

## **AMENDMENTS AND WRITTEN QUESTIONS – FULL COUNCIL – 31 AUGUST 2016**

### **AMENDMENTS**

#### **1. Agenda Item 7**

**Heading: COMMITTEE REPORTS (9)**

**Amendment submitted by Councillor: Mrs F J Colthorpe**

The addition of recommendation (l) stating: that Ward Members whether or not Members of the Planning Committee are limited to 5 minutes when speaking in their role as Ward Member.

#### **WORDING IF AMENDMENT APPROVED:**

Recommendations within the report, with the addition of (l) that Ward Members whether or not Members of the Planning Committee are limited to 5 minutes when speaking in their role as Ward Member.

#### **2. Agenda Item 9**

**Heading: INDEPENDENT RUMUNERATION PANEL REPORT – AUGUST 2016**

**Amendment submitted by Councillors: C J Eginton, R J Chesterton, N V Davey, P H D Hare-Scott, Mrs M E Squires and R L Stanley**

a) The Basic Allowance to be paid to all Councillors be increased by £174 to £4865.

Informative note ; £4865 is the average Basic Allowance across the 4 Greater Exeter authorities .

#### **WORDING IF AMENDMENT APPROVED:**

a) The basic allowance to be paid to all Councillors be increased by £174 to £4865 with any further increases being linked to the staff pay award.

#### **3. Agenda Item 9**

**Heading: INDEPENDENT RUMUNERATION PANEL REPORT – AUGUST 2016**

**Amendment submitted by Councillors: C J Eginton, R J Chesterton, N V Davey, P H D Hare-Scott, Mrs M E Squires and R L Stanley**

c) All other Special Responsibility Allowances be paid to the following Members at the levels indicated :

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,595
Deputy Leader	1.50	£7,298
Cabinet Member	1.25	£6,081
Scrutiny Committee Chair	1.25	£6,081
PDG Chair	0.75	£3,649
Audit Committee Chair	0.75	£3,649
Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1.216
Chairman of the Council	0.50	£2,433

Informative note; All the weightings remain unchanged from the current scheme with the exception of the Licensing and Regulatory Committee Chairman's as Recommendation b)

**WORDING IF AMENDMENT APPROVED:**

c) All other Special Responsibility Allowances be paid to the following Members at the levels indicated:

<b>Position</b>	<b>Weighting x basic</b>	<b>SRA</b>
Leader of the Council	3.00	£14,595
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Planning Committee Chair	1.25	£6,081
Licensing/Regulatory Chair	0.25	£1,216
Standards Chair	0.25	£1.216

Chairman of the Council	0.50	£2,433
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## **WRITTEN QUESTIONS**

### **1. CABINET - 4 AUGUST 2016**

#### **MIN NO 47**

#### **Questions submitted by Councillor T W Snow and the response of the Cabinet Member for Housing**

We have a 27 page document for terms of secure tenancy for our houses

On page 11 bullet point 3.8.1 it clearly states that gardens must be well maintained including cutting of grass.

Also no storage of household furniture, scrap materials or vehicle parts in the garden area.

Also fair consideration when you light bonfires and also the banning of toxic plastics at any time confirmed by another officer.

I have been shown a letter from one of our officers as follows.

Should the tenant not keep to these terms the housing property services manager is insistent that we ask for all payable recharge work to be paid in advance, we cannot force tenants to pay for this and as he said it doesn't encourage the tenant to take the on going responsibility of maintaining a garden that forms part of the property.

In other words where tenants refuse to keep to the terms we just look the other way and ignore the aggravation caused to neighbouring properties and the area.

Whilst rented property outside the council dictate has strict and enforceable rules to ensure this does not happen why are we ignoring our own tenancy conditions which we should enforce for the better of their neighbour's.

#### **RESPONSE**

The current tenancy agreement contains a number of clauses which set out the tenant's responsibilities relating to gardens.

I can confirm that our Officers do take action if they are aware that gardens are not being maintained as expected. They do not ignore such issues. Generally, tenancy conditions have to be enforced by obtaining a Possession Order which has to be awarded by a Court. However, this type of action is unlikely to be successful in cases where there are issues relating to the upkeep of a garden. This is because the Court would need to find that it would be both reasonable and proportionate to deprive someone of their home because they had failed to keep their garden in a clean and tidy condition.

For this reason, we have to consider alternative options. Sometimes, it may be appropriate to involve other agencies, or to serve a Fixed Penalty Notice. The responsibility to maintain a garden remains with the tenant and the Neighbourhood teams will work with them to

ensure that they understand this and that they appreciate the need to keep any outdoor space in a clean and tidy condition.”

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