance to the Chair of Performance Scrutiny Committee that the Council was always mindful but also explicit on the implications of reducing future service level provision where it had to be made.

Alternative Options Considered and Rejected

None.

Reasons for the Decision

This request was made by Performance Scrutiny Committee in its remit to scrutinise Council performance.

**62. Exclusion of the Press and Public**

RESOLVED that the press and public be excluded from the meeting during consideration of the following items of business because it was likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

**63. Management of Change Leisure/Recreation**

Purpose of Report

To seek approval on the Management of Change Business Case proposal within the Leisure and Recreation Service as detailed within Appendix 1 of the officer's report.

**Decision**

That the recommendations contained within the Business Case attached at Appendix 1 of the report be approved.

Alternative Options Considered and Rejected

Alternative options considered and rejected were set out in the report.

Reason for Decision

The reason for the decision was set out in the report.

**64. Write Outs of Irrecoverable Non Domestic Rates, Sundry Debts, Former Tenant Arrears, Council Tax and Overpayment of Housing Benefit**

Purpose of Report

As detailed in the exempt report to the Executive.

Decision

That the recommendations to the Executive, as set out in the exempt report, be approved.

Alternative Options Considered and Rejected

As detailed in the exempt report to the Executive.

Reasons for the Decision

As detailed in the exempt report to the Executive.