



MINUTES OF A MEETING OF THE COUNCIL HELD ON 12th SEPTEMBER 2017

PRESENT: Councillor J Chesworth (Chair), Councillors P Thurgood (Vice-Chair), R Bilcliff, S Claymore, T Clements, D Cook, C Cooke, A Couchman, S Doyle, J Faulkner, R Ford, M Gant, M Greatorex, R Kingstone, A Lunn, T Madge, K Norchi, J Oates, M Oates, S People, T People, R Pritchard, R Rogers, P Standen, M Summers and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), Andrew Barratt (Corporate Director Growth, Assets and Environment), Stefan Garner (Director of Finance), Anica Goodwin (Director - Transformation and Corporate Performance), Linda Ram (Public Relations Officer and Copywriter), Ryan Keyte (Senior Legal Officer) and Janice Clift (Democratic and Elections Officer)

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Goodall, S Goodall and A James

21 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 May 2017 were approved and signed as a correct record.

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

22 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

The following announcements were made:-

Councillor John Faulkner:-

Peter was already a member of the Labour Party when he moved to Tamworth in 1986 and took a full part and was first elected to Tamworth Borough Council on 30th October 1997 and therefore he had just short of twenty years' service when he resigned with affect from 31st August 2017 following a stroke. Sadly following a second stroke he died on Saturday. Paying tribute to Peter as I am sure we would all like to do, one thing comes across more than anything else and that is his diligence in dealing with patch issues. He would essentially carry through each particular issue as far as he was able to take it. He wouldn't necessarily be fobbed off. A lot of residents throughout Bolehall and throughout the town were grateful for his assistance.

When he was first elected in 1997 he secured 515 votes. I think it was something of a tribute to him that when he stood in 2015 and he secured 1440 votes. He served as Leader of the Council for four years between 2000 and 2004 and I think one of his greatest achievements was the introduction of street wardens; one of the greatest concerns for Tamworth was Community Safety and I think street wardens played a major role in making people feel more secure. For this work in Tamworth I think we should all thank Peter.

But of cause in 2004 the Labour Group lost control and Peter became Leader of the Opposition and as Councillor Danny Cook as already made reference, he was quite diligent. He lost few opportunities to remind the Tories, for example of the sale of the Peaks business for £1.00 to a company called Sports Village UK Limited and which basically had no assets to speak of at all. Perhaps we miss Peter not being here to remind us of this. Secondly there was the matter of the Icelandic Banks period. In 2008, prior to these banks collapsing, Tamworth Borough Council had seven and a half million pounds invested with Glitner, Kaepthing, Singer & Friedlander and Heritable Bank and provided a regular source of questions from Peter with what was happening.

We didn't always agree with Peter and seldom so the members opposite and also occasionally on this side. Most recently we had the question of the European Referendum and Peter argued for withdrawal from the European Union. Some healthy debates there! Whatever happened he was always a friend and colleague. He had that sort of dignity that he would be able to separate personal items from issues.

Peter never held a grudge and very often there would be jokes at his expense and he always took them very well. So I'm going to conclude with two quotes. First of all something Peter said when he was speaking about Phil Dix "when he did speak common sense and his vast knowledge made people immediately want to listen and respect his contributions to that being discussed". The second quote and this is a quote which I am going to conclude with and hopefully my old English teacher Mr MacNab will be very pleased that I remember. This is a quote from Hamlet "he was a man, take him for all and all. I shall not look upon his like again".

Councillor Chris Cooke:-

I have known Peter since I was elected. He was a nice person and I had a lot of respect for him. Please can you pass on my sympathies to his family.

Councillor Tony Madge:-

It was three and a half years ago when I first met Peter. When I was elected he made me feel welcome. We often chatted and when Peter spoke you listened. I had great respect for what he had to say. One of the things that I remember was when we held a Councillor Day at Rawlett School for the kids. I was quite a bit nervous going in there. I partnered up with Peter and the way he came across to the youngsters I realised there were no age or political boundaries. He was excellent. I learnt a lot from him and we used to have a little laugh about that. I know when it comes to the Council meeting at Christmas I usually sat next to Peter at the Town Hall. I will miss those moments. We used to have a chat. He was a great man. My sympathies go out to his family. I will remember him with great fondness.

Councillor Tom Peaple:-

In many ways it is intimidating to follow so many as some knew Peter for longer than what I ever did. However I would like to recall some particular memories I have of him. This was back in 2010. Was it legal for a twenty year old to stand for Council? It was legal! In some ways it was a very daunting thing to do but I remember the first meeting after I had decided to stand was in a Labour meeting. Peter said to me "so are you going to be Labour's second youngest Councillor?" I think he meant after himself! I attended the Rawlett Debate which was held a few weeks before the election where we could sit with the sixth form at Rawlett. It was good to be involved as every other Labour Members or Councillors were there. He made me feel comfortable like Councillor Madge said he could cross age barriers. He encouraged this. I am still trying to get used to the fact that he has gone to be honest. It is really sad.

Councillor Pat Standen:-

I have known Peter since I was in my twenty's. I didn't know originally that he was a member of the Labour Party. I knew him originally from church. He was one of the regular faces you saw. Recently at St John's but previously at Sacred Heart. Peter and his wife Violet would normally sit behind my family at mass and we would quite often talk before mass and at the end of mass mostly. He is going to be sorely missed. As a Councillor he was always there as someone you could always talk to or if you wanted a bit of advice he was one of those ears you could always depend on. My thoughts and prayers are really with Violet and the wider family. It has got to be a very hard time for them at the moment and my thoughts and prayers are with them. He is just going to be missed.

Councillor Maureen Gant:-

This is more on a Personal note than anything. There have been so many tributes made to him. Ken and I have been very good friends with Peter and Violet for a very long time. We class him as a friend and I think he will be sorely missed in the

Council Chamber and he will be sorely missed across the borough as he was a fantastic Councillor. Violet is finding it very hard at the moment but fortunately she has got all her family around her. Hopefully I am going to see her again later in the week.

Councillor Michael Oates:-

Peter was a gentleman. I have known him for possibly 20 years. I want to be a bit light hearted as Peter is in a better place now. Peter was political and because of this there was a lot of banter across the Chamber. Outside the room there was no politics between us. I have never heard him swear. He used to work at gentleman's outfitters. I have often thought to myself I can see him saying "are you free Mr Grace?"

Councillor Allan Lunn:-

As we have said how we are in the Chamber it is often missed by the public that we do get on outside of here. My friendship with Peter developed at Tamworth Football Club where we would stand. I can honestly say I didn't hear him swear as I was swearing so much myself. We would be quite passionate about the club. He became an 'honorary lamb' although he came from up north where they drank stronger beer. He will be sorely missed at the Castle End. It will not be the same when we go down. I haven't had the opportunity to go down for the last couple of years but would see him every other week when I was down there. So it will be strange going back down there and he will be missed as a 'lamb' not just as a Councillor. Sympathies go to the family.

Councillor Jeremy Oates:-

Councillor Seekings just looking over across at where he would sit that is where I first sat when I first got onto this Council and that was back in May 2000. The reason I was elected to this Council was that the Council had made a decision to charge twenty four seven for car parking. It is times like this that I think about the individual and what Peter and his group have done for Tamworth Council. Peter reversed that decision at the following budget. Without Peter as the Leader I wonder whether we would have got rid of the twenty four seven car parking charges. That is what I remember in terms of an achievement. I asked my first question at Council in 2000 and I had chosen the wrong question as he ripped me to pieces. It was about the car park over here by the co-op. I said about the reduction in car parking what was the town going to do? His answer was "this equates to 0.6% of the parking spaces in Tamworth. I can't remember my supplementary but I'm guessing it was quite weak. We have mentioned the personal side of Peter. When I was Leader of this Council you know that it can be a really lonely job. Especially when you have had your group meeting and you think you have got an idea where you are going and two days later you are in the office on your own desperately trying to get any member to answer their phone to speak and you have got a decision to make. Peter didn't just do it as Leader of the Council but he did it as Leader of the Opposition for many years and as Leader of the Opposition probably through my naivety as Leader of the Council he did a cracking job. Councillor Faulkner has already raised about Iceland and money spent on consultants and also the money spent on the Tamworth Transfer

Bid. So there are the four things there. The Conservative group didn't get 100% right. Do you know that Peter was the one Councillor that never let us get away with anything and he would remind us of it at every possible opportunity. He used to rile us that is why he would do it. It was also a little reminder to say ignore this. If you think you have won the argument you have actually only won the vote. So I am watching you and I am going to remind you of this, this and this. I think in terms of those skills there are very few to challenge Peter. He also got me in trouble as I signed a letter and had the National Party on my back. In terms of personal politics I remember coming out of the Count in 2003. Wondering out of the Count at the same time was Peter and he said "come back to mine and we will have a drink?" Jerry and I went to Peter's house and we stayed there until about three in the morning. But we were made to feel welcome. We may have fallen out in the Chamber and we may have seen Peter go really red in the face. It was about people. I felt pretty welcome at Peter's house that evening. When he attacked you sometimes it felt really personal and if he continued to attack it did feel personal. But it wasn't personal it was just good politics.

Councillor Ken Norchi:-

It has been said many times and by everybody what a great character Peter was. What a great family he has got. I'm just going to talk about the humorous side of Peter because if I talk about anything else I may need a handkerchief. One night we were at a meeting two or three years back and we were both going to Bolehall Club after the meeting. Peter said "I will see you up there Ken". I arrived at Bolehall Swifts Club and fifteen minutes later no Peter. Ken who was another friend of Peter's said to me "was Peter at the meeting?" I said "yes". "Did he leave at the same time as you?" Again I replied "yes". So we phoned Peter up. "Where are you Peter?" "In Hopwas" he replied. "How have you got there?" He said "There was a diversion and I followed it?" Fifteen minutes later Peter arrived at the club to a round of applause and a big cheer. As John had already said he had a fantastic sense of humour and he had no sense of direction. That was Peter. If he was driving you would say to him "where are you going?" He would laugh and say "where am I supposed to be going?" The man must have had a sense of humour because he bought me into politics. He asked me some years ago and here I am now. There is lots of thanks to go to Peter. He was and still is in everybody's mind a true gentleman and a true family man and a true friend. I will miss him.

Councillor Simon Peaple:-

First of all Councillor Cooke can I say we really appreciate your kind comments. You demonstrate a great deal of bravery when you get up and we really appreciate that. Councillor Faulkner did him proud and we have heard so many nice things from both sides of the Chamber. I just wanted to pick out one word a different word to the one John used and that is integrity. Councillor Seekings did something that not everyone can do. He was Leader of the Council at a very controversial time. Not everything that the last Labour government did was right though arguably better than what was to follow. But I am sure Peter would appreciate me adding that. He served his time as Leader of the Opposition but he had integrity to turn round and say "I'm not going to be Leader of the Council again in the near future". Therefore he handed on the baton. It's not easy to do

that as politics is full of people that cling onto status or some kind of position because they just can't bear not to be taken on and Peter showed tremendous integrity by making that decision. I have over the last four years benefited from having someone in that corner if you like someone who understood but didn't always agree and not to be alluded to. He had firm views and as I was a Londoner coming from a different direction to help to try and dilute this northern takeover but from a practical point of view I could always talk to him. One of the things that a past Leader can very easily do is to act as though they were still Leader and view what you should of done. He would suggest other things that could have been done. But you know when he was in the Chamber he knew which side he was on and he never let you forget it. I want to thank everyone from behalf of the party for their kind tributes and to recognise as I close my remarks to have integrity is a fantastic thing because that is what actually carries you through. To get the kind of tributes that Peter deserved. Pat and I saw him at church. We knew he was a man of faith. He has now made that final step. I'm sure he will be crowned in heaven. In the meantime thanks for that. On Peter's behalf the sentiments that have been expressed will be passed on.

Councillor Stephen Doyle:-

I have been at this Council for six years and I spent my first year on Audit and Governance Committee. One thing that I actually remember is that both Peter and Ken made me feel welcome and they were members of the opposition. I gratefully valued that because I was very, very nervous. Peter showed me exactly what it was to be a Councillor and to work on the patch and be active in the Chamber. When we were in Audit and Governance he did the work very, very well and that was something that I loved to follow so I looked to carry on. To being open and welcome to members of the opposition because at the end of the day we are all here to do the best that we can. I will miss him.

The Mayor, Councillor John Chesworth:-

We were completely different politically but outside of the Chamber I always found him to be a complete gentleman and like Councillor Lunn I bumped into him at the Lamb a few times and we would chat over the football. I don't think I heard Peter swear. I know I was out with Teresa at different events and if Peter and Violet were there they always made a point of chatting to us and outside of this Chamber and away from politics he was a gentleman. Maureen when you see Violet if you could pass on our best wishes please?

MINUTES SILENCE

Leader of the Council, Councillor D Cook:-

This is the Chief Executive's last meeting of full Council before his retirement. A retirement that over the last six months I have fought for trying not to listen. I tried to write into his contract that he had to give twenty years notice but HR were just not having it. To try and sum up in words the achievement of Tony Goodwin for this Council and this Town. I will give you a taste of what has been taking place in the background this week. Linda Ram and of course is with us in the audience our PR Manager asked me for some words about Tony's time. I replied "Leader,

poet and seducer of women the world over. The reason I use those words is I couldn't think of any words that would fit the bill. I am still genuinely struggling to find the words. Linda has promised me that she will use the last bit in the press. I think we all need to recall that when Tony took the job as Chief Executive at the Council we were just entering national austerity level that hadn't been seen since the Second World War. This Council other than the golf course did everything it does today as it did then. It still balances its budgets to the same quality. It still has a treasury management structure we will see tonight. It is above other Council's. While we may be one of the smallest Council's we are well respected and well run Council and that is Tony's doing. He has been an absolute superb Chief Executive for this Council and what he has delivered in some hard times is amazing. If you ever want to see the quality of his work I suggest you look at the back of the room with regards to the quality of staff he has fetched through the next generation for us. Tony's achievement on this Council is nothing short of miraculous. When he leaves he certainly leaves this Council on a far better place and I will certainly miss him.

Councillor Simon Peale:-

The departure of Tony Goodwin fills me with some sadness. Mitigated by the fact that we have quality people to take on the roles we propose tonight. I was here when Tony came in the Leisure Department. I remember but he probably won't because he has moved onto such great and wonderful things not to mention sorting out Councillor Cook and keeping him vaguely on the straight and narrow. I remember him sorting out a query that I had at a garden on my patch and I remember I completely forgot in the days before e-mail the ability to log things and put an arrow beside them. I just completely forgot that I had said that I would look this up and belatedly went to see Tony to ask if he could help me out on the issue. He said "I can sort this out for you. I think we can find an answer to". I think this is something he has done all the way through. He has given a very distinguished service for this Council. He has found solutions. As Councillor Cook has alluded to so I'm not being political but why shouldn't I be? It's a time which has been very, very difficult ever since the announcement of austerity and serial cuts we have had to face and very tough decisions and whilst we may not agree all services were exactly as they were. None the less if that mitigation hadn't of been carried out with Tony and his management to guide and support then it wouldn't of been possible. Tony and I agree on relatively few areas of life in some ways certainly doesn't support the right football team and certainly very few of my family have served in the armed forces so we don't share that background either. But I have come to have enormous respect for Tony and I'm not sure that Doctor Goodwin and I will always have agreed but I do know there have been times when we have clicked with each other. I think it was Tony who said well I suppose you are the one with an academic directorate?" His is in sociology but everyone recognises an academic qualification. The fact is we had a thoroughly good relationship in many ways and I'm very grateful I have had the ability to go and see him on a regular basis. Thank you Tony for the support and guidance you have given me since I was a young naive Councillor and that is just over the past two to three years. Thank you very much indeed.

Councillor Jeremy Oates:-

I have been a member of the Council for seventeen years now. I want to take this opportunity to say thank you to Tony. There are a number of lessons he has taught me. We mentioned Peter earlier. Peter bought the Cabinets Scrutiny Committees to Tamworth and myself and my father made the first call-in to Scrutiny because the Cabinet decision was to move Wilnecote Parish Hall from Council operation so we called it in. I met with residents, went through different ideas and came up with a list of questions. I went to see Tony and said "these are the questions I'm going to be asking tonight so can we go through them and make sure they are okay so you've got an opportunity to answer them?" Tony went through the questions and turned up at the meeting and I started asking the questions. Tony started answering them with pretty much one word answers. Then the Labour members in the room asked a whole load of other questions which had never entered my head the motion was moved that the decision remains and off we all went. I was sitting there feeling quite numb thinking what happened there and Tony said to me "I answered the questions that you asked me but I didn't answer any questions you didn't ask me". The work Tony has done as Chief Executive doing a lot of work behind the scenes with the members of CMT. We had a laugh while we were doing it. It is known that Tamworth is often the early implementer of National Schemes or County Wide Schemes and that was because Tony had vision. He could spot things coming on the horizon. I remember walking into his office one afternoon and I said "what are you up too?" He replied "I'm working on the CAA process" which didn't happen for two years but he was early plotting and it's that early plotting that Tony is fantastic at. I will give you another example in 2007 for whatever reason I think Linda and Peter Seekings may have known the reason better. The Director at the time had booked the Assembly Rooms for the count. I didn't know how he knew it was going to be shut. It must have been his long sightedness as he booked elsewhere. It is probably my fault that he is sitting in that chair. I saved his life one day. We were on the eighth floor. Tony tripped on the top step and I saved the guy. Tony tells the story slightly differently but I tell you he is not light. I want to say thank you to Tony for all he has done for Tamworth Borough Council and for Staffordshire because he has certainly made some waves and to just remind members it's not just what he has implemented as Chief Executive the achievement he has had as Chief Executive has been a tribute to the efforts and he has certainly supported me as Leader. Thank you Tony for all you have done. One last thing was at my Mayor's dinner I had a phone call from Tony asking if Danny and myself could behave as he was bringing his wife and he was on the same table as us.

Councillor Chris Cooke:-

I recognised Tony's achievements at the Council from when I first came here. I was as scared as anything when I first came into the Council to sign the papers after being elected. I wish him well for the future

Councillor Allan Lunn:-

As many of you are aware Tony is an ex-war veteran like some of us. In his time in the Army I mean the Royal Marines. When I got to know Tony I held ultimate respect for him with regards to duties that he undertook. So I already have that respect for the gentleman that was running us as a Council. Very often I had the

opportunity to say to him that “it’s not what the Councillors do for this town it’s what Tony and the team and every Council officer in the building does that runs the town”. I speak to people and there is immense pride shown for how the town is run. Tony had the lead at one of my first Council meetings. I actually accused someone of being an ‘oxygen thief’ and straight away he knew what I was saying. An oxygen thief is a military term for people who are talking when they shouldn’t be and talking about things that they don’t understand. If I was in military uniform tonight I would be saluting this man. Thank you.

Councillor Tony Madge:-

I remember well when I was first elected to the Council and we had a little Councillors chat. What impressed me straight away was his protection of his staff. We could fight him but we couldn’t touch his staff. They were his responsibility. That really impressed me. It wasn’t long before I was on the naughty step and I was invited in without coffee and we had a little chat oddly enough about the golf course. At the end of it I found we had common ground. We knew where we were both coming from and I know every time and I know that I did pester you with rather a lot of e-mails and phone calls that you always answered straight away and always very helpful. It’s true what others have said and in particular Councillor Lunn that your staff are a credit to you. The officers that I deal with regularly are super helpful. You do a great job and I offer you all the best. Now you are retiring don’t get involved in politics. I made that mistake.

Councillor Pat Standen:-

I have always found Tony to be approachable, intelligent and with a good insight and someone always worth listening to and with a sense of humour. Thank you for what you have done for the people of Tamworth and I include myself in that.

Councillor John Faulkner:-

Tony and myself were both born in the Wirral so I suppose we have something in common. Talking in terms of his service career there are a few anecdotes I have been told over the years of Tony. One was he was the worst shot in the British Army I know that’s not true because Councillor Lunn has just mentioned the Royal Marines were not part of the army. He may have been the worst shot in the Royal Marines. Tony has been Chief Executive during difficult times as the Leader of the Council has mentioned. The Election of the Conservative led government in 2010 led to unprecedented austerity. In the post war period austerity then was different. There was reduction in people’s consumption as resources were directed into building all the houses. Good housing in the country was building up, industry etc. Very different times that we are in now but I do not want to go on with that. Tony whenever I have had occasion to speak to him he has always been able to give me good and frank advice and I have always valued that. On every occasion there has always been that sense of humour. Jobs always got done with good humour and I think we should appreciate that. Second quote of Tony’s career was one of Tony’s colleagues that were in the services with him said to Tony “I would follow you anywhere out of sheer curiosity”. Tony has been a friend and please do stay in touch.

Councillor Robert Bilcliff:-

I met Tony on a number of occasions and I found him to have integrity which we have spoken about and Tony has that in abundance. He's also got something else. I've contacted him out of hours and I've been surprised that he has come back to me fairly quickly and given me replies. His office has always been open. We have had frank conversations. Nothing has been left wanting and we both know which side of the table we are both sitting. Always fair. Wish you all the best and hope all goes well.

The Mayor, Councillor John Chesworth:-

I admire someone who has served in the forces as Tony did and secondly someone who is a gentleman. I think on a personal level Tony was very good to me when I lost my dad last year. So I thank you for that. It's been a pleasure sitting next to you for one and a bit full Council meeting and it's been a pleasure and I do wish you all the best for the future.

Councillor Simon Peale:-

During the period since our last full meeting Councillor Danny Cook secured his engagement with Michelle Thurgood and behalf of everyone else may I presume to offer them great happiness for the future and congratulations and best wishes to them for the future.

The Mayor, Councillor John Chesworth:-

Final announcement another departure for those of you who know Janice in front of me she is leaving Tamworth Borough Council. Thank you Janice for your help and support at the meetings over the last couple of years and thank you for helping me while I have been Mayor!

Councillor Tom Peale:-

None that is departing but Councillor Alice Couchman will also be getting married soon. We wish her all the best.

Chief Executive, Tony Goodwin:-

Since taking up the role of Interim Chief Executive on 29th March 2011 the role of Electoral Registration Officer and Returning Officer for the Borough of Tamworth was assigned to Mr John Wheatley, Executive Director Corporate Services. Similarly I was personally nominated as 'deputy' in relation to both roles with both nominations ratified by Full Council.

These appointments are required in order to comply with the terms of the Representation of the People Act 1983, Sections 8, 35 and 52. Following confirmation from the relevant officers, I can now confirm that arrangements have been made for Mr John Wheatley, the Executive Director Corporate Resources to continue in the roles of Returning Officer and Registration Officer for the Borough of Tamworth. Following my retirement and with effect from 16th October 2017 the

Solicitor to the Council and Monitoring Officer Mrs Jane Hackett has been appointed as my successor as 'deputy' in relation to both roles and consequently, Council's ratification of these appointments is sought.

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

Just one quick formal announcement that I will be the Chief Executive until I walk out of the door!

Also for those of you who have sent good wishes for my wife I can tell you that she is now chatting away in her hospital bed.

24 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1

Under Procedure Rule No 10, Ron Brown, of 4 Adonis Close, Tamworth will ask the Leader of the Council, Councillor D Cook, the following question:-

"Is the Council Leader aware of the following discovery by Tamworth Resident and Elector, Ron Brown? A collection of Borough Council Employees has been posing as official representatives of Elected Councillors, posting statements (purportedly from the Council and Councillors) and soliciting public responses. Via that "man in the middle" attack on Public-Councillor intended dialogue, they have taken extensive steps to suppress and censor selected Public responses - none of which were abusive or contained other than factual statements. At the time of submitting this question, this group of impostors has - presumably in an attempt to cover their tracks - **altered** the Facebook-required truthful description of their identities, *from one of pretence and actually BEING Tamworth Borough Council*, to one of being merely the output of TBC's Communications Team. Furthermore, they are VISIBLY constructing for themselves the ability and authorisation to BLOCK any responder whom they deem (without Council Approval) as unacceptable to their purpose.

Supportive copies of "before and after" Facebook "about us" descriptions and a complete (at time of writing) copy of a thread where the impostors are visibly attempting to suppress the responses - which they originally requested - have been provided to the above Councillors. Please pay careful attention to the Councillor's submissions?"

Councillor D Cook gave the following reply:-

Other than is the Leader aware I'm not sure here is a question there!

Mr Mayor with your permission as the resident is not present I will offer to write to the resident to answer the question. I believe it is also subject to a Freedom of Information request with the exact same content from the exact same resident so I suggest we let that process run its course and when it has I will write to the resident also enclosing a copy of the complaints procedure. However I have

absolute confidence that our communications team are doing a superb job and I will not have them questioned in such away.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

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

“At the annual joint scrutiny of budgets the members requested that the cabinet investigate the potential for moving high earning council tenants on to a market rate of rent. Has this investigation been carried out and if so what were the results?”

Councillor M Thurgood gave the following reply:-

Thank you Mr Mayor and thank you too to Councillor People for his question.

Councillor People you will be aware that the potential move to charge high earning council tenants market rates for their rent was a provision allowed for under the Housing and Planning Act 2016. The scheme was designed to charge those households earning more than £31k (£40k in London) up to market rents.

Our housing team prepared detailed assessments last October for what was intended an April 2017 implementation. However, as members will be aware, following the housing sectors response to this proposal - the then housing Minister Gavin Barwell announced it was no longer mandatory for Councils and should be considered in the spirit of Localism and political discretion. In other words it was voluntary.

As I stated at joint scrutiny (budgets), and was widely supported by members, I was keen to see if Tamworth Council could make this work. It may have been ‘scrapped’ as a must, but was still on the proverbial table. Ultimately, I would love to be able to ensure those who can afford to pay do so and hopefully to free up some accommodation for people who do not have another choice.

Unfortunately, having reviewed the evidence, it was clear that whilst the option was there, it was not feasible for this council to take it forward. This is due to the following reasons:

- **The costs to administer were assessed as likely to be higher than the income generated.** As recipients of housing benefits and/or universal credit are exempt, as are low income families – income projections were assumption based only and could have been as low as c£57k. With administrative costs assessed to be around £70-80k it appeared uneconomical to proceed
- **The requirements for tenants to declare their income remains voluntary** – therefore arrears would have been likely to accrue as tenants are reluctant to share personal financial information.

- **And finally, even if we could make it work, Councils do not keep the additional income locally** it must be returned to the treasury. This means we could generate additional income and have to endure the full cost locally – this does not make sense for us.

Therefore; until there is further regulation from the government around this scheme – the risks to this council unfortunately far outweigh the benefits. And we will not be taking it forward.

I am of course happy to meet with Councillor Peple or any other member to discuss the details further. Thank you.

Finally just also to confirm that the team are currently reviewing affordability of rents as part of wider commercial considerations within the Housing Revenue Account. A report on affordable rent levels is on the Councils forward plan for 2nd November 2017.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor T Madge will ask the Leader of the Council, Councillor D Cook, the following question:-

“With regard to the planned green bin charges, as you are aware I am opposed to any charges to the public for collection of green waste. I understand why you are bringing in this charge but I did offer an alternative which would bring in revenue for the green waste which would remove the need to charge residents of Tamworth. I know you agreed with me that this was possible and I ask that this system can be considered for possible implementation in the future?”

Councillor D Cook gave the following reply:-

Thank you Mr Mayor, and can I thank Cllr Madge for his question.

I believe there are 30 of us in this room, all Councillors who want the best for the residents of Tamworth we represent and would dearly love not to have to implement the charges for green waste.

Unfortunately at this time we have two choices, either implement the charge of £36.00 per green bin or severely cut back the services we provide to our residents.

I will not get into the state of the national finances or the ever increasing demands / need of a changing age demographic in the UK that is putting all levels of public finances under increasing pressure. We all know the challenges we face today and over the next decade or so in the public sector.

I have indeed spoken with Cllr Madge about his idea for a site that would be owned by Tamworth Borough Council where green waste could be composted thus potentially saving money or perhaps creating a profit for the Council to underpin the cost of services. I also confirm to all colleagues that it is certainly not the worst idea I have ever heard.

Myself, the Portfolio Holder and officers have had a brief look at the idea, but have not yet had a deep dive to see seriously how feasible it would be. But from early conversations no one is saying it's impossible, just that any pay off, if there was a pay off or pay back is at best very long term. It does not create income, if there was to be income it would not be quick enough in the short term to potentially off-set the need to charge for Green Waste collection.

By the time we have purchased land, set up all the licences required, purchased the required equipment, analysed any effect on our Waste partner in Lichfield District Council and what impact or continuation effect this would have on the joint waste service then the implementation and pay off would be years away. Yet we need the income within the next year or so or we have to cut services. As all will be aware, this Council is employing two new Homelessness Officers, continues to maintain its commitment to the voluntary sector, is investing in and protecting our heritage at great cost. All this with ever decreasing government financial support.

The Commercial Investment Strategy (CIS) is gathering pace and I hope will create the required income streams to underpin our finances long term and I give Cllr Madge the promise that once the governance of the CIS is in place I will ask that his project gets a serious look in the future against the agreed criteria set out by the CIS.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor R Bilcliff will ask the Leader of the Council, Councillor D Cook, the following question:-

“The Environmental Protection Act 1990 -- Section 45 (3) says this:-

“No charge shall be made for the collection of household waste except in cases prescribed in regulations made by the Secretary of State; and in any of those cases -

(a) the duty to arrange for the collection of the waste shall not arise until a person who controls the waste requests the authority to collect it; and

(b) the authority may recover a reasonable charge for the collection of the waste from the person who made the request”

If I use my green bin no more than once or twice a year. If, on those occasions, I properly request the authority to collect my green bin will they arrange to collect this bin and if so what would their reasonable charge be?”

Councillor D Cook gave the following reply:-

There is no legal obligation on any waste authority to provide a separate collection of garden waste irrespective of whether a householder requests occasional or regular collections.

However Tamworth and Lichfield both recognised that it was far better to offer its residents an opt-in subscription service rather than to provide no service at all. After careful consideration it was determined that the most cost effective way to provide the service and keep the cost down for residents was to deliver it on an annual basis with a single subscription charge.

This means that residents can then use the service at their own convenience without having to pre book a collection. Even if an on demand service was provided the charge for such an arrangement would have to reflect that the same overheads for staff, trucks and depot still exist plus the added expense of collecting a payment each time a collection was requested.

Paragraph 4 of Schedule 1 to the Controlled Waste Regulations 2012 specifies when collection and disposal charges can be made for household waste and the scheme which will be introduced in January 2018 is fully compliant with this legislation.

I have with me a copy of this legislation and I am happy to E-mail Cllr Bilcliff a copy should he wish it. If he takes a good look at page 11 it clearly states under this legislation that you can indeed charge for the collection of garden waste. It actually quite simple, the first column entitled "Description of Household Waste" on the table says Garden Waste, the second column entitled "Collection Charge" simply says YES. Not difficult to pull the meaning from that, quite rare in my experience with government legalisation.

As I stated earlier to Cllr Madge, no one wants to do this, everyone is aware it will be unpopular. What we lack is an alternative choice that does not hurt the vulnerable in our town.

Councillor R Billcliff asked the following supplementary question:-

"Can you just explain if I've got this right even though I only use my bin once or twice in a year you are prepared to charge me £36.00 for that? Can you explain as I said I need to see the regulations to what is a reasonable charge within the meaning of those regulations?"

Councillor D Cook gave the following reply:-

In my day job this qualifies me to answer this question. As many of you will be aware I am a distribution manager with many years' experience running very large depots. When legislation says that it is to charge a reasonable amount it is so that a service does not lose money. We could send a truck to you once a year but we still have to pay for that truck on a yearly cycle and so we have to offer the driver and the crew a yearly salary which must be funded by a yearly cycle. Logistics has two running costs which you pay no matter what. Those standard costs i.e. the vehicle, the insurance etc are all the things that go into owning and running a vehicle is still costs the same over the course of the year. So we cannot offer one off collection and otherwise we cannot budget for a service to function.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

Under Procedure Rule No 11, Councillor R Bilcliff will ask the Leader of the Council, Councillor D Cook, the following question:-

”Before we were supplied with green bins I would put some green waste I collected into my black bin. Does the local authority seek to stop this practice and, if so, under what specific regulation?”

Councillor D Cook gave the following reply:-

The Joint Waste Service has no plans to invoke Section 46 of the Environmental Protection Act 1990 and prohibit residents from disposing of their garden waste in the black bin. Instead those residents who do not subscribe to the scheme will be encouraged to dispose of any garden waste they may have by either home composting or taking it to a Civic Amenity Site as these options are more environmentally friendly.

This Council is trying to create the required finance to underpin services to some of the most vulnerable in our society, which is drawn out from our corporate plans and vision. We are not looking to create an environment of draconian punishment. I truly hope the public in Tamworth and Lichfield buy in to what we are trying to achieve.

I hope that this helps?

Councillor R Billcliff asked the following supplementary question:-

“How will the authority make it publicly clear this option remains available to the public when you go ahead with the green bin tax?”

Councillor D Cook gave the following reply:-

Most Council's charge more than £36.00. This council is not in fifty percent of this in the country charging for green waste. What I would honestly say is do you recall when the recycling boxes were fetched in and we were told the public would go mad and that nobody would have it. Within a couple of months it was the norm. When waste went to a two weekly collections I was told the public would go mad but it became the norm. When boxes were changed for recycling bins this became the norm. There was no room in the garden but this became the norm and this will become the norm. It does rely on residents actually buying into this scheme. But on every single example that I have given you what the Council has chosen to do. We have talked to residents and helped them to understand what we are trying to do. Throwing green waste in your black bin ends up in landfill which is incredibly environmentally unfriendly. What we are trying to do is protect the environment. I would hope that thirty Councillors will encourage residents to buy into this scheme and not try to abuse it.

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 2016/17 and the actual Prudential Indicators for 2016/17. 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 Members
- 1 approved the actual 2016/17 Prudential Indicators within the report; and
 - 2 accepted the Treasury Management Stewardship Report for 2016/17

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

26 EXCLUSION OF THE PRESS AND PUBLIC

- RESOLVED:** That members of the press and public be now excluded from the meeting on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

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

27 ROLES OF CHIEF OPERATING OFFICER AND HEAD OF PAID SERVICE

The Leader of the Council seeking Members approval of the recommendations of the Appointments and Staffing Committee in relation to the posts of Interim Chief Operating Officer and Head of Paid Service in accordance with the Council Functions as detailed under Article 4 of the Constitution.

- RESOLVED:** That the recommendations contained within the report be approved

(Moved by Councillor D Cook and seconded by

Councillor S Peaple)

The Mayor