



MINUTES OF A MEETING OF THE COUNCIL HELD ON 11th SEPTEMBER 2018

PRESENT: Councillor P Thurgood (Chair), Councillors R Kingstone, J Chesworth, R Bilcliff, A Bishop, R Claymore, S Claymore, T Clements, D Cook, C Cooke, S Doyle, J Faulkner, R Ford, M Gant, S Goodall, M Greatorex, A James, T Jay, K Norchi, J Oates, M Oates, S People, Dr S People, B Price, R Pritchard, R Rogers, P Standen, M Summers and M Thurgood

The following officers were present: Andrew Barratt (Chief Executive), Anica Goodwin (Executive Director Organisation), Ryan Keyte (Head of Legal & Democratic Services) and Jodie Small (Legal, Democratic and Corporate Support Assistant)

37 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Bailey

38 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 6th June 2018 and 17th July 2018 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor Dr S People)

39 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

40 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE

Andrew Barratt Chief Executive made the following announcement;

“Some members may recall a special meeting on the 12th September last year, it was resolved that Mr Chris Cook had the title of Honorary Alderman of the Borough unfortunately due to illness he was unable to attend the meeting and

again he is unable to attend tonight, I've had a message that he would like his son to collect the certificate on his behalf, I would like to ask you Mr Mayor if you would present this to Councillor Christian Cook."

Councillor Mayor P Thurgood made the following announcement;

"It would be a pleasure, Christian would you like to come up please, Wish your father all the very best and thanks from the Chamber."

Councillor C.Cooke made the following announcement;

"On receiving this award I would like to thank everybody on behalf of my dad he's having a rather happy retirement, thank you."

Councillor D Cook made the following announcement;-

Thank you Mr Mayor I would like to take this opportunity to announce I will be appointing a champion to work under cabinet member Councillor Steven Claymore and his portfolio for Heritage and Growth. I will be appointing Councillor Ben Price as Town Centre Champion to support Councillor Claymore in works around to improve our Town centre. The Town Centre continues to deserve our dedication and improvement where possible and another set of eyes can do nothing more but help.

41 MATTERS REFERRED TO COUNCIL IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

The Chair of the Corporate Scrutiny Committee presented the Corporate Scrutiny Committee's review of the inclusion of prayers at the start of full Council meetings. To seek the approval of the Committee's recommendations from Council on the inclusion of prayers at full council.

Councillor Cook proposed an amendment to the recommendations in the report as follows;

"On Full Council night the Mayor welcomes Councillors in the chamber at 18.00 thus those that want to pray or take part can, Mr Barratt as Chief Executive sends out the official summons for the Council meeting to actually start at 18.10 when the other members can then be seated to continue the meeting, therefore our tradition stands

At the start of full council those that wish to pray can pray. Those that wish to wait outside or to fetch a different denomination priest, vicar, father we can facilitate."

RESOLVED Council agreed;
That Prayers will be held in the chamber at 18.00 then the Council meeting will commence as 18.10.

(Moved by Councillor D Cook and seconded by Councillor Dr S Peaple)

RESOLVED

In the light of modern times prayers should be held before the mayor opens the formal part of a full council meeting

That prayers will be held in the Chamber at 18.00 then the Council meeting will commence at 18.10.

When the meeting is in order the Mayor is informed by the Deputy or assistant to make their entry in the traditional way.

The Mayor under opens the meeting with a 'thought of the day' style comment to remind attendees why the council exists.

(Moved by Councillor J Oates and seconded by Councillor Dr S Peuple)

42 AGAINST HATE CAMPAIGN - ENDORSEMENT OF AMNESTY INTERNATIONAL'S DEFINITION

Council received a recommendation from the Chair of Corporate Scrutiny Committee to endorse Cabinet's decision regarding Amnesty International's Against Hate Campaign

As a result of a named vote it was:-

RESOLVED That Cabinet endorsed the Amnesty International UK motion

(Moved by Councillor S Doil and seconded by Councillor Dr S Peuple)

FOR

Councillor A Bishop
Councillor J Chesworth
Councillor R Claymore
Councillor S Claymore
Councillor T Clements
Councillor D Cook
Councillor C Cooke
Councillor S Doyle
Councillor J Faulkner
Councillor R ford
Councillor M Gant
Councillor S Goodall
Councillor M Greatorex
Councillor A James
Councillor T Jay
Councillor R Kingstone
Councillor K Norchi

ABSTAIN

Councillor R Bilcliff

ABSENT

Councillor M Bailey

Councillor J Oates
Councillor M Oates
Councillor Dr S Peple
Councillor S Peple
Councillor B Price
Councillor R Pritchard
Councillor R Rogers
Councillor P Standen
Councillor M Summers
Councillor M Thurgood
Councillor P Thurgood.

43 THE DEPUTY MAYOR MOVED A MOTION WITHOUT NOTICE IN TERMS OF RULE 4.13 (C)

To change the order of business in the agenda, Proposing that item 8 be dealt with before item 7

(Moved by Councillor R Kingstone and seconded by Councillor R Bilcliff)

44 ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2017/18

The Portfolio Holder for Assets and Finance informed Members that The Annual Treasury report is a requirement of the Council's reporting procedures.

It covers the Treasury activity for 2017/18, and the actual Prudential Indicators for 2017/18.

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes in accordance with Regulations issued under the Local Government Act 2003. It also provides an opportunity to review the approved Treasury Management Strategy for the current year and enables Members to consider and approve any issues identified that require amendment.

RESOLVED

That Council

1. Approve the actual 2017/18 Prudential and Treasury Indicators within the report and shown at Appendix 1; and
2. Accept the Annual Treasury Management Report for 2017/18.

(Moved by Councillor R Pritchard and seconded by Councillor D Cook)

45 QUESTION TIME:

QUESTION FROM MEMBERS OF THE COUNCIL NO.1 ROLLED OVER FROM 17th JULY 2018

Under Procedure Rule No 11, Councillor Dr S People will ask the Portfolio Holder for Assets and Finance, Councillor R Pritchard, the following question:-

“How much money received under 106 agreements (or equivalent) has the Council received and not yet spent, and what is the breakdown by ward in which it is due to be spent and how much is being retained for overall town-wide projects?”

Written response from Councillor R Pritchard

A list including monies for maintenance of open spaces was provided. Councillor Pritchard highlighted that agreements can relate to specific developments, so the area that they are spent in is determined by the location of the development, and the terms of the agreement. (spreadsheet attached)

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor Dr S People will ask the Leader of the Council, Councillor D Cook, the following question:-

“Would the Council Leader please update the Council regarding the steps taken to develop a vision for the former Gungate Precinct site, since its acquisition by the Council?”

Councillor D Cook gave the following reply:-

“Thank you Mr Mayor,

Cllr People will of course recall the cross party decision for approval to acquire the site granted 11th April 2018. After a decade of failed attempts by the site owner to bring forward a proposal that matched the aspirations of this town it was time to step in and address this matter and bring forward a scheme that worked for the Town centre, the town as a whole and this Council.

We must all recall that it was noted in the report that this project would be several years in the future as we have to get it right for the town. We need to masterplan correctly, to future proof the site in both the needs of the town centre, our residents and ensure a pay back to the tax-payer.

The site was physically acquired 7th June 2018 once legal diligence had been completed by all parties. At this point an internal team set up to consider actions needed, where we needed to start on the journey.

I personally met with the CEO and Leader of the County Council in June 2018 to discuss the wider footprint of the site if they put in the Courts and old youth centre. Let's say bigger bang for our buck for want of a better term if the County came in with us. We have a follow up meeting in late September 2018.

I personally spoke with the PCC (Police and Crime Commissioner) Matthew Ellis about options of rolling the Police Station into the development. Officers are progressing this conversation.

We were then successful in July 2018 in obtaining LGA support to provide 40 days of consultancy support to assist specifically with housing options for the site.

We were successful in obtaining a GBSLEP grant to co-fund master-planning and cost planning activity – currently being specified prior to tender – this was in August 2018.

This was followed by preparation of procurement brief (cost/master planning commission using the Homes England Panel to speed up the selection process), this was completed August 2018.

A meeting was pencilled in for officers to meet NCP to discuss aspirations for the site and future partnership opportunities; this took place yesterday I believe. Output from master-planning/cost planning exercises will go to CIS (Commercial Investment Strategy) steering group once completed, then onto Cabinet for endorsement, this is likely to be early 2019, but have no date set in stone at present. As per agreed protocol, other group Leaders will be briefed on progress and views sought before the report reaches Cabinet, then onto Full Council potentially if required.”

Councillor Dr S People asked the Following supplementary question:-

“First of all Mr Mayor can I thank the leader for the very full statement giving these detailed answers it does help to maintain confidence across the chamber it was an agreed decision we did feel at the time there should be some joint working group and if we continue to be kept informed I would ask the Council leader when he believes there may be some element of public consultation because once the news broke lots of people said to me will we get to say anything. I clearly understand you cannot have public consolation before an outline of who's in and who's out. If he could give an indication of that longer term that would be useful, Thank you”

Councillor D Cook Gave the following reply:-

“Thank you Mr Mayor I think Councillor People raises a good point, the tax payer has brought this land, it's owned by the Council and decisions will be made by the Council but we need to remember we serve the tax payer and they deserve to be

consulted. I think he hit the nail on the head at the end, when we know what we are consulting on is when we will do it.

Can I nail a time line to it at present, possibly not if I had to take a wild guess and please don't hold me to this I would say summer next year we will start to outlay some ideas and options but please don't hold me to that as we need to go through the process of aligning everything and what is possible and what is not, what land is available. We will seek yourself and Chris Cooke's input, Thank you Mr Mayor."

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.2

Under Procedure Rule No 11, Councillor Dr S People will ask the Portfolio Holder for Assets and Finance, Councillor R Pritchard, the following question:-

"Would the Portfolio Holder agree that whilst the general trends in UK retailing are not his responsibility; the reason Council properties in market street stand empty, adorned only with plastic window dressing, is because they have not been maintained properly by this Conservative council during its 14 years in power?"

Councillor R Pritchard gave the following reply:-

"The Opposition Leader question paints an unfair picture.

Of the vacant council owned properties on Market Street the council has spent over £169k in recent years on the upkeep and maintenance of these properties. This figure excludes further works funded by insurance, following a fire in one of the properties.

The former Peel Café at 12/13 Market Street is available for letting, although the size, layout and location have put off potential tenants, not its condition. It is a large property and many potential tenants are finding it too big for their needs. Previous tenants have shared the property with other businesses because of its size.

28 Market Street [formerly uniform warehouse] has only become vacant recently and is subject to ongoing negotiations with a potential tenant. I am sure this property will be re-let.

27a Market Street has been vacant and unfit for let since 2004. Under previous administrations the shop had fallen into severe decline.

The condition, size, age, construction and internal layout of the old properties is such that the level of investment required to bring them up to a usable standard would not show a return on investment. If it is at all possible to refurbish them at all in a way that would attract tenants in the modern retail market.

While this is not a detailed figure, simple estimates have put the cost in the millions, clearly providing no return for the taxpayer on this investment needed. The most recent work by the Borough Council was to keep the properties

structurally safe, again a further example of the historic neglect these properties have been subject to.

Furthermore it is unfair to say they members don't care about the properties either, in the past members have discussed with numerous local heritage groups using this property and neighbouring properties for heritage purposes; however those discussions have failed to bear any fruit.

We are in the situation we are in because successive generations have failed to invest in these properties and have left us with the problem we have today. Too expensive to renovate, if it was renovated it will provide limited use and appeal; the works would never return the public money invested in it. All whilst being properties of no significant value as commercial or heritage assets.

So to answer his question Mr Mayor, no.”

Councillor Dr S People asked the following supplementary question:-

“Thank you Mr Mayor it's always good when the question gets answered, Thankyou Councillor Pritchard for giving me a detailed and carefully broken down response, we have to remember that despite the fact to put all the blame on those who handed over power 14 years ago the reality is that we listened to extolling virtues of council tax rise on the way in which the Council is maintaining everything brilliant on less and less money from the government the reality is that the shoe pinches at key points and is therefore my view that if this is the state of these properties then I would ask you whether you would come to Corporate Scrutiny discussion in private on the matter so we can fully discuss the issues around investment strategy. Thank you Mr Mayor.”

Councillor R Pritchard gave the following reply:-

“Thank you Mr Mayor I did pull the figures the Council hold on the investment in these properties and unfortunately of no investment prior to 2004, my point stands we are left in a situation where there has been historic under investment in these properties and previous Councillors particularly those who are in positions of responsibility should accept they have left us with the problems we need to address now so I'm more than happy to discuss anything with any members.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor A James will ask the Portfolio Holder for Culture and Operational Services, Councillor J Chesworth, the following question:-

“Can the Portfolio Holder responsible for waste and recycling please confirm Tamworth Borough Council's policy for community groups and individuals carrying out litter picks in the Borough of Tamworth.”

Councillor J Chesworth gave the following reply:-

“The Council doesn't have a specific policy on this point, however community groups can contact Streetscene officers through our contact centre who will always try to provide bags, the loan of litter pickers where practical, and the safe collection of filled bags to support this valued community activity

Further our officers will also provide advice on safety for groups on safe litter picking

The Council actively supports the community in providing this valuable contribution to keeping our town clean.”

Councillor A James asked the Following supplementary question:-

Thank you Councillor Chesworth for your reply, as we now live in a world with no win no fee, Where's there's blame there's a claim, are the Borough Council liable for any injuries caused by any uninsured individuals carrying out litter picks on Borough Council land such as Wiggington Park?”

Councillor J Chesworth gave the following reply:-

Thank you Councillor James. Councillor James has just said no blame no claim, I've got my own understanding of the position however given that it's a legal question I'm going to get legal confirmation and communicate an answer out later this week,”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

Under Procedure Rule No 11, Councillor Sheree Peaple will ask the Portfolio Holder for Housing, Councillor Michelle Thurgood, the following question:-

“Please can the Portfolio Holder update the Council on the progress made on the implementation of the Homeless Reduction Act 2017?”

Councillor M Thurgood gave the following reply:-

“Thank you Mr. Mayor,

I thank Cllr Peaple for the opportunity to reiterate to members the many things that Tamworth Borough Council has done before and since the Homeless Reduction Act came into force.

The HRA 2017 is one of the biggest changes to the rights of homeless people in England for 15 years. It effectively bolts two new duties to the original statutory rehousing duty:

- Duty to prevent homelessness

- Duty to relieve homelessness

At Tamworth, we were well prepared for the legislation prior to its commencement and as members will be aware; this has been the subject of range of stakeholder briefings, including a member seminar earlier this year.

We have successfully restructured and realigned staffing resources to meet the potential challenges. This remains under consideration and is a key focus of the new Assistant Director of Neighbourhoods.

All Housing staff received external training for three days on the Act. There is a continual commitment to ensure our teams are fully versed on the demands of the Act and we continuously benchmark to take learnings from others. Where relevant, further training will be provided for the teams, as well as specific needs for individual officers.

We have updated our IT provision, including tendering for a new software to enable us to manage claims more accurately. We have also updated our website with the latest information to be as open and transparent as possible. This includes providing specific content on vulnerable people categories. Both of these are fully compliant with Ministry of Housing, Communities and Local Government (MHCLG) guidelines.

We have also increased the amount of partnership working – especially as we are aware that many areas of support and early intervention will be done by people other than us. This has included the Housing Solutions team working with all local prisons to conduct briefings, presentations and have achieved collaborative visits with probation, mental health and registered providers. We are now also activity working with a discharge nurse at Good Hope hospital and a GP in Tamworth too. We have also firmed up our Data sharing agreements with prison and 16/17 year olds working with all other Staffordshire Boroughs.

There has been a successful submission of Homelessness Case Level Information Classification data to MHCLG. This replaces the previously used P1E form that had been used to collect household data aggregated at local authority level. The Homelessness Case Level Information Classification, H-CLIC, was introduced in April 2018 to coincide with the commencement of the Homelessness Reduction Act 2017 ('the 2017 Act'). H-CLIC collects case level data, which will provide more detailed information on the causes and effects of homelessness, long term outcomes and what works to prevent it. Tamworth is working closely with part of MHCLGs advisory body to share best practice.

Finally on actions to date, we have continued the Housing Solutions Fund alongside our duty to prevent. Some really positive work is ongoing on preventing homelessness and helping clients to secure 6- 12 months tenancy agreements in the Private Rented Sector at affordable rental rates - achieved through expanding contacts with supported accommodation in Staffordshire

Of course, this work does not stop and will be further advanced with the upcoming other HRA (or the Housing Revenue Account) business plan which is

due at Cabinet in September and the Housing Allocations Policy, which will soon be out to consultation once briefings to members have been completed.

Thank you.”

Councillor S People asked the Following supplementary question;-

“Thank you for that answer Councillor Thurgood . Very Specifically I know a lot of people this evening have taken their jackets off because they are warm, personally I have been quite cold all day and I’m conscious that the colder weather is coming in and it will soon be time for the winter night shelter and I’m just wondering what in the context of the winter night shelter Councillor has been able to do with regard to prevention of homelessness I understand there is some money allocated for a support worker but I would like to have seen a little more proactive involvement and I wondered if there had been some behind the scenes that I’m not aware of?”

Councillor M Thurgood gave the following reply:-

“In terms of the specifics on the homeless shelter I’m happy to pick up on where we are today as I didn’t look at that part of this answer however as members would be aware and as Councillor People would be aware at the last budget setting process we did make a decision to continue to fund the night shelter it was an incredible success we are committed to supporting as long as the volunteers are prepared to do so and this winter and next winter. But in terms of the specifics I will pick up on that and get back to you this week.”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5

Under Procedure Rule No 11, Councillor Sheree People will ask the Portfolio Holder for Housing, Councillor Michelle Thurgood, the following question:-

“Would the Portfolio holder update the Council regarding projected collection rates for council house rents over the remainder of the current MTFS period and the overall impact this will have on the HRA 30 year business plan?”

Councillor M Thurgood gave the following reply:-

“Thank you Mr Mayor.

Performance on the collection of Council Tenants’ income including rent arrears remains top quartile when benchmarked with best in class providers. The Housing Quality Network (HQN) re-accredited the landlord service in May 2018 endorsing Tamworth’s progress with its action plan and continued performance aimed at minimising rent loss to the Council, especially since the introduction of Universal Credit.

The HRA business plan prudently forecasts for bad debt and this is built into the overall budget setting process. From the summary figures, which I will pass to Cllr People at the end of the meeting, actual bad debt provision is lower than forecast as officers continue with a robust and highly effective approach to minimising rental loss to the Council

Bad Debt Provision Budgets					
	Budget 2018/19	Budget 2019/20	Budget 2020/21	Budget 2021/22	Budget 2022/23
Provision for Bad Debts	196,200	222,000	251,100	284,000	321,200
% Increase		13.15	13.11	13.10	13.10
Bad Debt Provision Actuals					
	Actual 2013/14	Actual 2014/15	Actual 2015/16	Actual 2016/17	Actual 2017/18
Provision for Bad Debts	144,677	171,905	141,888	139,516	152,294
Rent Collected	18,144,438	18,326,517	18,585,491	18,107,169	17,762,583
Bad Debts Provision as % of Rent Budget	0.80	0.94	0.78	0.79	0.86

From the summary figures, on average, less than 1% of the rent budget is considered to be bad debt. And this does not appear to be increasing in this budget period. This specifically is £196k this year, £222k next, and finally £321,200k.

As I said in my last answer, the HRA business plan is being reported to Cabinet on the 27th September 2018 and the business model has assumed levels of bad debt in line with previous years.

In addition the Government's 1% rent reduction until 2020 has also been factored in, which whilst reducing overall financial capacity in the plan does provide a more affordable rent and the investment profile does ensure continued compliance with decent homes standards as well as delivery of key projects at Tinkers Green and Kerria.

Thank you"

Councillor S People asked the Following supplementary question;-

"Thank you Mr Mayor I have the benefit of the figures in front of me which other members don't have I noticed that the provisions for bad debt is forecast to rise by 13.15, 13.11, 13.10 and 13.10 over the next 4 years, I think that I understand you to say is that you're not anticipating that increase will actually occur so I just want clarification on that, I think we made it quite plain some months ago the concern across the chamber that the introduction of universal credit might actually result in greater levels of difficulty for tenants paying the rent, just for

reassurance, is it what you're saying the universal credit is not having the impact we thought it might?"

Councillor M Thurgood gave the following reply:-

"Thank you Mr Mayor there has been a small increase in number of tenants that are in debt that doesn't mean it's to do with universal credit, it could be other changes or circumstances. When you map it out it does have a wave effect it goes up and down. In terms of the 13% it's a standard figure that we budget for each year. Rents received goes up in terms of value.

If you look specifically for 2013/2018 the bottom box the provision of bad debt by year, It's been as high as 0.94% to as low as 0.78% across a 5 year period so it hasn't gone up and down as much as you would expect it to, its that wave effect again. But we finish on 2.34% that might change but we are not anticipating it at this particular point in time"

The Mayor