



CABINET

23 May 2012

A Meeting of the CABINET will be held on Wednesday, 30th May, 2012, 6.00 pm in Committee Room 1 Marmion House, Lichfield Street, Tamworth

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Corporate Update

Title: Corporate Change Programme

Presenter: Nicki Burton (Director (Technology & Corporate Programmes))

3 Minutes of the Previous Meeting (Pages 1 - 4)

4 Declarations of Interest

To receive any declarations of Members' interests (personal and/or personal and prejudicial) in any matters which are to be considered at this meeting.

When Members are declaring a personal interest or personal and prejudicial interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a personal and prejudicial interest in respect of which they do not have a dispensation.

5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules

None

6 Corporate Plan 2012/13 (Pages 5 - 30)

Report of the Leader of the Council

- 7 Proposed Implementation of Dog Control Orders** (Pages 31 - 94)
Report of the Portfolio Holder for Environment and Waste Management
- 8 Environment, Health Regulatory Service (EHRS) Fees and Charges 2012-13**
(Pages 95 - 104)
Report of the Portfolio Holder for Environment and Waste Management
- 9 Homelessness Prevention Funding** (Pages 105 - 112)
Report of the Portfolio Holder for Housing
- 10 Community Infrastructure Levy** (Pages 113 - 120)
Report of the Portfolio Holder for Economic Development and Enterprise
- 11 Local Authority Mortgage Rate for Mortgages Granted Under Housing Act, 1985** (Pages 121 - 122)
Report of the Portfolio Holder for Core Services and Assets
- 12 Write Offs 01/04/2011 - 31/03/2012** (Pages 123 - 128)
Report of the Portfolio Holder for Core Services and Assets

Restricted

NOT FOR PUBLICATION because the report could involve the disclosure of exempt information as defined in Paragraphs 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

- 13 Discretionary Rate Relief** (Pages 129 - 132)
Report of the Portfolio Holder for Core Services and Assets

Yours faithfully



Chief Executive

People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail committees@tamworth.gov.uk preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.

To Councillors: D Cook, R Pritchard, L Bates, S Claymore, S Doyle, M Greatorex and J Oates



MINUTES OF A MEETING OF THE CABINET HELD ON 4th APRIL 2012

PRESENT: Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, J Garner, M Greatorex and M Oates

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Deputy Chief Executive and Corporate Director (Resources)), Jane Hackett (Solicitor to the Council and Monitoring Officer), Rob Barnes (Deputy Director (Housing and Health)), Robert Mitchell (Deputy Director (Communities, Planning and Partnerships)), Steve Pointon (Housing Strategy Manager) and John Day (Corporate Performance Officer)

146 APOLOGIES FOR ABSENCE

None

147 CORPORATE UPDATE

The Chief Executive gave a presentation on the Corporate Plan.

148 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 14 March 2012 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor M Greatorex)

149 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

150 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES

None

151 TEMPORARY RESERVES, RETAINED FUNDS AND PROVISIONS

The Report of the Portfolio Holder for Corporate Services and Assets seeking approval for the establishment or retention of Temporary Reserves, Retained Funds and Provisions, to write back to balances those reserves that have been identified as no longer being required was considered.

- RESOLVED:** That:
- 1 Cabinet approved in principle the creation/retention of Temporary Reserves as detailed in this report and considered whether a spending plan against each of the individual reserves will be required;
 - 2 Cabinet approved that should the actual outturn level adversely vary from the predicted outturn, adjustments will be made and Members may be asked to review the creation of these reserves;
 - 3 Cabinet approved the write-back of reserves as no longer being required in the sum of £145,770 to General Fund Balances, to support the Medium-Term Financial Strategy, and;
 - 4 Additional reserve business case funded totalling £64,330 were agreed as follows:
 - £8,000 Town Hall improvements
 - £6,330 Belgrave Activity Fund
 - £50,000 Corporate Change Project Manager

(Moved by Councillor D Cook and seconded by Councillor J Garner)

152 DEVELOPMENT OF THE LANDLORD HANDY PERSON SERVICE 2012

The Report of the Portfolio Holder for Quality of Life setting out the arrangements for the Landlord Handy Person Service as detailed in the Repairs Policy, and agreeing the repairs policy following the principles agreed in January 2011 and used for the procurement process was considered.

- RESOLVED:** That:
- 1 The Repairs Policy be approved;
 - 2 The implementation arrangements for the Handy Person Service contained within the report be approved;
 - 3 The development of a Q & A leaflet, based on the proposals within the report, for all Sheltered Scheme Residents be approved, and;
 - 4 An update on the progress of the Handy Person Services be brought to Cabinet in October 2012.

(Moved by Councillor M Oates and seconded by Councillor M Greatorex)

153 STRATEGIC HOUSING SERVICE DEVELOPMENT

The Report of the Portfolio Holder for Quality of Life seeking approval to utilise identified resources to support activity to bring empty homes back into use was considered.

RESOLVED: That the use of £90,000 from the Coalfields regeneration funds to support the delivery of a defined Empty Homes Project with Waterloo Housing Group, the County Council and the Homes and Communities Agency be approved.

Cabinet congratulated the officers for their work in this area.

(Moved by Councillor M Oates and seconded by Councillor D Cook)

154 CONSERVATION GRANT APPLICATION

The Report of the Portfolio Holder for Economic Development and Enterprise seeking approval one grant application was considered.

RESOLVED: That a grant of £6,141 in respect of 110 Lichfield Street, Tamworth from the conservation budget subject to the normal grant conditions be approved.

(Moved by Councillor S Claymore and seconded by Councillor R Pritchard)

155 TAMWORTH COMMUNITY BMX TRACK

The Report of the Portfolio Holder for Corporate Services and Assets seeking agreement for the Council to act as the accountable body to facilitate the BMX track and nature area, and to add the project to the Council's Capital Programme was considered.

RESOLVED: That:

- 1 The Council acts as the accountable body for the project, and;
- 2 The Community Spaces Delivery Grant (on behalf of the Belgrave Residents Association) of £47,300 to enable the BMX Track and nature area be completed be approved, and;
- 3 Contributions to the value of approximately £3000 be received, and;
- 4 The addition of this project to the capital programme be approved, and;
- 5 The Deputy Director Assets & Environment be authorised to expend the grant and other contributions as necessary to complete the project.

(Moved by Councillor R Pritchard and seconded by Councillor M Oates)

Leader

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REPORT OF THE LEADER

CORPORATE PLAN 2012/13

EXEMPT INFORMATION

Not Applicable

PURPOSE

To inform Cabinet of the contents of the Corporate Plan before publication

RECOMMENDATIONS

That Cabinet approves the Corporate Plan

EXECUTIVE SUMMARY

It is good practice for organisations to provide stakeholders with a plan of future activity.

Per the Council's values and its need for openness and accountability, there is a requirement to produce a public statement describing the Council's intentions for the financial year ahead, the rationale for these and the ways in which the Council will ensure success.

The Corporate Plan 2012-13 is attached.

The Corporate Plan has been graphically designed and will be posted on the Council's internet site for access on demand.

RESOURCE IMPLICATIONS

None directly arising from this report.

LEGAL/RISK IMPLICATIONS BACKGROUND

None directly arising from this report.

SUSTAINABILITY IMPLICATIONS

None directly arising from this report.

BACKGROUND INFORMATION

REPORT AUTHOR

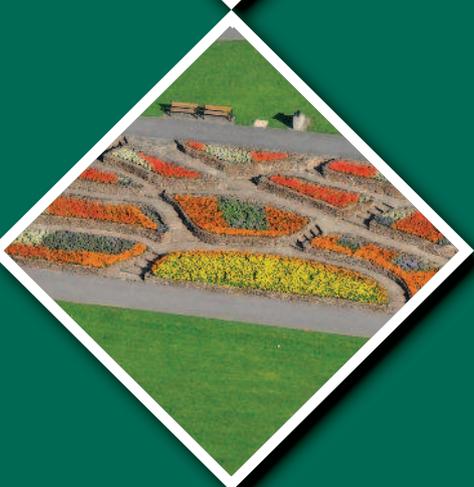
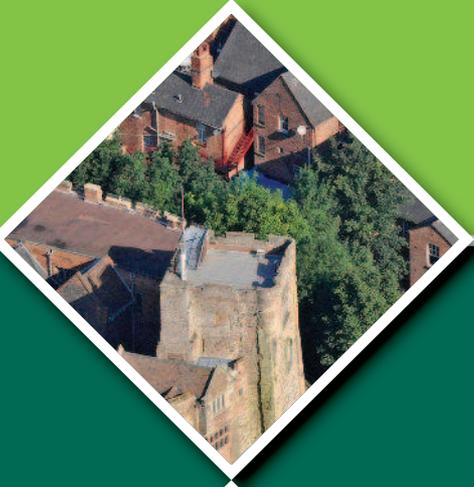
John Day

LIST OF BACKGROUND PAPERS

APPENDICES
Corporate Plan 2012/13

Corporate Plan 2012/13

Tamworth Borough Council



One Tamworth, Perfectly Placed

Tamworth
Borough Council

Contents

Foreword	3
Our achievements	4
Our vision	6
The future	8
Leadership & resources	16
Our performance	23
Contact us	24



Foreword

The Corporate Plan for 2012-2013 sets out the many achievements of the last 12 months. It will detail how Tamworth Borough Council and its partners will meet the ever increasing needs of our communities, while responding to current and future financial constraints.

"Challenging" has to be the most used adjective by public sector chief executives to describe the current environment. And yet, in the south eastern corner of rural Staffordshire sits a small, mostly urban borough, that has delivered some notable successes in the face of adversity.

Despite the reductions in public spending, the ongoing implications of a European financial crisis and a schedule of policy change and ever growing reforms, Tamworth Borough Council has enjoyed one of its most successful periods for decades.

Last year's plan set the tone for all future plans; not only did it set out the borough council's intentions but also those shared by our major partners all of which share the single vision of "One Tamworth, Perfectly Placed". It was the successful delivery of the plan, coupled with strong political support and the skills and commitment of public sector staff locally, that enabled Tamworth and its communities to look back with pride.

Proud we can all be, complacent we cannot. We are personally proud of the response from all borough council staff to the challenges set at last year's Annual General Meeting. Not only were they achieved - they were exceeded. Yet we will all face a number of difficult issues in the coming months and with them, some difficult decisions.

We have been able to plan ahead with confidence. For the second successive year, Tamworth is one of the first West Midland authorities to approve a four year balanced budget with no major impact on front-line services, no redundancies and elements of growth to fund improvements.

If we and our partners continue to support the most vulnerable in our communities, while directing our resources towards them, we will progress further and faster towards our vision and all that it will bring to our economy, our environment and our quality of life.

Others can "speculate to accumulate" we will "innovate and regenerate".

This plan will help.



Councillor
Daniel Cook
Leader

A handwritten signature in black ink, appearing to be 'D Cook', written in a cursive style.



Anthony E. Goodwin
Chief Executive

A handwritten signature in black ink, appearing to be 'Anthony E. Goodwin', written in a cursive style.

Our achievements: 2011/12



Tamworth hit the headlines for a number of reasons last year; the Staffordshire Hoard saw thousands of people flock to Tamworth Castle, the grounds were taken over for a three-day living history festival which saw Saxons keeping a watchful eye over the Hoard, world class music acts performed at the Ultrasound Music Festival and Tamworth struck gold in the In Bloom competition.

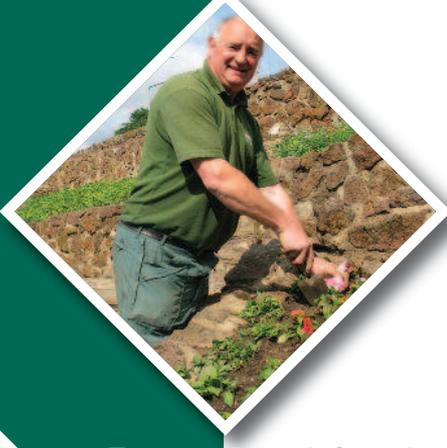
Tamworth Borough Council joined forces with the Birmingham Local Enterprise Partnership (LEP). This means we now play a key role in making strategic decisions to drive sustainable growth and job creation across the region.



News that the Olympic Torch was coming to Tamworth on its journey across the country was met with a ripple of excitement across the borough, as it was announced by two of our home-grown Olympic hopefuls.

We must not overlook the day-to-day achievements of our benefits team, our housing staff, planning officers and environmental health teams who collectively and tirelessly work to make Tamworth a better place. These include 31 successful benefit fraud prosecutions involving more than £209k in over claimed benefit and maintaining more than 7,650 council tax and housing benefit claims.

At the same time, our support services ensure that Tamworth Borough Council continues to operate to such high ethical, financial and performance standards.



Our Annual Review, which will be available later in the year, will look at these in more detail.

Our 2012/13 focus 'One Tamworth, Perfectly Placed'

Organisations across Tamworth have, for many years, worked together to address major issues in the borough.

Communities have always been at the heart of everything the borough council and its partners have done, while helping to shape priorities.

It has been a political aspiration for all organisations to share a single vision and last year, our Cabinet and other partners endorsed the new single, shared vision 'One Tamworth, Perfectly Placed'.

This means the borough council, the county council, police, health service, Fire & Rescue Services, voluntary sector and others all share this same vision. We are also sharing skills and knowledge more than ever before.

Therefore the strategic priorities of all organisations are more closely aligned to the needs of the community, based upon the most recent data and intelligence provided by each organisation. In addition, the views of Tamworth residents helped shape our new priorities.





Our Vision:

One Tamworth, Perfectly Placed

1. "To Aspire and Prosper in Tamworth"

To create and sustain a thriving local economy and make Tamworth a more aspirational and competitive place to do business.

How will we do this?

By working collaboratively we will:

- ◆ Raise the aspiration and attainment levels of young people
- ◆ Create opportunities for business growth through developing and using skills and talent
- ◆ Promote private sector growth and create quality employment locally
- ◆ Brand and market "Tamworth" as a great place to "live life to the full"
- ◆ Create the physical and technological infrastructure necessary to support the achievement of this primary outcome.

2. "To be Healthier and Safer in Tamworth"

To create a safe environment in which local people reach their full potential and live longer, healthier lives.

How do we do this?

By working with others, we will:

- ◆ Address the causes of poor health in children and young people
- ◆ Improve the health and well being of older people by supporting them to live active, independent lives
- ◆ Reduce the harm and wider consequences of alcohol abuse on individuals, families and society
- ◆ Implement 'Total Place' solutions to tackling crime and ASB in designated localities
- ◆ Develop innovative early interventions to tackle youth crime and ASB, and
- ◆ Create an integral approach to protecting those most vulnerable in our local communities.

The day to day delivery of our services, designed to meet the needs of our communities - and in particular, the most vulnerable, remain at the heart of the organisation.

Providing access to good quality, affordable housing, keeping people safe, managing the local environment, providing high standard benefit services and promoting Tamworth are as important now as they ever were.



A look forward: Our plans for the next 12 months

Councillor Daniel Cook, Leader of the Council

The policies that I and my fellow Cabinet members have put in place over the last two years have provided the framework, freedom and flexibility to enable the Chief Executive and Council staff to maintain a full range of high-quality public services to the people of Tamworth. This is our goal and I am extremely confident we will maintain it.

Working with our public, councillors now have a genuine understanding of the real issues facing our communities. Some of these issues are life-changing; others - no less important - simply make life easier. Either way, the joint executive board is committed to achieving our shared vision.

In the last few years we have made some difficult - and some would say 'brave' - decisions and the coming year is unlikely to be any easier. Striking the balance between cost cutting for the sake of efficiency and remaining resilient to change is hard, but what isn't these days?

This year's plan represents real optimism; it talks about growth, regeneration and renewal. Whether the subject is housing, the town centre, tourism and the visitor economy or jobs and prosperity, the plan represents momentum..... progress.

The Olympic Torch is coming to Tamworth on 30th June, 2012, we then have the Olympic event in the Castle Grounds, the Queen's Diamond Jubilee, improved outdoor events such as St. George's Day and the fireworks night and so much more. The 2012 Corporate Plan is a plan for progress. We will not stand still but push for better, using the resources we have locally.

Raise the aspiration and attainment levels of young people

2011/12	2012/13
<ul style="list-style-type: none"> Tamworth Castle's education workshops won a Sandford Award for a second time Academies reported improved attainment levels 	<ul style="list-style-type: none"> Continue to have executive membership of Landau Forte Board The Tamworth Strategic Partnership will continue to work with headteachers to increase educational and vocational opportunities



Create opportunities for business growth through developing and using skills and talent

2011/12	2012/13
<ul style="list-style-type: none"> We are a key partner on the Great Birmingham & Solihull Local Enterprise Partnership, helping to shape strategic business decisions for the area The Think Local 4 Business show was held for the 8th consecutive year attracting 612 delegates, 64 exhibitors and provided 11 seminars 	<ul style="list-style-type: none"> Develop the Tamworth Strategic Partnership and build on the strengths of the Place Group Revise and roll out the second round of voluntary and community sector commissioning to give increased influence over public sector commissioning and a set of service contracts based on local needs



Promote private sector growth and create quality employment locally

2011/12	2012/13
<ul style="list-style-type: none"> Major retailers such as John Lewis at Home, B&Q, Maplins and Next Home stores opened stores creating almost 400 jobs The Southern Staffordshire Partnership was integrated into the Greater Birmingham and Staffordshire Local Enterprise Partnerships 	<ul style="list-style-type: none"> Lead on town centre regeneration such as the Gateways Project and the Cultural Quarter development Work closely with town centre landlords to improve opportunities





Brand and market "Tamworth" as a great place to "live life to the full"

2011/12	2012/13
<ul style="list-style-type: none"> ◆ The Castle Grounds staged the Ultrasound Music Festival ◆ The Staffordshire Hoard display at Tamworth Castle attracted 14,000 visitors and the Saxon Summer Festival attracted 21,000 people ◆ 25,000 people attended the Firework display & 6,000 attended the Christmas lights switch on ◆ St. George's Day event attracted more than 9,000 to the town ◆ The Heritage Lottery Fund awarded a grant of £875k to Tamworth Castle for a conservation & education programme ◆ 58 new market traders were attracted to the new look Tamworth market following the transfer to a new market operator ◆ The Tamworth Information Centre relocated to bigger and better premises at the Philip Dix Centre 	<ul style="list-style-type: none"> ◆ As well as the Olympic Torch Relay passing through Tamworth the Council will also support the Queen's Diamond Jubilee celebrations. We will also provide a comprehensive outdoor events programme which includes fireworks night and Heritage Open Days ◆ In partnership with Staffordshire County Council, explore ambitious plans to develop Tamworth Assembly Rooms and create a cultural quarter with the Library



Create the physical and technological infrastructure necessary to support the achievement of this primary outcome

2011/12	2012/13
<ul style="list-style-type: none"> ◆ A new housing repairs and gas maintenance programme rolled out across the borough ◆ The Tamworth & Lichfield Waste & Recycling Team won the local authority team of the year at the National Recycling Awards ◆ Tamworth won gold in the Heart of England in bloom competition for the second year running and a special award for horticultural excellence ◆ The Core Strategy was approved for pre-submission publication 	<ul style="list-style-type: none"> ◆ Environmental works to be carried out with council-owned housing areas ◆ Progress the Anker Valley Sustainable Urban Neighbourhood scheme ◆ The achievement of green flag award to both Wigginton and Dosthill parks ◆ The designation of local nature reserve status for Town Wall ◆ Another gold award in the heart of England in bloom programme ◆ The waste management and recycling service will see an increase in household recycling to 52% and a review of collection rounds to optimise and reduce the distance travelled during collection

"To be Healthier and Safer in Tamworth"

Address the causes of poor health in children and young people

2011/12	2012/13
<ul style="list-style-type: none"> ◆ Free Swimming for all was made available at Wilnecote Leisure Centre ◆ Supported local sports initiatives and projects such as the BMX track, Tamworth Athletics Club and Tamworth Rugby Club ◆ Continued support for the Schools Sports Programmes 	<ul style="list-style-type: none"> ◆ The quality of life, health and well-being of Tamworth residents and visitors will be improved through the implementation of identified environmental health projects like monitoring local air quality, food safety inspections off all registered food premises and the inspection of those businesses that have high risk health and safety ratings ◆ Delivery of the housing capital programme will ensure council dwellings remain decent



Improve the health and well being of older people by supporting them to live active, independent lives

2011/12	2012/13
<ul style="list-style-type: none"> ◆ Outdoor gyms installed at Dosthill & Wigginton Parks, ◆ In conjunction with the Primary Care Trust, Phase Four Cardiac support was established at the Castle grounds gym and the opening hours of general referrals was extended to cope with demand ◆ The Home Repair Assistance Grant scheme was made available to those homeowners and private tenants to carry out repairs on their homes 	<ul style="list-style-type: none"> ◆ Delivery of year one of the Healthier Housing Strategy Action Plan including a reviewed approach to the delivery of Disabled Facilities Grants and Disabled facilities adaptations and increased housing advice availability for older people ◆ Impact of the Welfare Reform Act ◆ Prepare for the Local Council Tax Support Scheme and Universal Credit.



Reduce the harm and wider consequences of alcohol abuse on individuals, families and society



2011/12

- ◆ Major partnership initiatives including:
 - ◆ Operation Take Home
 - ◆ Proxy sales campaign
- ◆ As a result of the reducing alcohol misuse project, the findings will be sent to the Chief Constable. Community Safety Commissioner and county Commissioner for Substance Misuse

2012/13

- ◆ The task and finish group concerned with reducing alcohol misuse by tackling both the inappropriate availability and consumption of alcohol will progress work with Tamworth secondary schools on the PHSE curriculum, contribute and support work with parents via Tamworth's Head Teachers Forum and engage with the County's alcohol – reducing harms in Staffordshire programme to influence service delivery in Tamworth.

Implement 'Total Place' solutions to tackling crime and ASB in designated localities



2011/12

- ◆ A Community Safety Hub was created at Tamworth Police Station where Council Community Safety staff work alongside other organisations including victim support and housing staff
- ◆ Various crime prevention events were held throughout the year including a number of events at the Assembly Rooms and Ankerside, along with a presence at community days held by the borough council
- ◆ Roll out of anti dog fouling campaigns in hot spots

2012/13

- ◆ With the forthcoming Police and Crime Commissioner Elections, ensure that the Community Safety Partnership is well placed to advise and influence the new Commissioner
- ◆ Continue to monitor and manage the CCTV service
- ◆ Engage with residents via a visible Street Warden Scheme
- ◆ Deliver year one of the Healthier Housing Strategy Action Plan including the appointment of an ASB officer resulting in an integrated approach to ASB and increased satisfaction in the way ASB is dealt with

Develop innovative early interventions to tackle youth crime and ASB

2011/12	2012/13
<ul style="list-style-type: none"> ◆ Operation Safer Nights Plus was aimed at informing and educating revellers about how to stay safe, while at the same time supporting the town's night-time economy by making Tamworth a much safer place to be at night ◆ Introduction of alternative/diversionary activities such as the Skateboard Park, BMX Track and other music and arts based programmes 	<ul style="list-style-type: none"> ◆ The Tamworth Strategic Partnership will continue to work with partners on projects to tackle youth crime ◆ The Community Safety Partnership will run targeted, localised consultations with residents to find out what is important to them and how we can tackle issues



Create an integral approach to protecting those most vulnerable in our local communities

2011/12	2012/13
<ul style="list-style-type: none"> ◆ The first annual tenants conference was held ◆ Accreditation was achieved against the Centre Sheltered Housing Studies quality assessment framework ◆ Extension of the HEAT scheme enabled residents to benefit from improvements to insulation ◆ The "Community Together" events in Glasgote, Kettlebrook, Stonydelph & Amington attracted more than 1,000 people ◆ The "Estate Walkabouts" continued in Belgrave, Stonydelph and Glasgote giving residents in those areas the opportunity to identify problems, make suggestions and become involved in providing solutions ◆ The "Big Glasgote Heath Tidy Up" saw various public sector agencies and residents take part in a clean up operation ◆ The Housing & Health Strategy was launched 	<ul style="list-style-type: none"> ◆ Mobilise and embed a new Repairs and Maintenance Contract including Gas Servicing and Installation ◆ Completion of Feasibility Studies in relation to the area regeneration of Tinkers Green and Kerria areas ◆ Redevelop garage sites to provide new affordable housing ◆ Implement the recommendations in the 2011 Locality Working Review in an effort to narrow the gap between the most disadvantaged areas and the rest of Tamworth



Approachable, Accountable and Visible

It is vital that Tamworth Borough Council provides value for money and is also accountable for how it manages its finances. Working with others, we will deliver services that are ethical, efficient, effective, well governed and viable.

A look back: 2011/12

- ◆ No increase in Council Tax.
- ◆ Set a four-year balanced budget.
- ◆ The State of Tamworth debate.
- ◆ Achievement of an unqualified external audit opinion and a positive value for money conclusion following production of IFRS compliant accounts for the first time.
- ◆ The Tamworth Strategic Partnership was formed and the new vision and priorities were launched.
- ◆ Local elections and national referendum on voting reform.
- ◆ 'Transforming Tamworth' programme saw the implementation of e-billing, reducing the cost of Council Tax collection per dwelling to £9.78 from £14.47, while maintaining a high collection rate of 98.1%.
- ◆ The benefits service was involved in 31 successful prosecutions for benefit fraud involving more than £209k in over claimed benefit.
- ◆ Maintained a live caseload of 7,560 Council Tax and Housing Benefit claims.
- ◆ Implemented e-claim for benefit claimants.
- ◆ The Support Services Options Appraisal identified £85k year on year savings.
- ◆ More than 200 members of staff attended the AGM.
- ◆ Successfully recovered £5.5 million - more than 70% of monies due - deemed at risk in Icelandic deposits.
- ◆ Successfully implemented ATLAS (Automated Transfers to Local Authority Systems) allowing the Department for Works and Pensions to securely transfer benefit data.
- ◆ ICT service desk support to Bromsgrove and Redditch councils respectively.

- ◆ Supported the HRA self financing process including the successful arrangement of £44.68m funding to deliver the buy out of the housing subsidy scheme.
- ◆ Achieved the Gold standard on the match rate between the Local Land and Property Gazetteer and Non-Domestic Rates property records.

What we will do in 2012/13

- ◆ Tamworth Listens priority based consultation.
- ◆ Implement a new Customer Relationship Management system providing improved customer insight and better access to services.
- ◆ A change programme that will maximise efficiencies, savings and capacity will see the introduction of agile working.
- ◆ Implement a new website and content management system which is more accessible.
- ◆ Develop a Customer Insight strategy resulting in services more tailored to customers needs.
- ◆ Implement a new Human Resources and Payroll system to give improved management information and more efficient processes.
- ◆ Introduce a Competency Framework to improve management and leadership skills.
- ◆ Update and modernise the Council brand in line with the new corporate vision.
- ◆ Deliver the improvements identified in the Support Services review.
- ◆ Development of our ICT services including external service delivery, improved usage of our Geographic Information System.
- ◆ Democratic engagement through the elections, the annual canvas, a review of scrutiny, a member development programme and civic representation through the mayor.
- ◆ Review member's allowances.
- ◆ Implement strategies, policies and procedures to address the implications of the Localism Act.
- ◆ Plan for the localisation of Business Rates retention.
- ◆ Have a sound financial basis with a balanced medium term financial strategy for the General Fund, Housing Revenue Account and Capital funds.



Leadership & resources

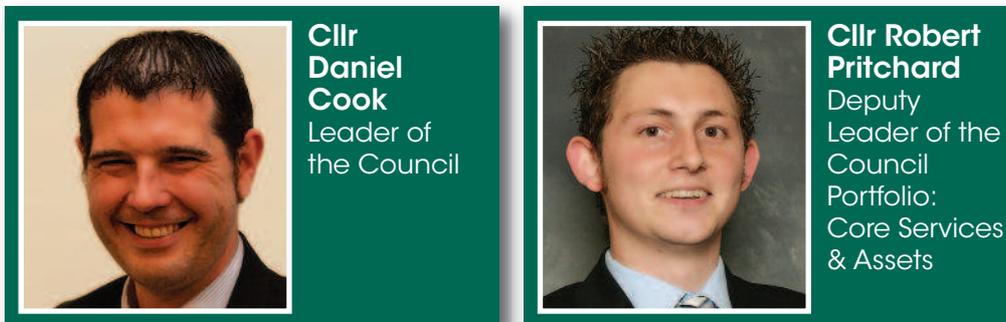
Organisation



Cabinet members & responsibilities

The council currently has 30 members (18 Conservative, 11 Labour, 1 Independent) representing its ten wards.

There are two scrutiny committees, a number of governance committees, and some ancillary committees.





Tony Goodwin, Chief Executive

One of my challenges this year is writing this piece for the Corporate Plan without repeating last year's contribution and, do you know what? It's difficult.

The legislative changes, policy reforms and financial constraints are now moving to implementation stage at the same time as funding, resources and capacity is reducing. Yet again, it is local government that is bearing the brunt of these challenges and, until or unless central government departments and the wider public sector family get their act together, it will remain that way. In the 12 months prior to September 2011, local government shed 195,000 jobs. This equates to 75% of all public sector job cuts. The majority of these cuts were in the West Midlands and the South West.

Despite the efforts of local councillors and the MP for Tamworth, it is extremely difficult to effect change and consequently, it falls to us; members, officers, staff and partners to make sense of it all and to do our utmost for Tamworth..... the place and its communities.

To achieve this, we need to continue forward with a number of projects and programmes started last year. "Agile Working" generated great interest when discussed at last year's staff AGM. This will now be a major work stream within the wider "Transforming Tamworth" programme.

We will continue our efforts to generate further efficiencies.... but not at any cost! Customer satisfaction, service standards and staff well-being will be key considerations prior to any cost-cutting. The contributions of TBC staff to the efficiency agenda have gone a long way to securing our current financial position whether through doing 'more for less', working in partnership; shared services or, through the voluntary redundancy route.

The 2012-2013 Corporate Plan represents a delicate balance between meeting the ever increasing aspirations and expectations of our communities with our ability to deliver high quality public services to those who need them most.

The 'firm foundation' I referred to last year remains in place and, with the continued support and commitment of all of us, I anticipate the laying of several courses of bricks this year as we start to build on the notable successes and achievements of the 2011 plan period.

Yet again, the Council's overall performance exceeded both targets and expectations; yet again the scope and standard of public services remains high and yet again, we can take on the challenges of the forthcoming year with confidence and determination borne from a genuine desire to make Tamworth a better place to live, work and visit..... and have time to celebrate the Olympics and the Diamond Jubilee.

The Medium Term Financial Strategy 2012 - 2016

John Wheatley, Executive Director (Corporate Services)

The 2012/13 budget and Medium Term Financial Strategy 2012/16 ensures that appropriate resources are focussed on the single vision and strategic priorities. We will continue to identify where our resources can be realigned to ensure, where possible, we meet the needs of local people.

'One Tamworth, Perfectly Placed' and the strategic priorities are clear; by stating what we are aiming to achieve, how we will do it and the resources we will use to support these.

In light of the national economic situation and the significant constraints in public spending following the 2010 Comprehensive Spending Review (CSR), a measured approach to budget setting was approved for 2012/13 by Cabinet as any growth proposals would require compensating reductions in other budget areas and services.

A commitment was made as part of the 2011/12 budget process to protect front line services (as far as possible) and there was continued commitment to working in the heart of our community through our locality work, with ongoing support for the most vulnerable and those affected by the recession.

Through this approach and the use of the council's reserves and balances, coupled with a programme of short-term and long term activity reviews, we identified measures to help the council cope with grant reductions of 25% in first two years (2011/12 and 2012/13) with further reductions anticipated in 2013/14 & 2014/15



Key Financial Information:-

The Council operates its services on an annual budget of £67.5m gross revenue expenditure (£48.5m General Fund, £19m Housing Revenue Account);

This is derived primarily from: £27m in Government Benefit Grants, £5m in Government Support, £17m from Council Housing Rents, £13m from other rents, fees & charges and other income and £3.5m from Council Tax;

The Capital programme for 2012/13 totals £9.6m (£7.8m Housing, £1.8m General fund);

The Council Tax for 2012/13 is £1,423.61 for band D (representing £1028.81 for Staffordshire County Council, £177.61 for Staffordshire Police Authority, £67.64 for Stoke-on-Trent & Staffordshire Fire and Rescue Authority and £149.55 for Tamworth Borough Council Services).

The main financial headline figures for 2012/13 are:

- ◆ A General Services net revenue council tax requirement of £3,496,180;
- ◆ A transfer of £770,420 from General Fund (GF) balances;
- ◆ A transfer of £1,119,710 from Housing Revenue Account (HRA) balances;
- ◆ Band D Council Tax of £149.55, the same level as in 2011/12;
- ◆ An average rent of £76.47 which represents an increase of £5.17 (7.1% on the current average rent) in line with the Government's Rent Restructuring rules (based on a 50 week rent year), equating to £73.53 on an annualised 52 week basis;
- ◆ A General Fund Capital Programme of £1.804m (£5.733m over 4 years);
- ◆ A Housing Capital Programme of £7.816m (£29.745m over 4 years).

The delivery of a balanced four year Medium Term Financial Strategy is a major achievement and shows we are in a good position. Like many others, our budget planning process had to be carried out in light of unprecedented adverse economic conditions. This included a great deal of uncertainty over future investment and income levels such as car parking, land charges and corporate property rents. It is also facing increased financial demands from central government for service improvements in areas such as local democracy and transparency – as well as substantial reductions in Government grant support in the future.

The budget incorporates the council's commitment to minimising the effects of the economic downturn on key service provision. An important part of our budget process is identifying areas of our work where we can make savings by reviewing the way we deliver services to make them more efficient.

The key challenges affecting the medium term financial planning process, which add a high level of uncertainty to budget projections, arise from:

- ◆ Future Revenue Support Grant levels (from 2013/14 onwards)
- ◆ Fundamental changes to Local Government Finance and associated grant funding levels from the planned localisation of the retention of business rates and support for council tax
- ◆ Proposed changes set out in the Welfare Reform Bill and introduction of Universal Credit – potentially impacting on income receipts of the Council
- ◆ The impact of any further uncertainty over future interest rate levels and their impact on investment income/treasury management
- ◆ The severity of the recession and the impact it has had and still could have on the council's income streams; and

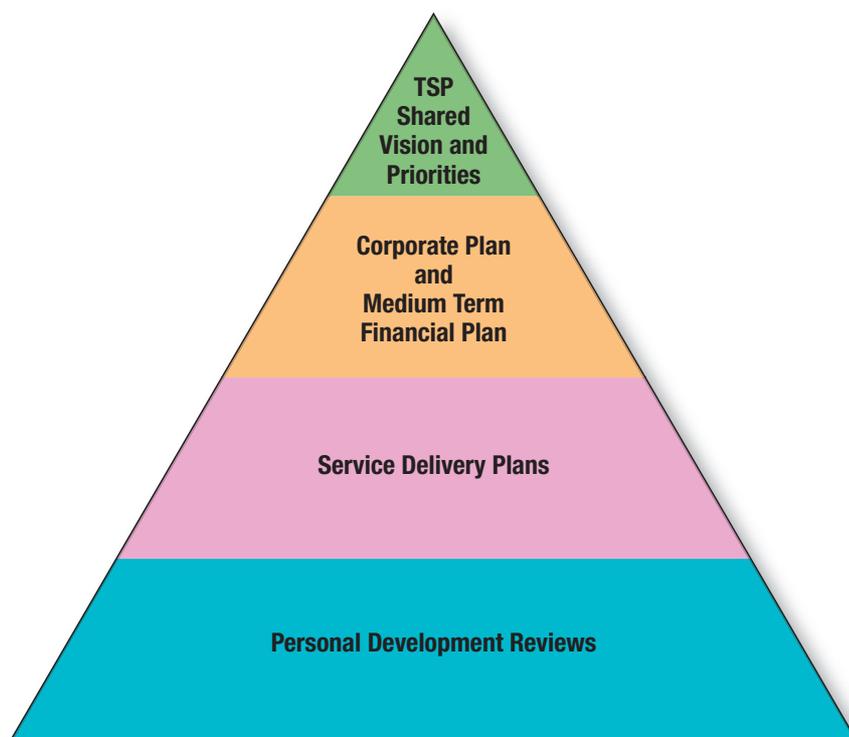
While the council capitalised the estimated loss from Icelandic Bank investments in 2009/10 over a 20 year budgeting period, the financial impact has been reduced following successful proceeding through the Icelandic system which mean that the Council will receive 100% (plus interest) of it's deposit of £3m with Glitnir with expected recoveries from deposits of £4.5m with the UK based banks affected in the region of 85 to 90%.

Corporate Planning Process

Our corporate planning process is a fundamental part of the successful management of the Council.

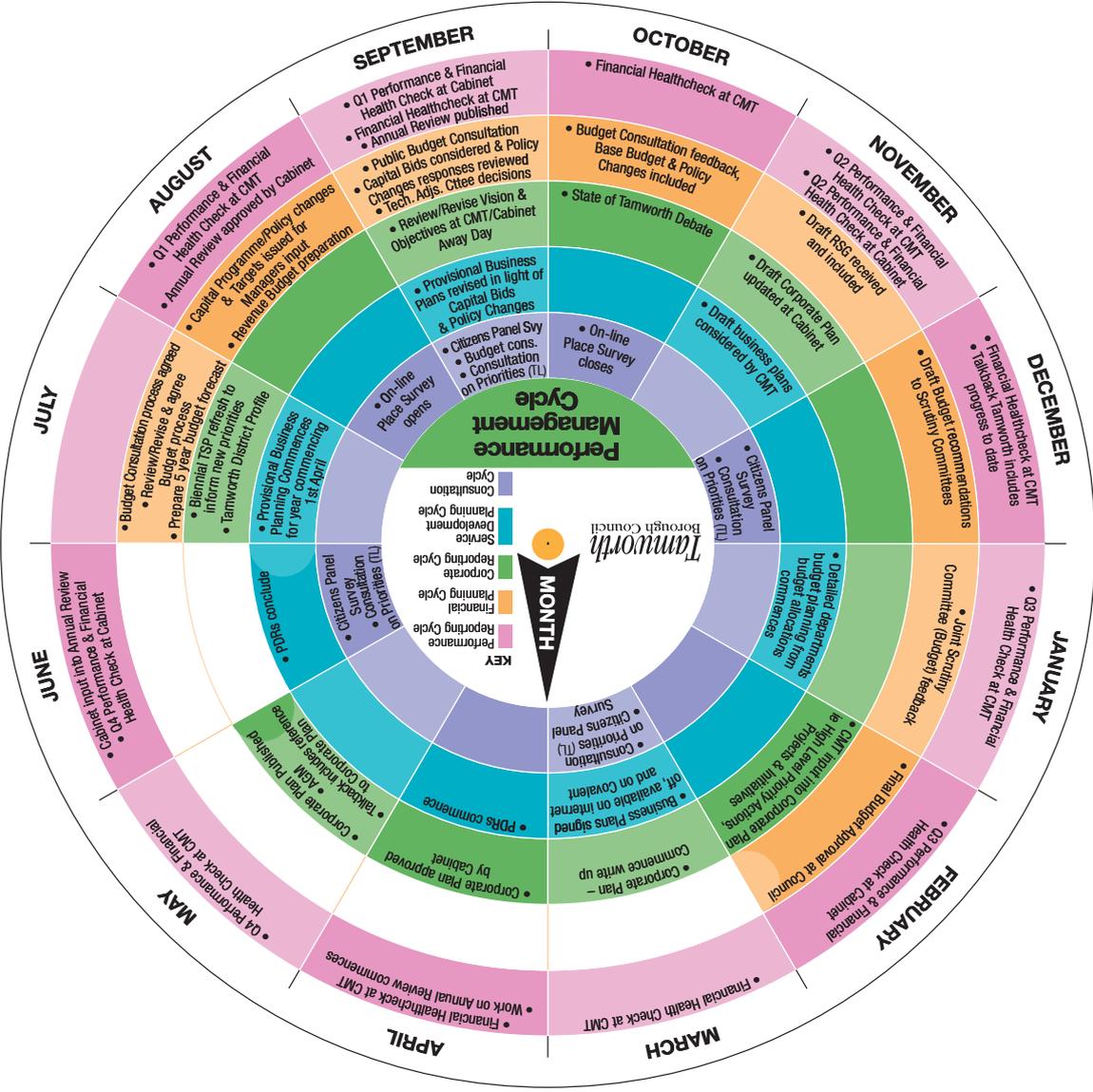
Our corporate planning framework sits within a wider planning hierarchy that has the Tamworth Strategic Partnership shared vision and priorities at the top. The Council's corporate plan and medium term financial strategy focuses on how the Council will deliver its contribution to these, while the service delivery plans show how the services will also contribute. Below this are the personal development plans for each employee. The links between the plans form the "golden thread" that ensures everyone in the organisation is working towards the same goals and that the priorities will be achieved.

Corporate Planning Pyramid



Performance Management Framework

Performance management is a process not an event and operates as a continuous cycle. All elements of Tamworth Borough Council's performance management framework are built around the annual performance cycle as shown in the diagram below.



How we will assure what we do

Performance Scorecard

Tamworth Borough Council balances its attention across its priorities. Summary performance of service activities and projects is indicated by the status of business and service plan actions, indicators and identified risks.

Performance Monitoring & Reporting Arrangements

The Performance Scorecard is monitored by:

- ◆ Individual officers and members assigned to or with a particular interest in an action, indicator or risk,
- ◆ Corporate and Directorate Management Teams,
- ◆ Cabinet,
- ◆ Scrutiny Committees.

A link to our current and past performance is available on the council's website:

www.tamworth.gov.uk/council_and_democracy/performance.aspx



Contact Us

To provide feedback specifically on the form and content of this Corporate Plan, email john-day@tamworth.gov.uk.

For more information about Tamworth Borough Council visit our website at www.tamworth.gov.uk or pick up a copy of our residents' magazine, Talkback.

Alternative Formats

If you require this document in an alternative format or language please contact us at:

Tamworth Borough Council
Marmion House
Lichfield Street
Tamworth
B79 7BZ

Email – enquiries@tamworth.gov.uk
Telephone – 01827 709 571



Tamworth
Borough Council

CABINET

DATE OF COMMITTEE
30th May 2012

REPORT OF THE PORTFOLIO HOLDER ENVIRONMENT & WASTE MANAGEMENT

TITLE OF REPORT Proposed Implementation of Dog Control Orders

EXEMPT INFORMATION

None

PURPOSE

To endorse the outcomes of initial consultation and seek approval to commence introduction of dog control orders in Tamworth, subject to acceptance by full Council

RECOMMENDATIONS

Members are asked to:

- **Endorse the report and results of the consultation of the Dog Control Orders identified**
- **Approve the areas proposed to be included in the Dog Control Orders with the amendments arising from the consultation.**
- **Approve statutory 28 day consultation to begin on 1st June 2012.**
- **Subject to comments received from the statutory consultation, endorse formal presentation of Dog Control Orders implementation to Full Council for adoption of the orders in July 2012.**

RESOURCE IMPLICATIONS

There are no additional financial implications to those already identified in the report to Cabinet of 14 December 2011

LEGAL/RISK IMPLICATIONS BACKGROUND

All legal implication is covered by the report

SUSTAINABILITY IMPLICATIONS

None

CONCLUSIONS

Consultation

The initial consultation regarding proposals for the introduction of Dog Control Orders ended on 28 February 2012. The Council received 257 responses. The results of this consultation has provided the following outcomes on the proposed orders:-

- **Fouling of Land by Dogs Order – the whole of the Borough**

The survey showed that 93% of the respondents were in favour of the introduction of this order

- **Dogs on Lead by Direction Order – the whole of the Borough**

The survey showed that 89.8% of respondents were in favour of the introduction of this order

- **Dogs On Lead at ALL times Order - designated land Tamworth Borough Council cemeteries, pedestrian area of the town centre, top lawn Castle Grounds, all public footways or grass verges adjacent to a road in Tamworth (as defined by the RTA 1988) and Anker Valley Sports Pitches**

The survey showed that 89.9% of respondents were in favour of the introduction of this order

- **Dog Exclusion Order – designated children’s’ play areas only**

The survey showed that 83.8% of respondents were in favour of the introduction of this order

Stakeholder/Landowner feedback

Feedback was received from:-

- The Kennel Club
- The Dogs Trust
- Staffordshire Wildlife Trust
- Dunroamin (the Council’s stray dog collection service)
- Waterloo Housing
- Tamworth Dog Walkers

No further comments were received from the other stakeholders invited.

The responses received contained no major objections to the proposals, although the Kennel Club advised the need to allow dogs to roam free with children in parks and advised against a total banning of dogs from parks or open space or for dogs to be on the lead at all time.

In designating only formal play areas and specific locations where dogs must be on a lead has meant that Tamworth Borough Council continues to support responsible dog ownership in public spaces, but acknowledges the fact that dogs need to roam free under the control of their owners.

Overall the initial consultation indicates there is support from residents for the control of dogs, as detailed in the bullet points above.

The proposed orders for implementation are attached as Enc 7 and, in accordance with legislation, must be approved by Full Council and implemented within 10 days following with all signage in place.

Education

Street Wardens have commenced the “Saxon Hound” Mucky Pup Clean it Up campaign and will continue to educate and inform residents on Dog Control.

Leaflets on dog fouling and the implication of dog control orders are also widely available, and the instantly recognisable “Saxon Hound” will be used for all branding associated with the education campaign.

Many comments in the initial consultation referred to enforcement. It is not proposed to increase the level of enforcement the Council currently delivers, but it is proposed that all enforcement staff will receive delegated authority to operate the new powers and the Mucky Pup Clean it Up campaign will encourage residents to report irresponsible dog owners. This should enable the council to more effectively allocate resources to enforce the orders.

Additional Areas

The consultation did not include strong proposals for additional areas to be included, but after consideration some additional areas are proposed for a dog exclusion area as they are designated play areas:-

Tennis Courts – Tamworth Castle Pleasure Grounds
Skate Park – Tamworth Castle Pleasure Grounds

BACKGROUND INFORMATION

The initial consultation process and nominated areas for the introduction of Dog Control Orders in Tamworth was approved by Cabinet on 21 November 2011.

The consultation sought public opinion for the introduction of 4 orders:-

- fouling of land by dogs and removal of dog faeces (“the dog fouling order”);
- the keeping of dogs on leads (the “dogs on lead order”);
- not putting, and keeping, a dog on the lead when directed to so by an authorised officer (“the dogs on lead by direction order”) and;
- the exclusion of dogs from land (“the exclusion of dogs order”);

The areas consulted on and full mapping is attached as Encs 1-4

The results of the consultation and comments made are attached as Encs 5-6.

Landowners and stakeholders were also consulted.

The Clean Neighbourhoods and Environment Act 2005 requires a **statutory** public notice and display of agreed areas for dog control for a period of 28 days prior to full implementation agreed by Full Council. The sample advert is attached as Enc 8 and would go live on 1st June 2012.

Following statutory consultation and approval by Full Council a further public notice will be required to give notice of implementation within 10 days of the meeting. Sample attached as Enc 9.

REPORT AUTHOR

Jo Sands

LIST OF BACKGROUND PAPERS

APPENDICES

- Enc 01 – Mapped area for dogs fouling and dogs on lead by direction**
- Enc 02 – Mapped areas for Dogs On Lead at All Times order**
- Enc 03 - Mapped areas for Dog Exclusion Order Part 1**
- Enc 04 – Mapped areas for Dog Exclusion Order Part 2**
- Enc 05 – Consultation results summary**
- Enc 06 – Public consultation feedback and comments**
- Enc 07 – Sample Tamworth Borough Council Dog Control Order**
- Enc 08 – Sample statutory consultation advert**
- Enc 09 – Sample statutory advert after approval**

**The Dogs On Lead by Direction (Tamworth Borough Council)
Order 2012**

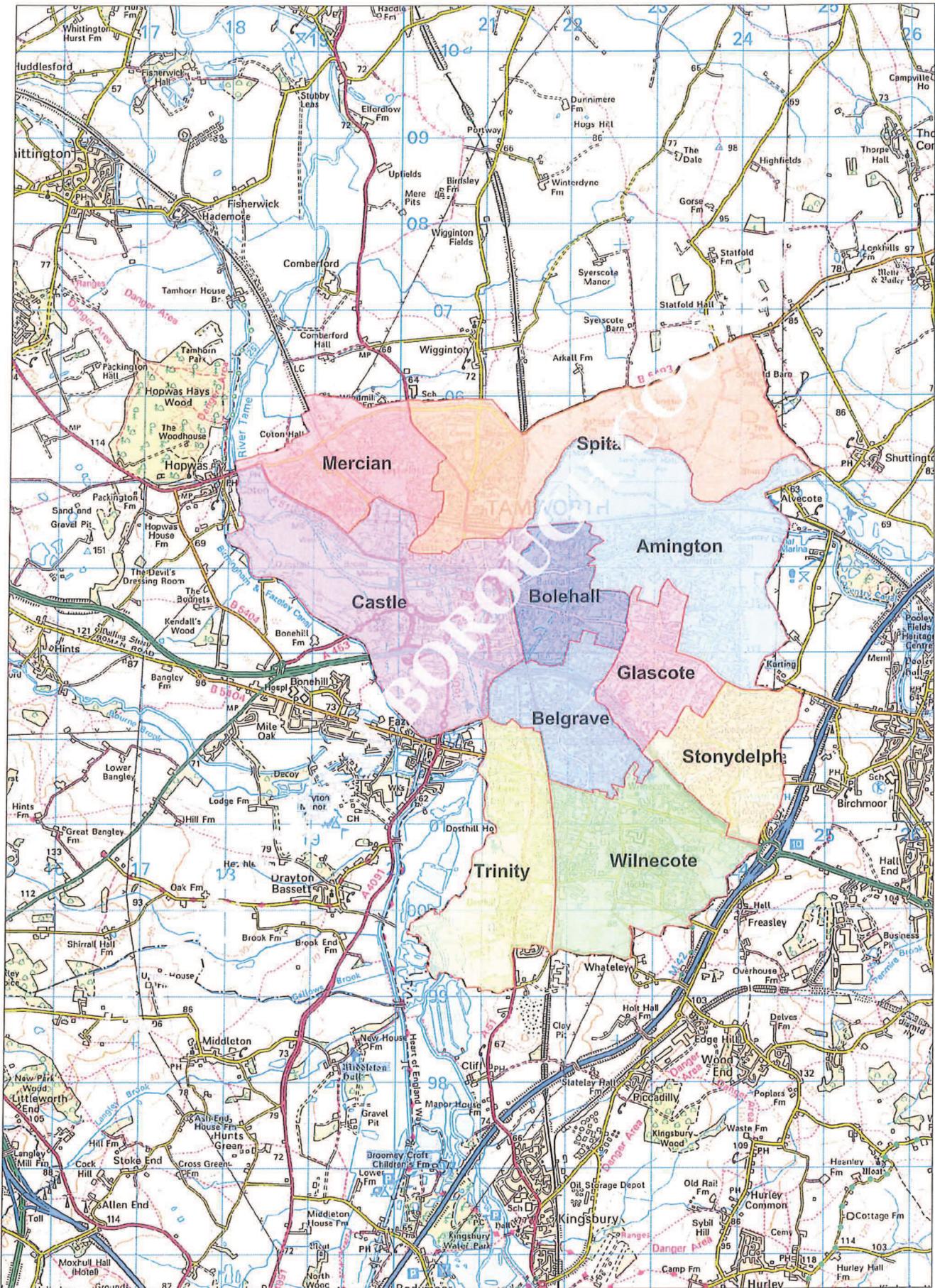
Designated areas for inclusion:-

The whole of the Borough Of Tamworth

**The Fouling of Land by Dogs (Tamworth Borough Council)
Order 2012**

Designated areas for inclusion:-

The whole of the Borough of Tamworth



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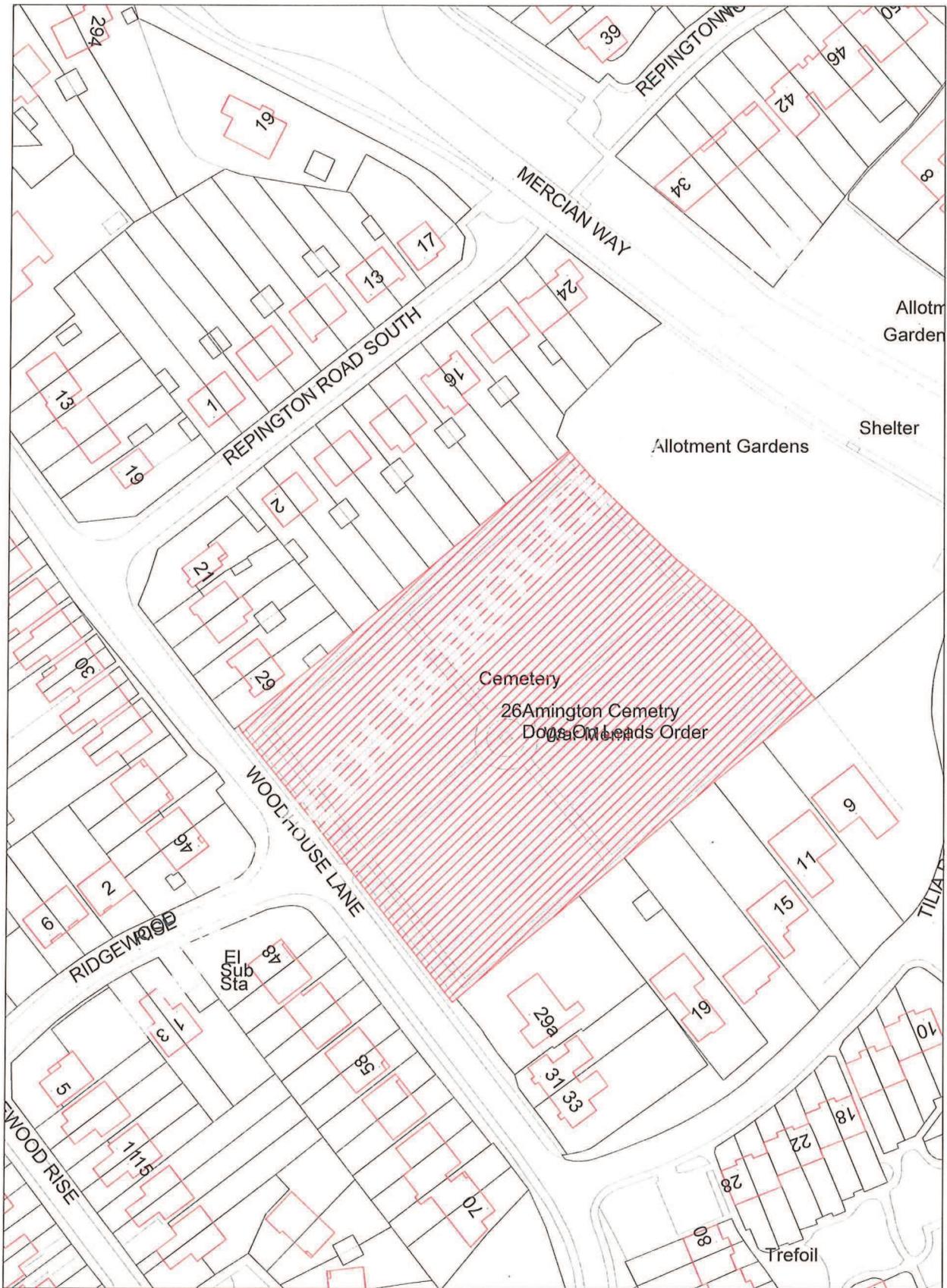
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The Dogs on Lead (Tamworth Borough Council) Order 2012

Designated areas for inclusion:-

Amington Cemetery
Anker Valley Sports Pitches
Glascote Cemetery
Tamworth Town Centre Pedestrian Area
Tamworth Castle Ground Upper and Lower Lawn/Bandstand
Wigginton Cemetery
Wilnecote Cemetery (New)
Wilnecote Cemetery (Old)

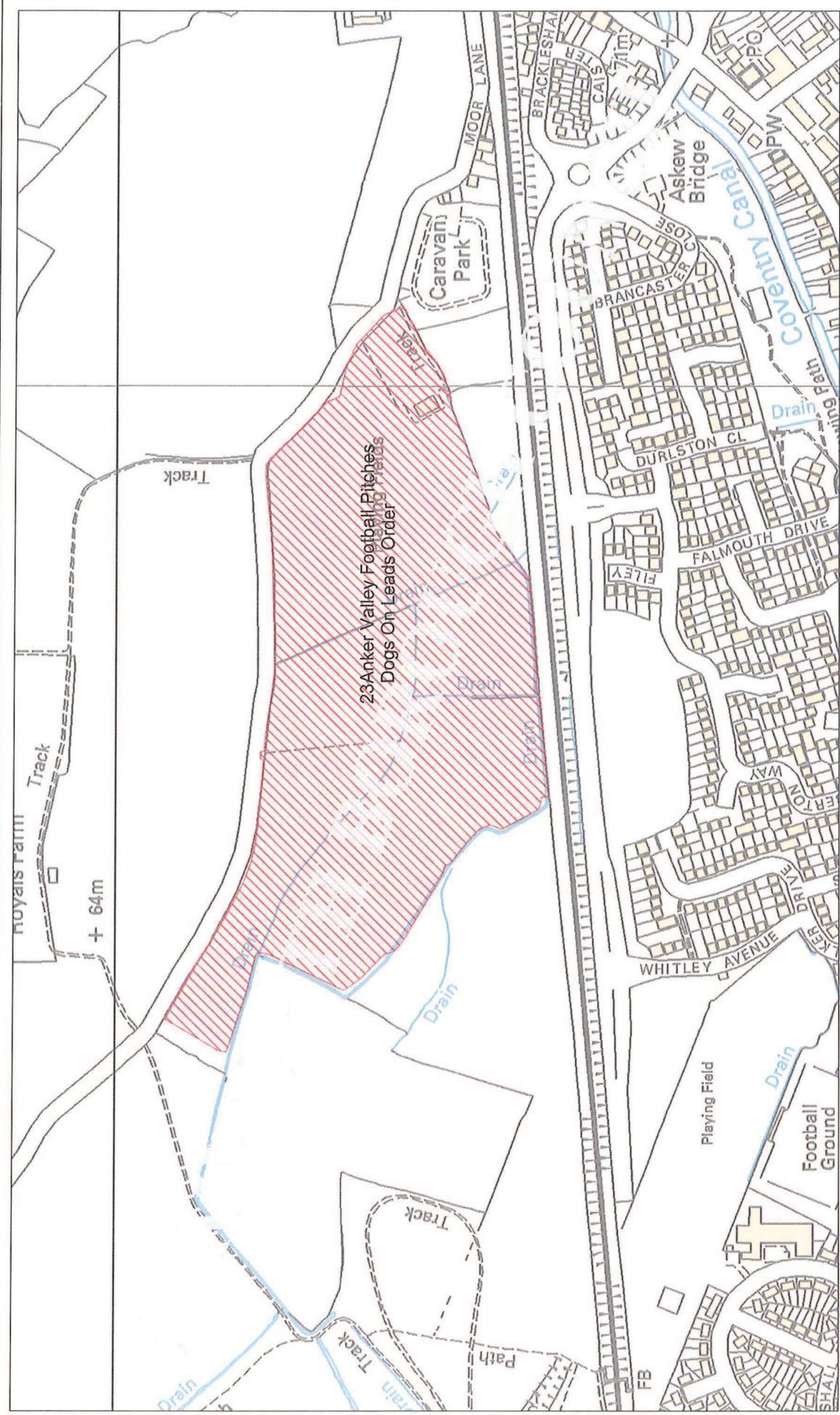
All public footpaths and grass verges to highways in Tamworth (as defined by the Road Traffic Act 1988)



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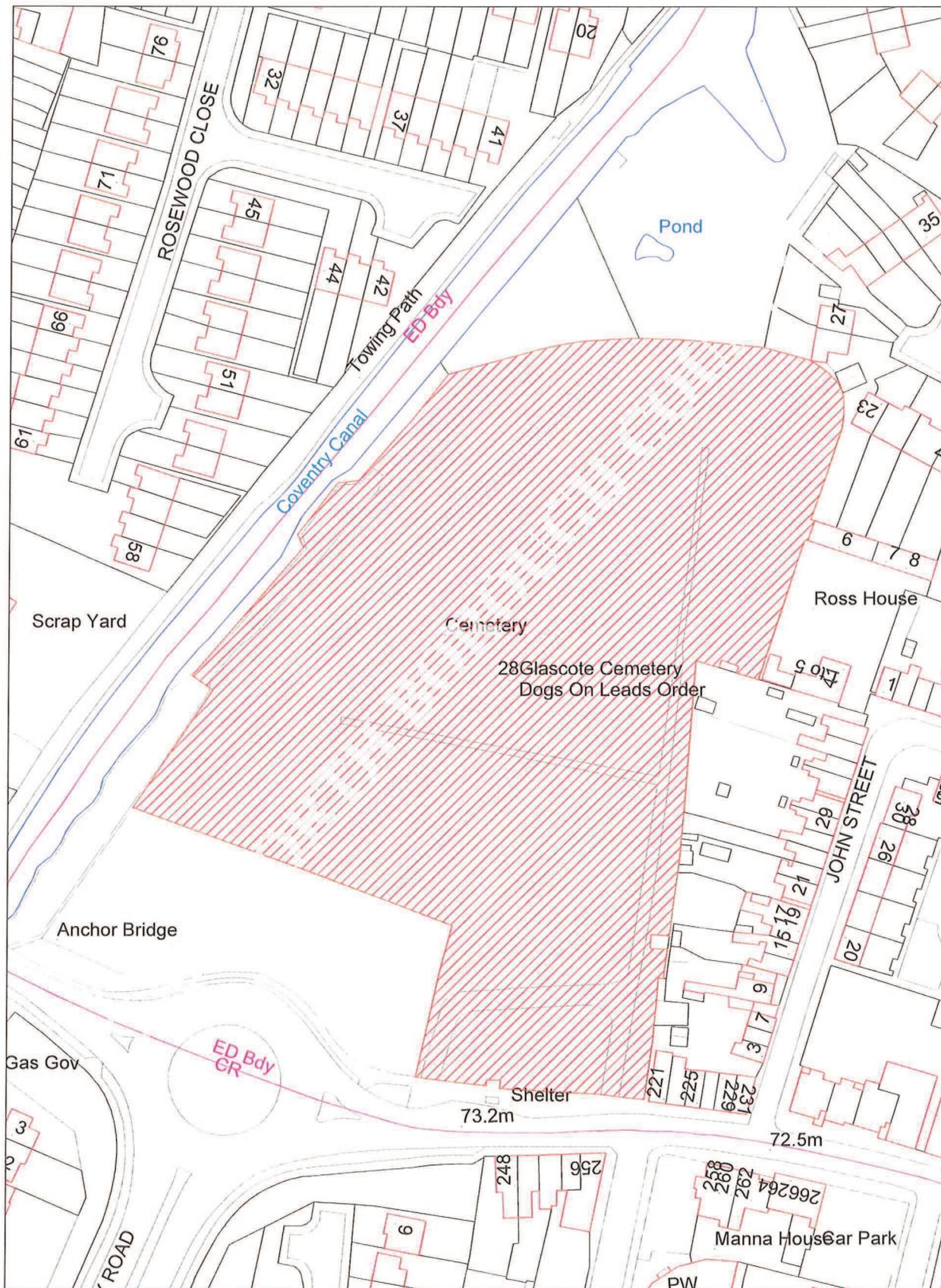
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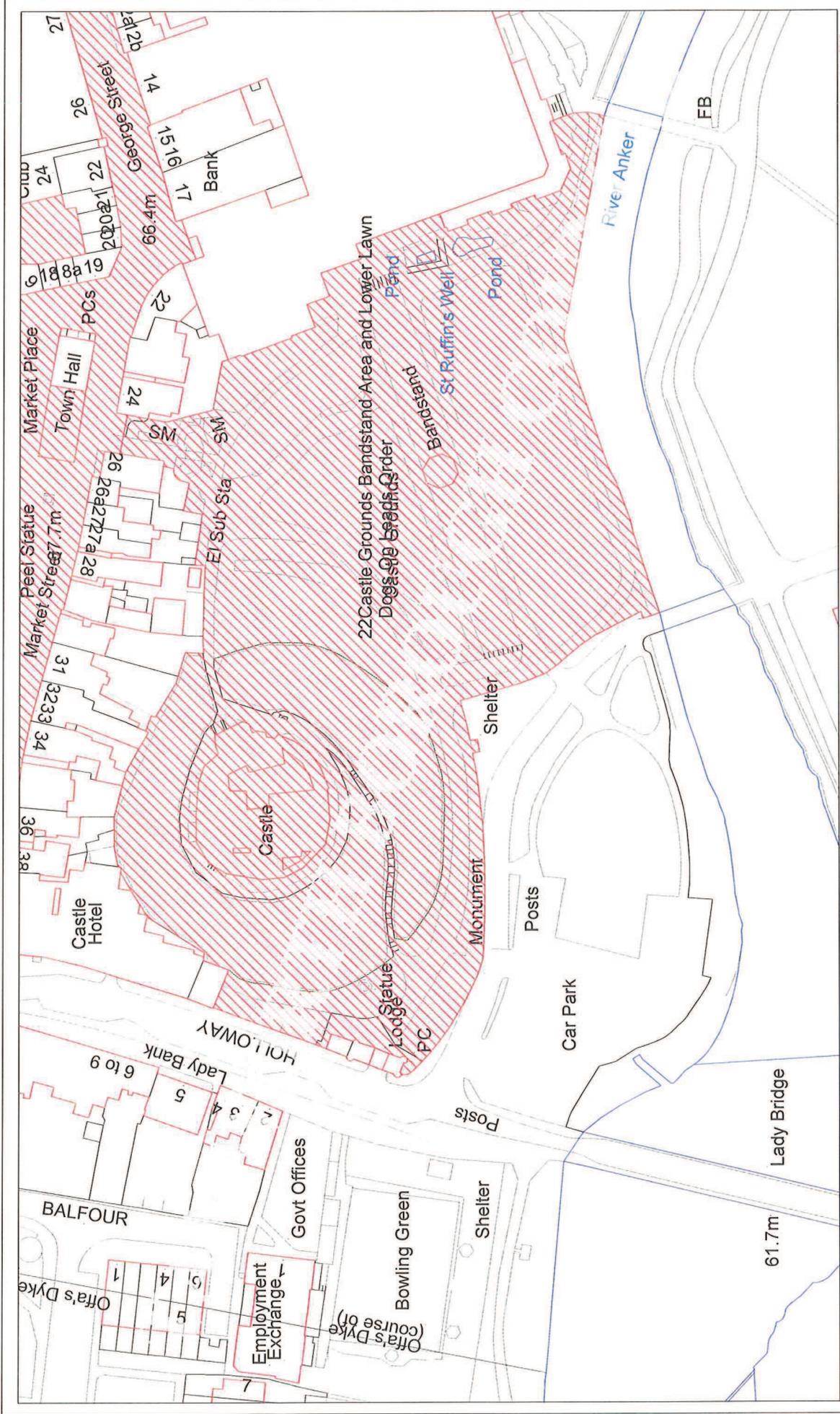
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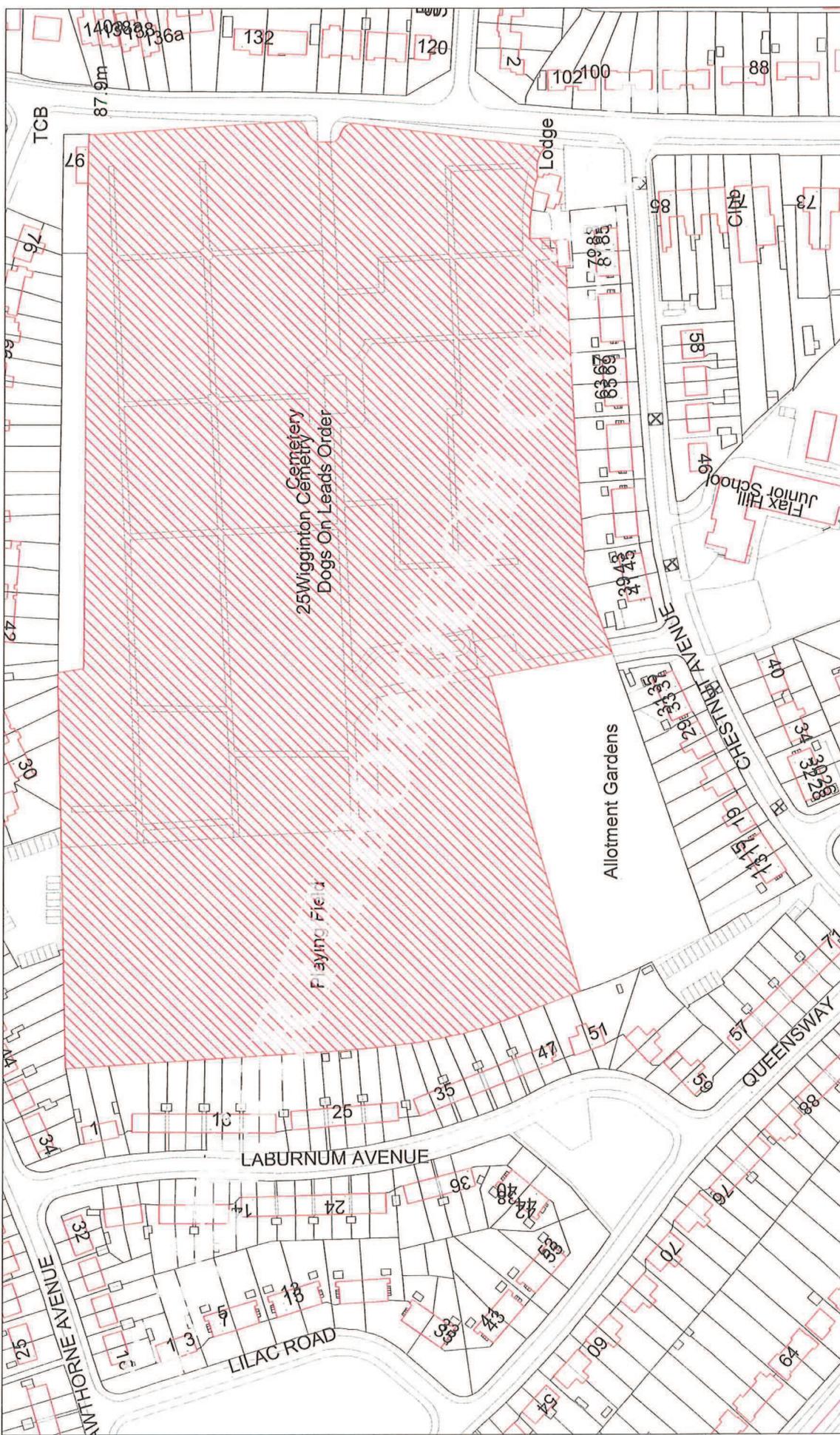


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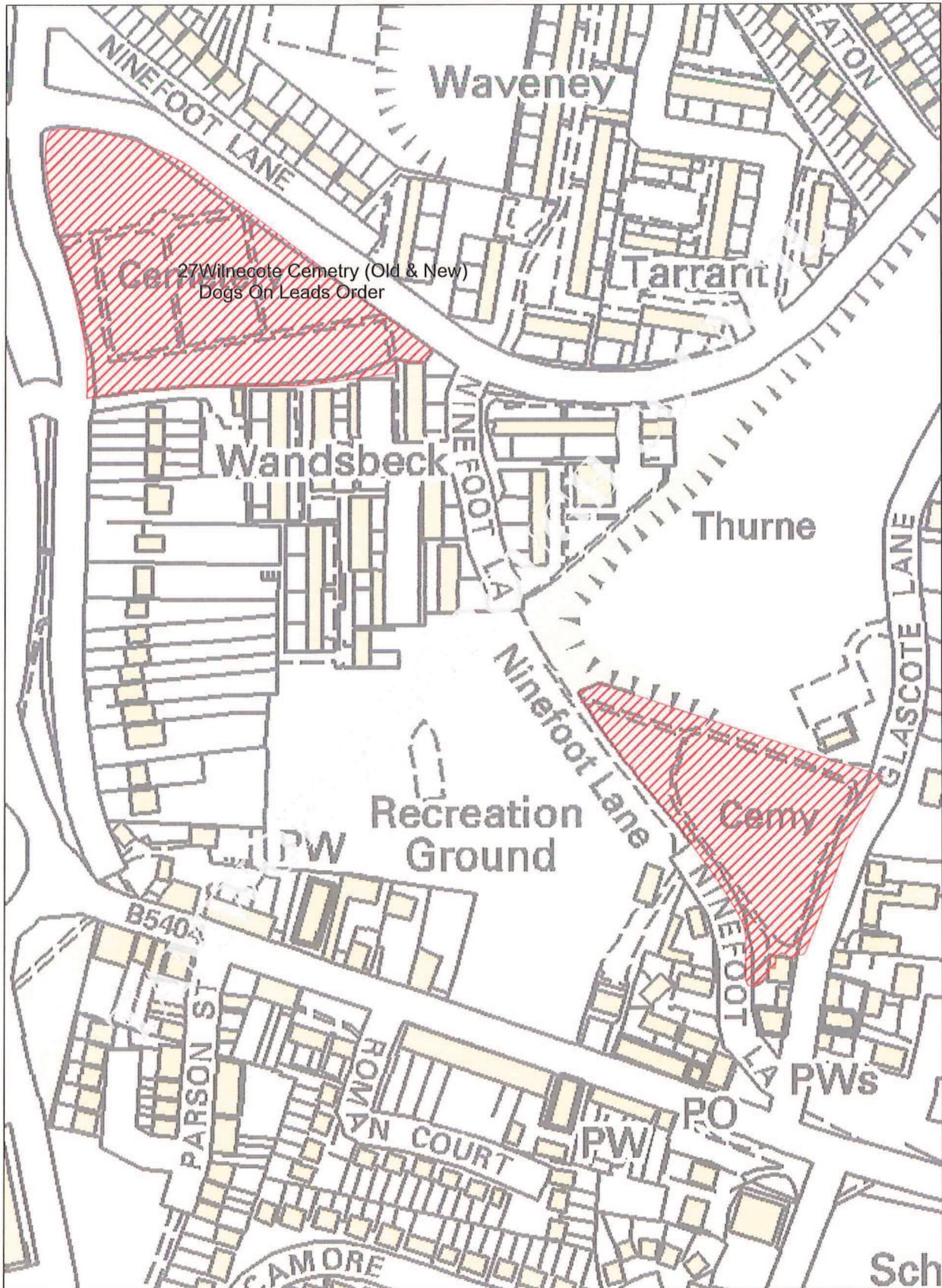




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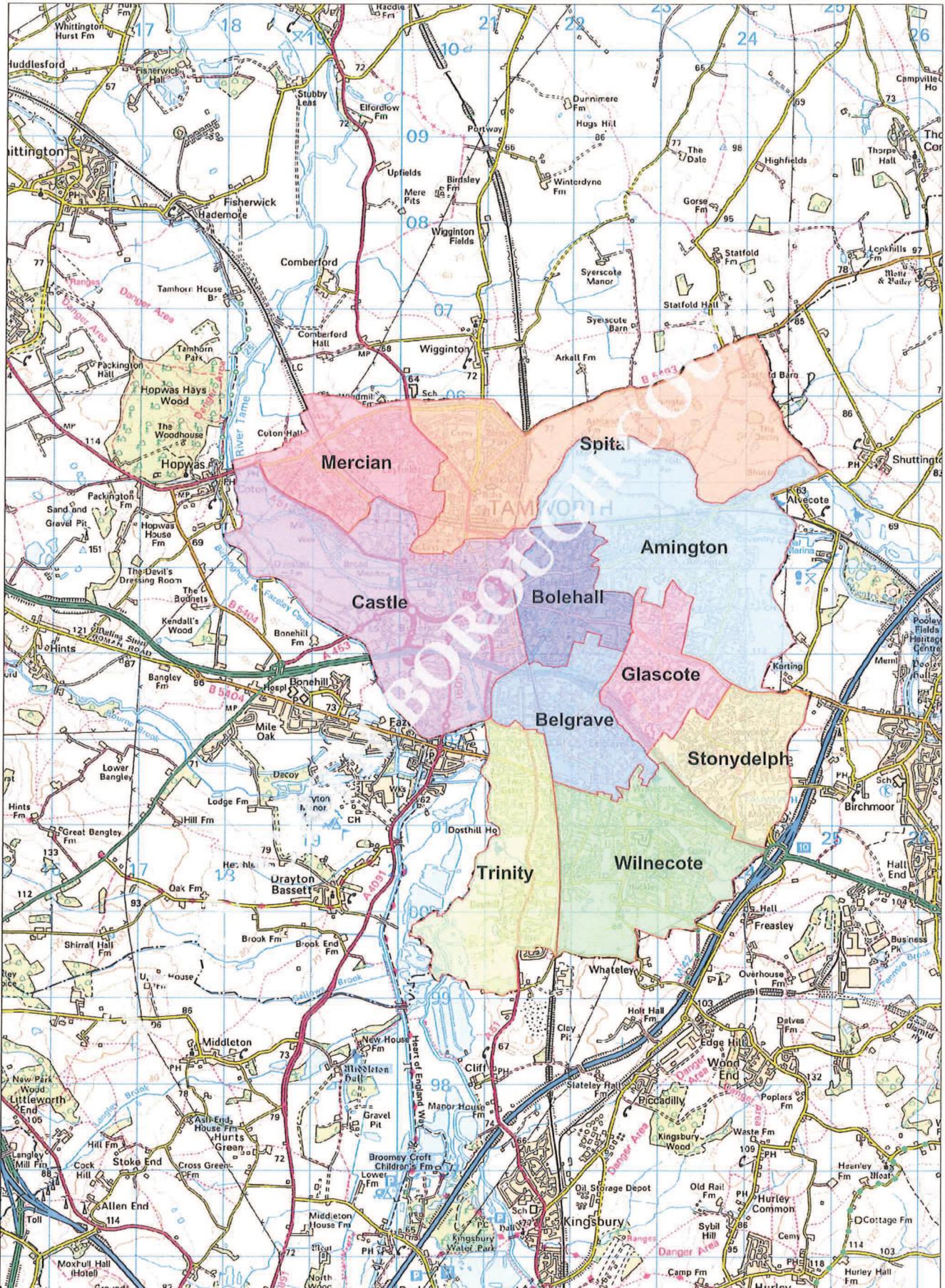
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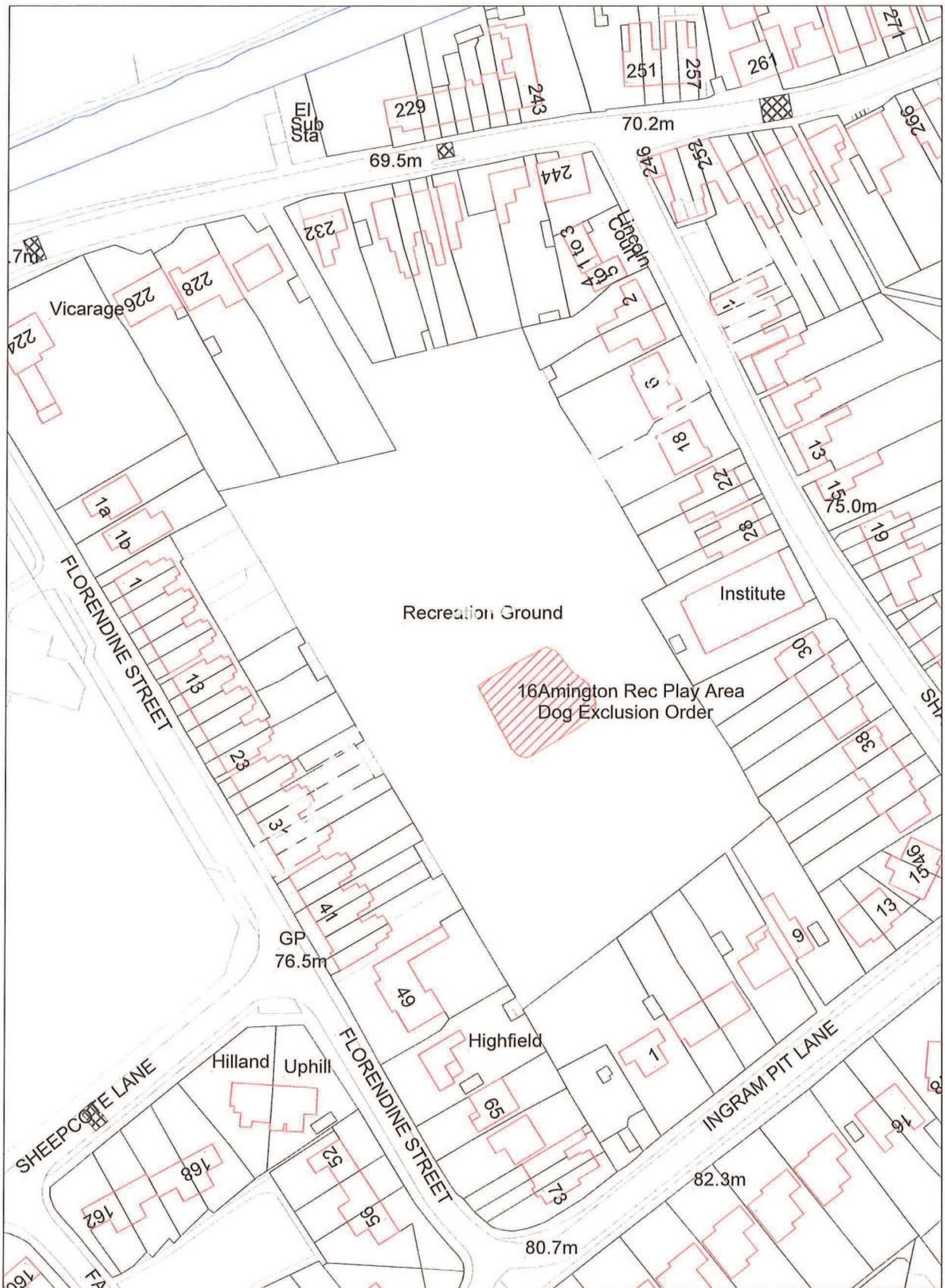
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The Dog Exclusion (Tamworth Borough Council) Order 2012

Designated areas for inclusion:-
PART 1 OF 2

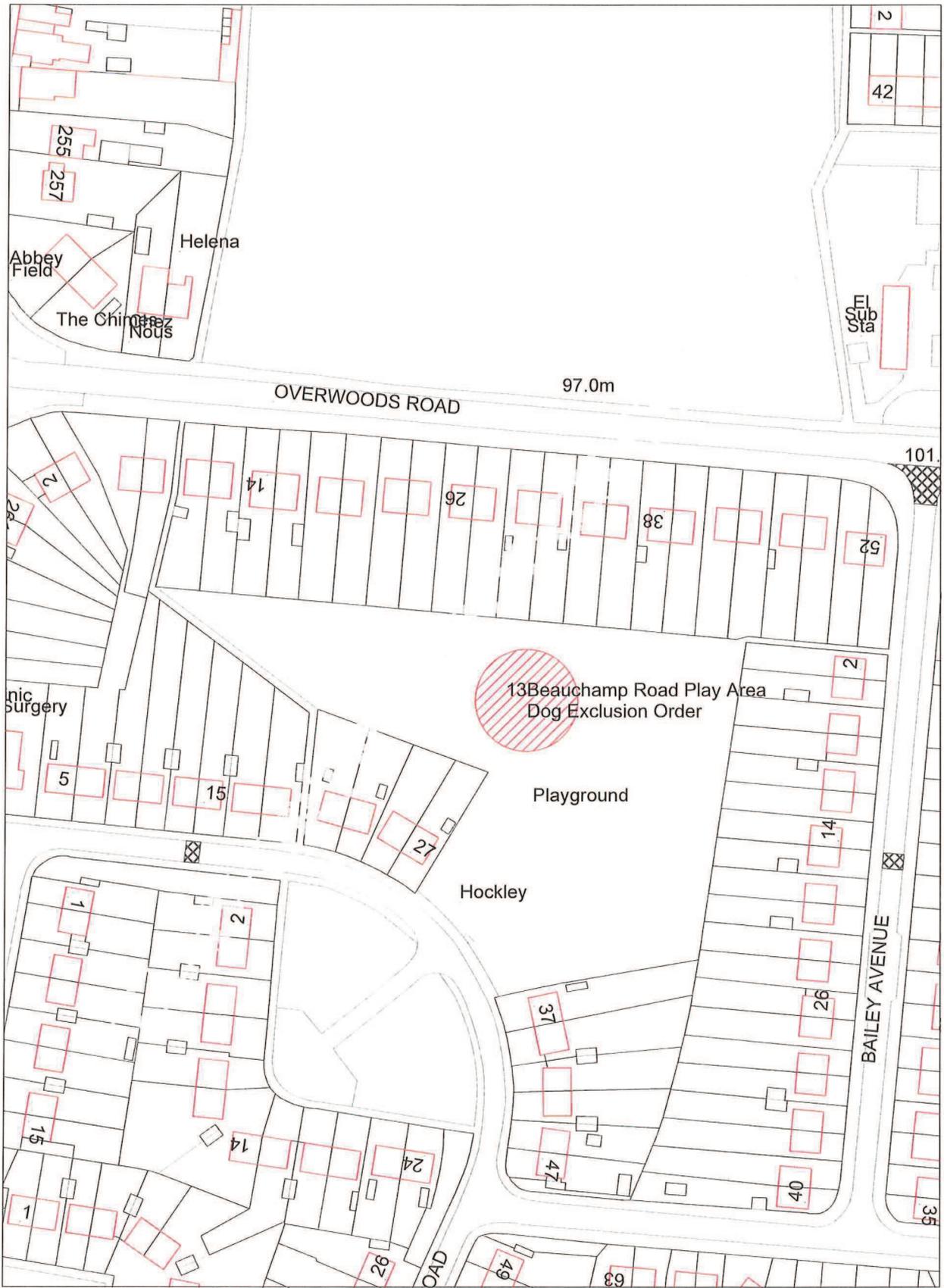
Amington Recreation Play Area
Beauchamp Road Play Area
Brendon / Ealingham Play Area
Castle Pleasure Grounds Activity Centre (former outdoor swimming baths)
Castle Pleasure Grounds Play Area
Castle Grounds Skate Park
Castle Grounds Tennis Courts
Crowden Road Play Area
Dosthill Park Play Area
Hamble Play Area
Hawksworth Play Area



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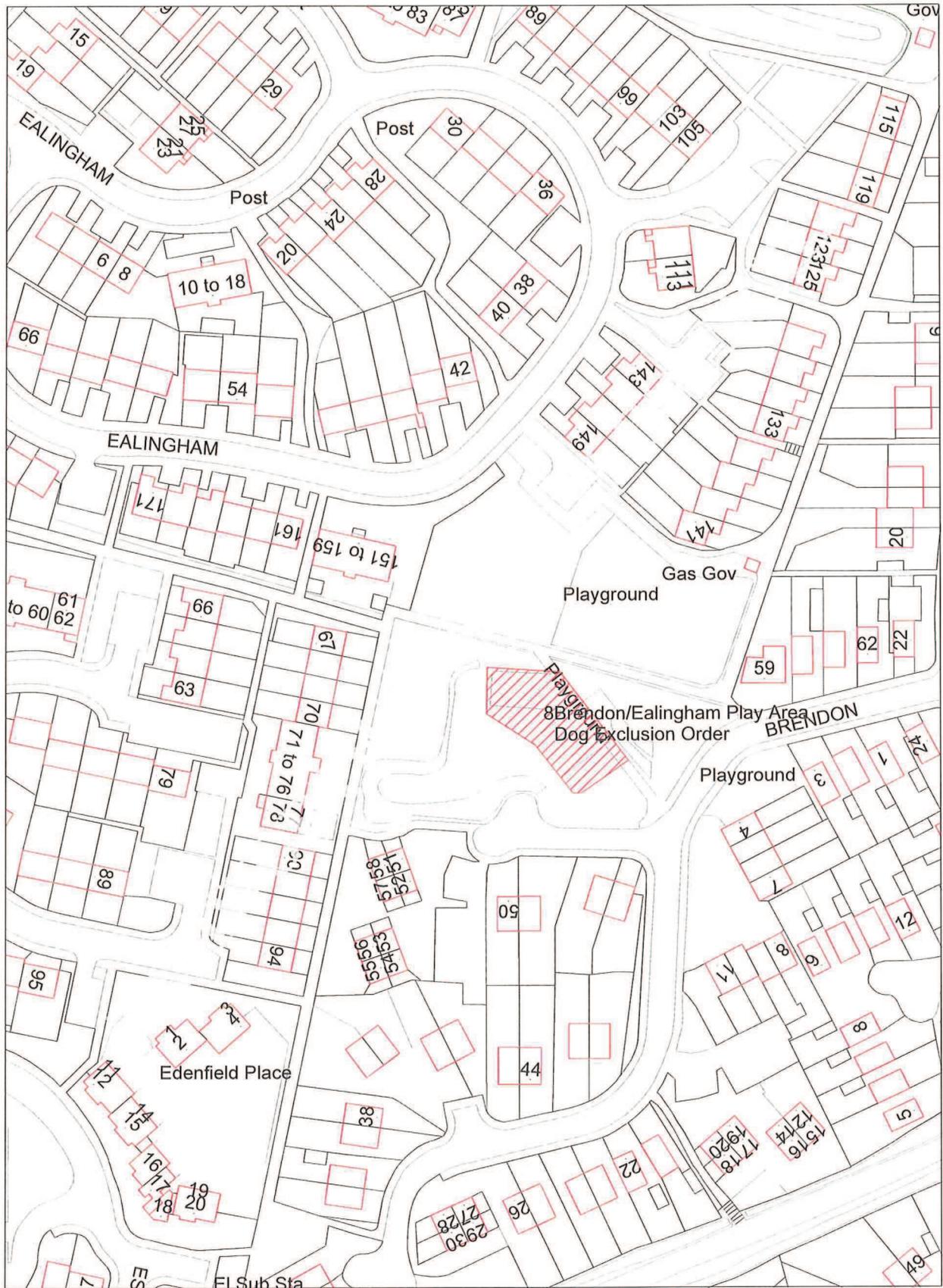
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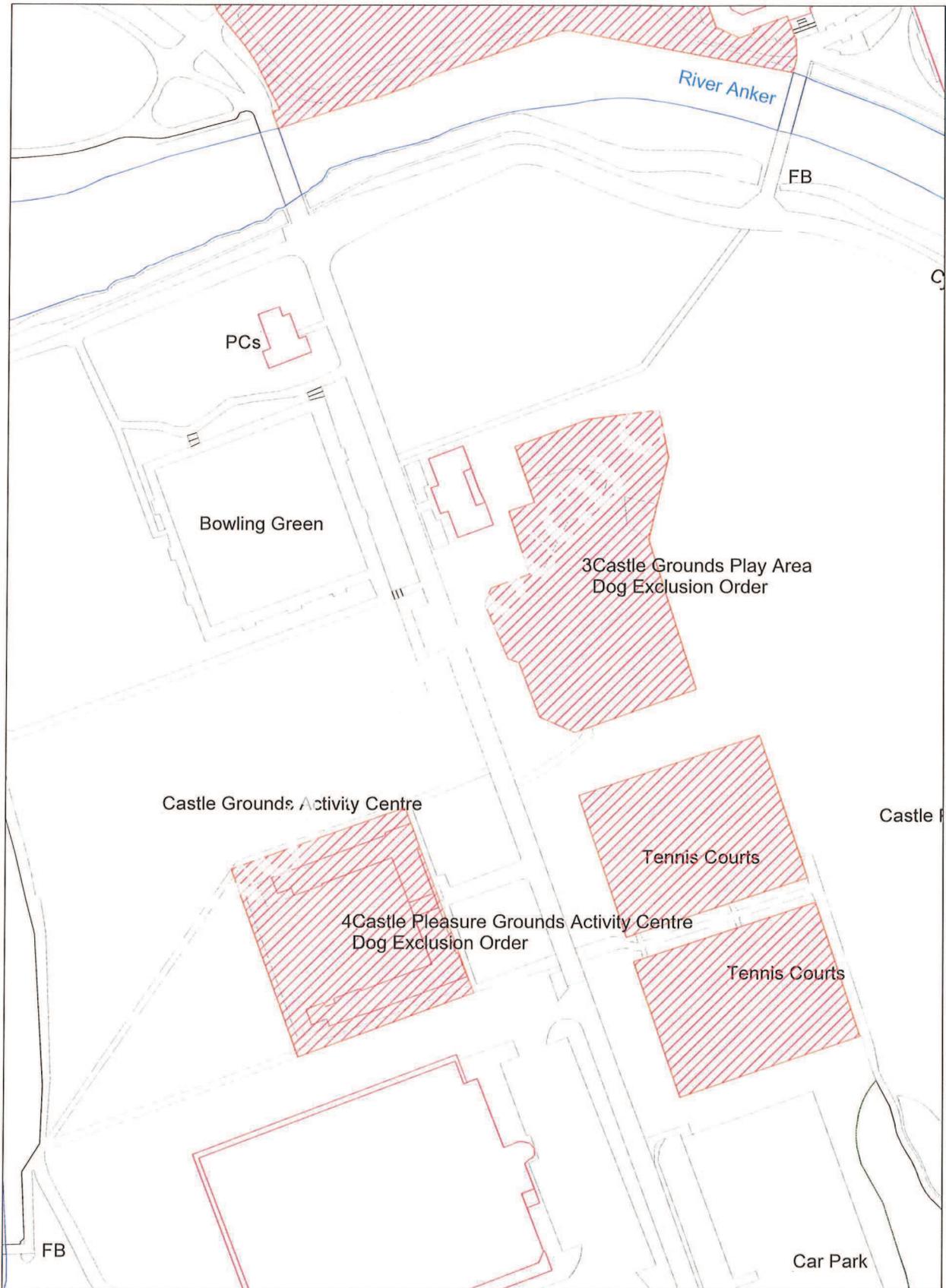
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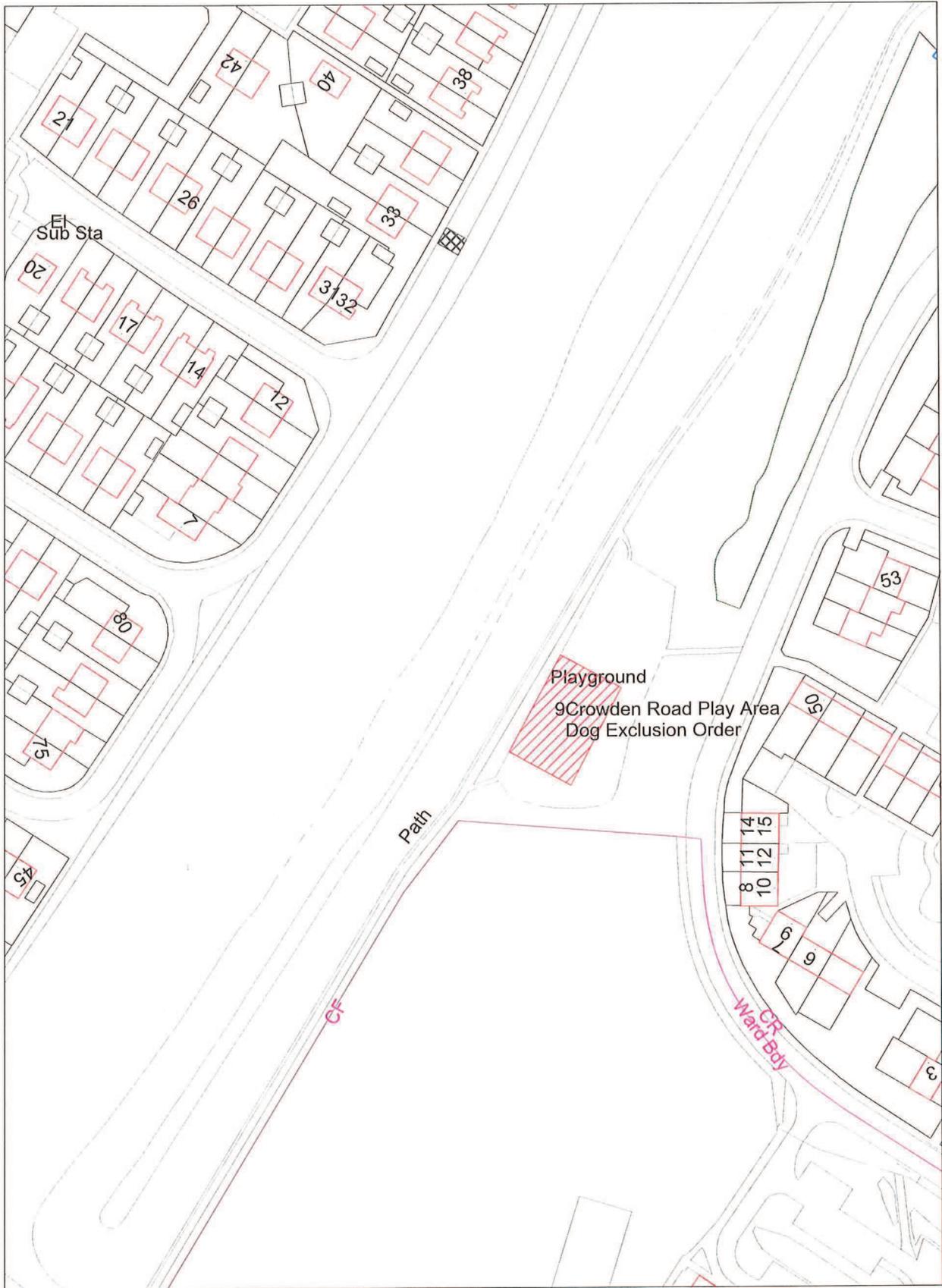
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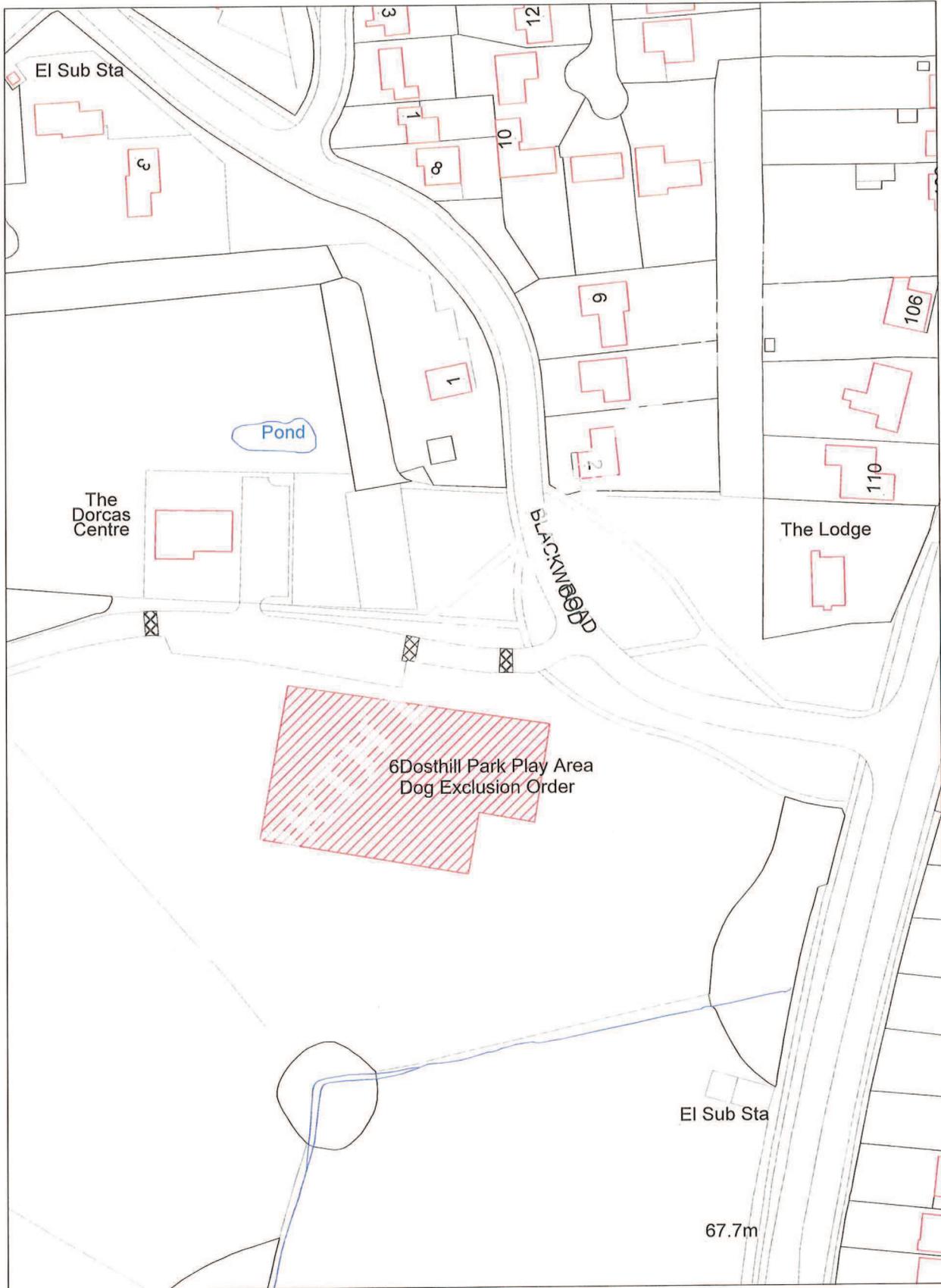
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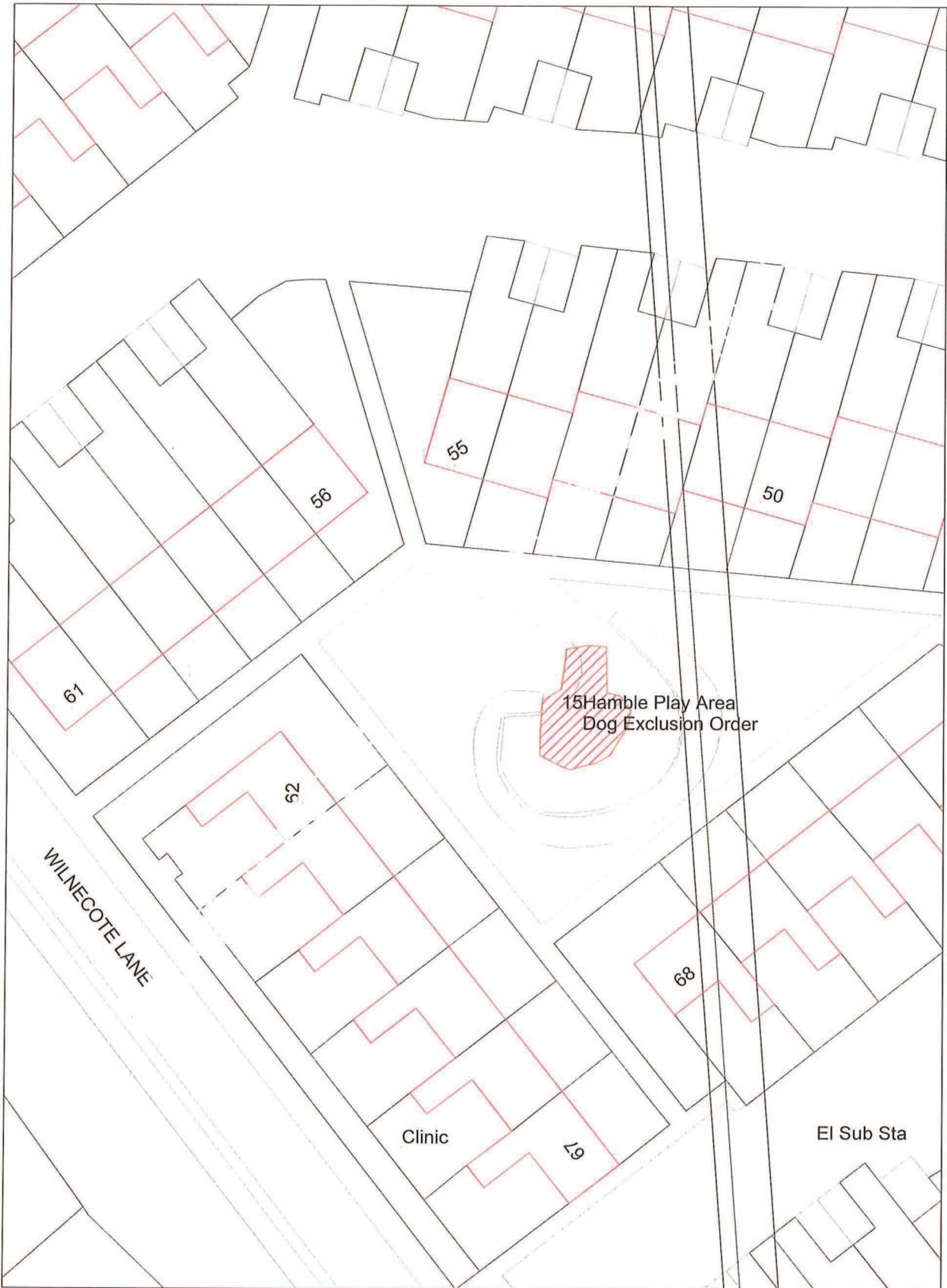
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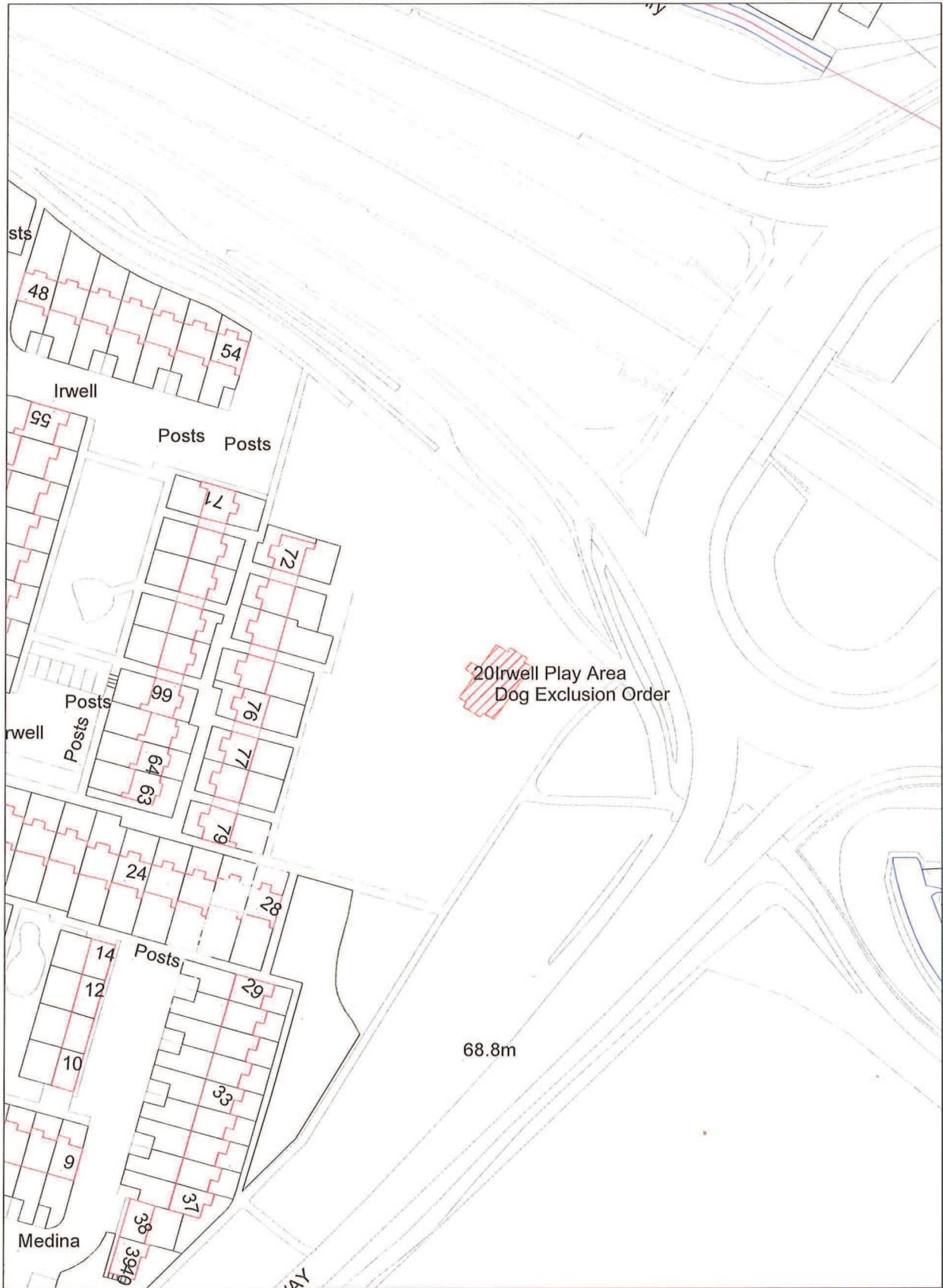
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The Dog Exclusion (Tamworth Borough Council) Order 2012

Designated areas for inclusion:-
PART 2 OF 2

Irwell Play Area
Lakenheath Play Area
Lakeside Park Play Area
Linthouse Walk Play Area
Lothersdale Play Area
Park Farm Road Play Area
Parkfield Crescent Play Area
Rainscar Play Area
Reedmace Play Area.
St Georges Way/Rosemary road Play Area
Wigginton Park Play Area



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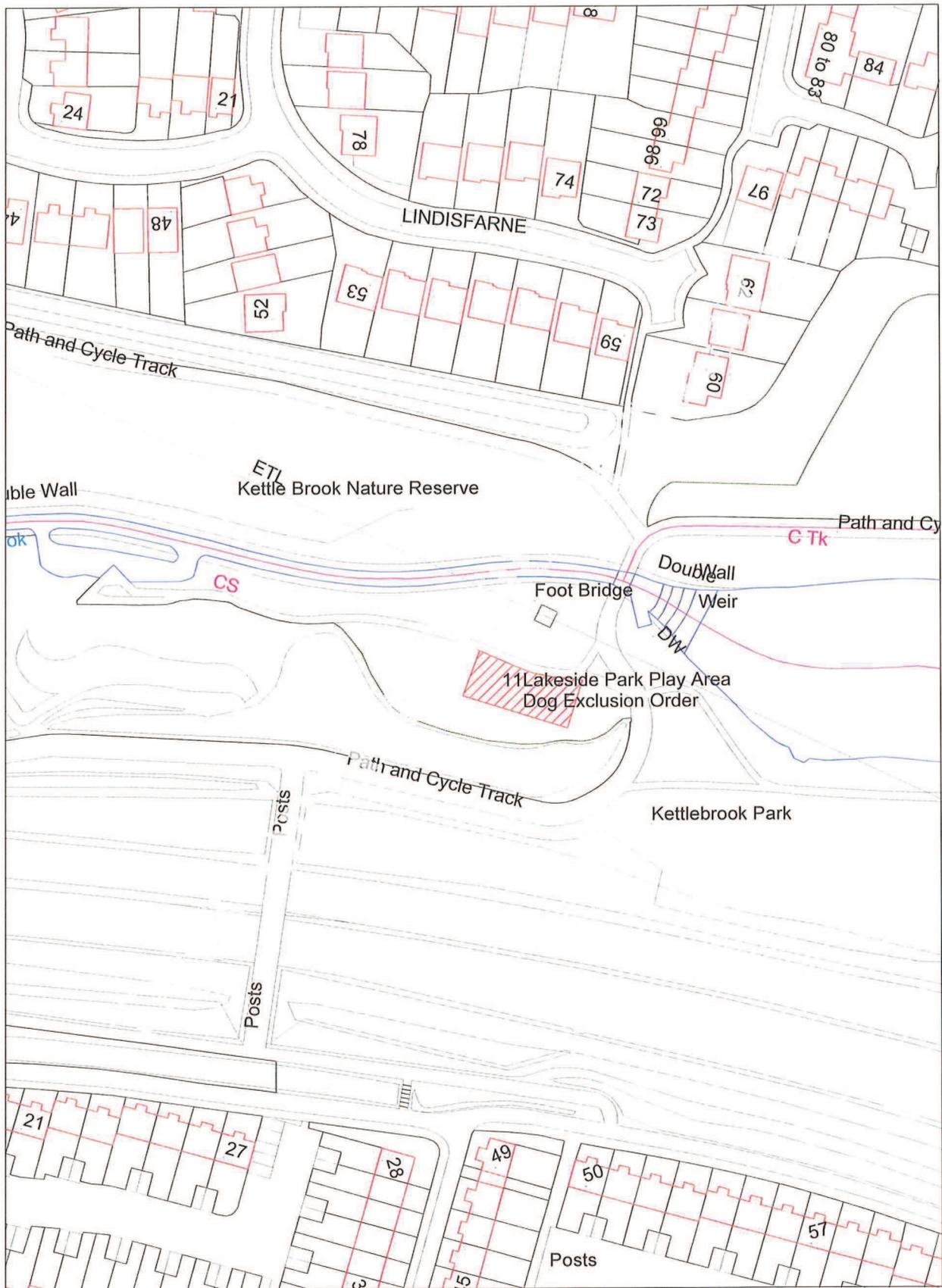
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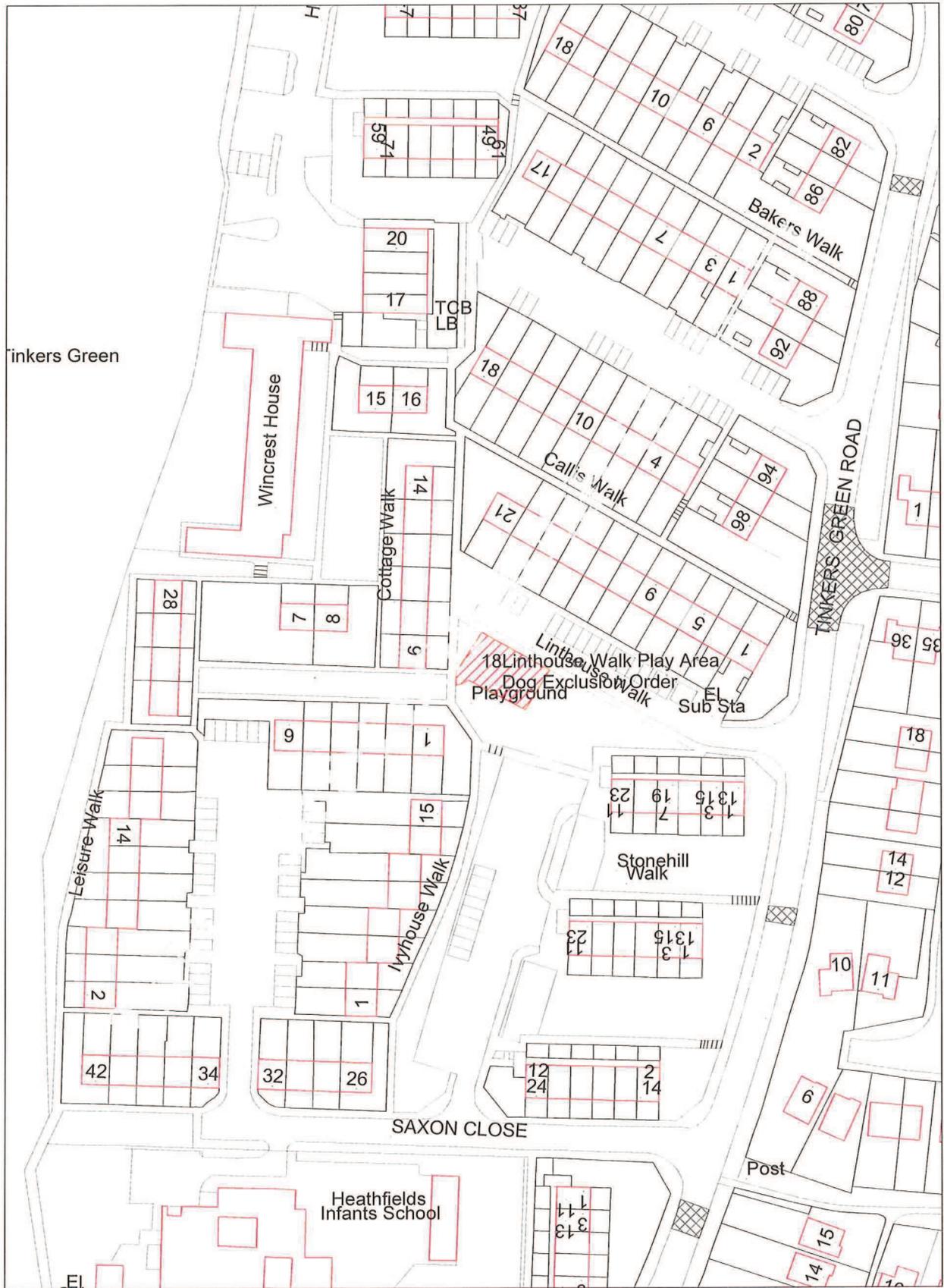
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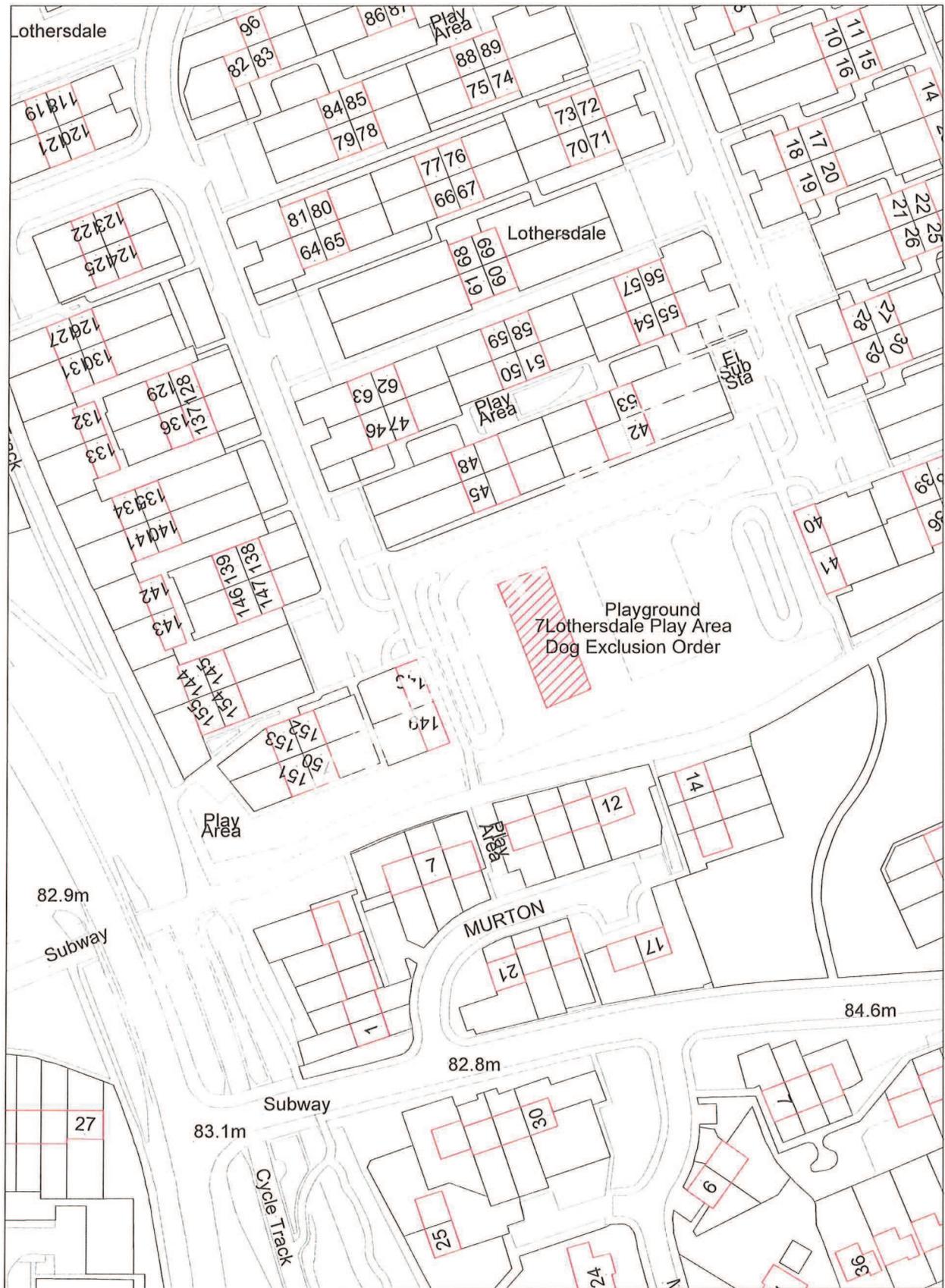
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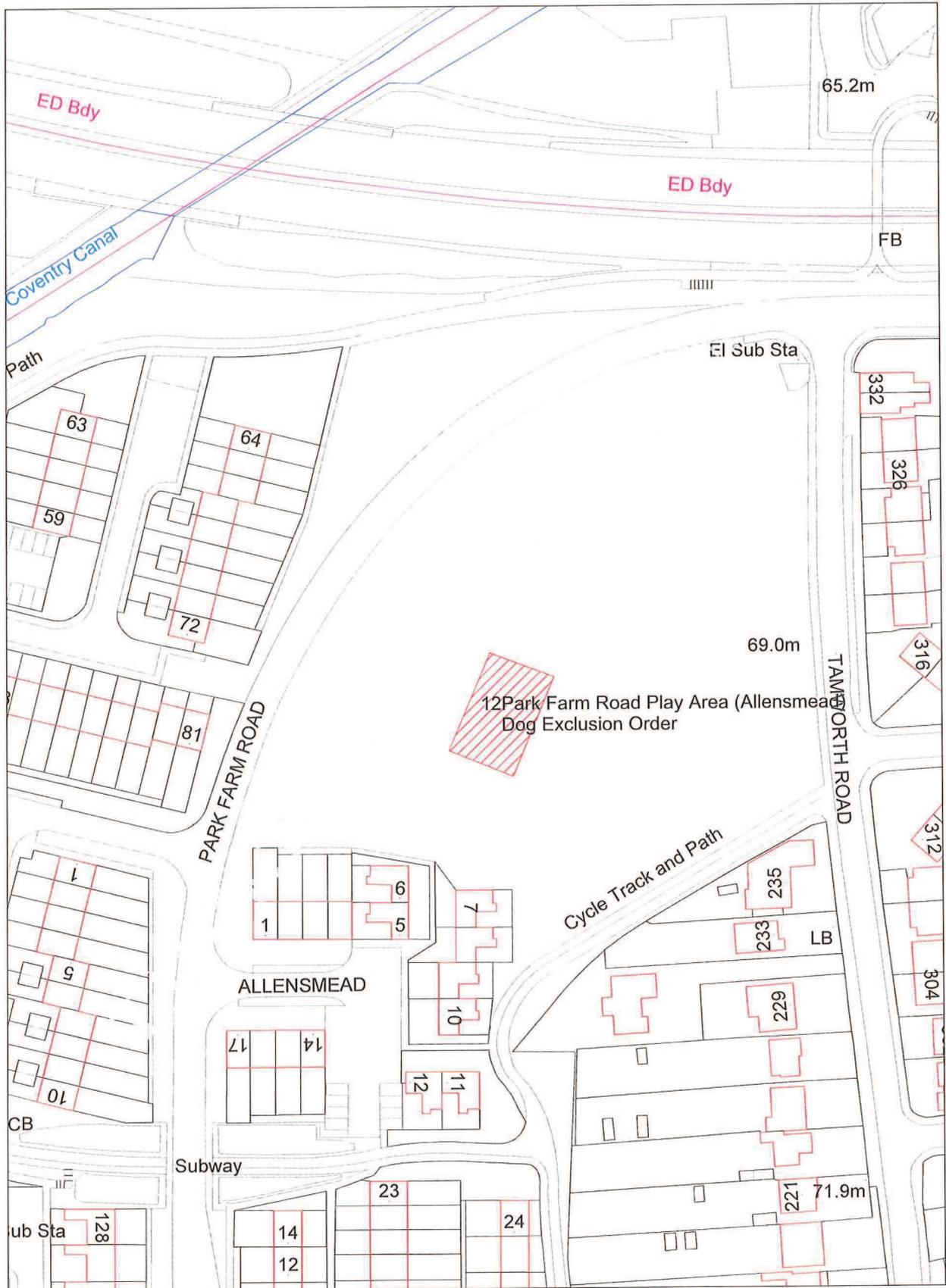
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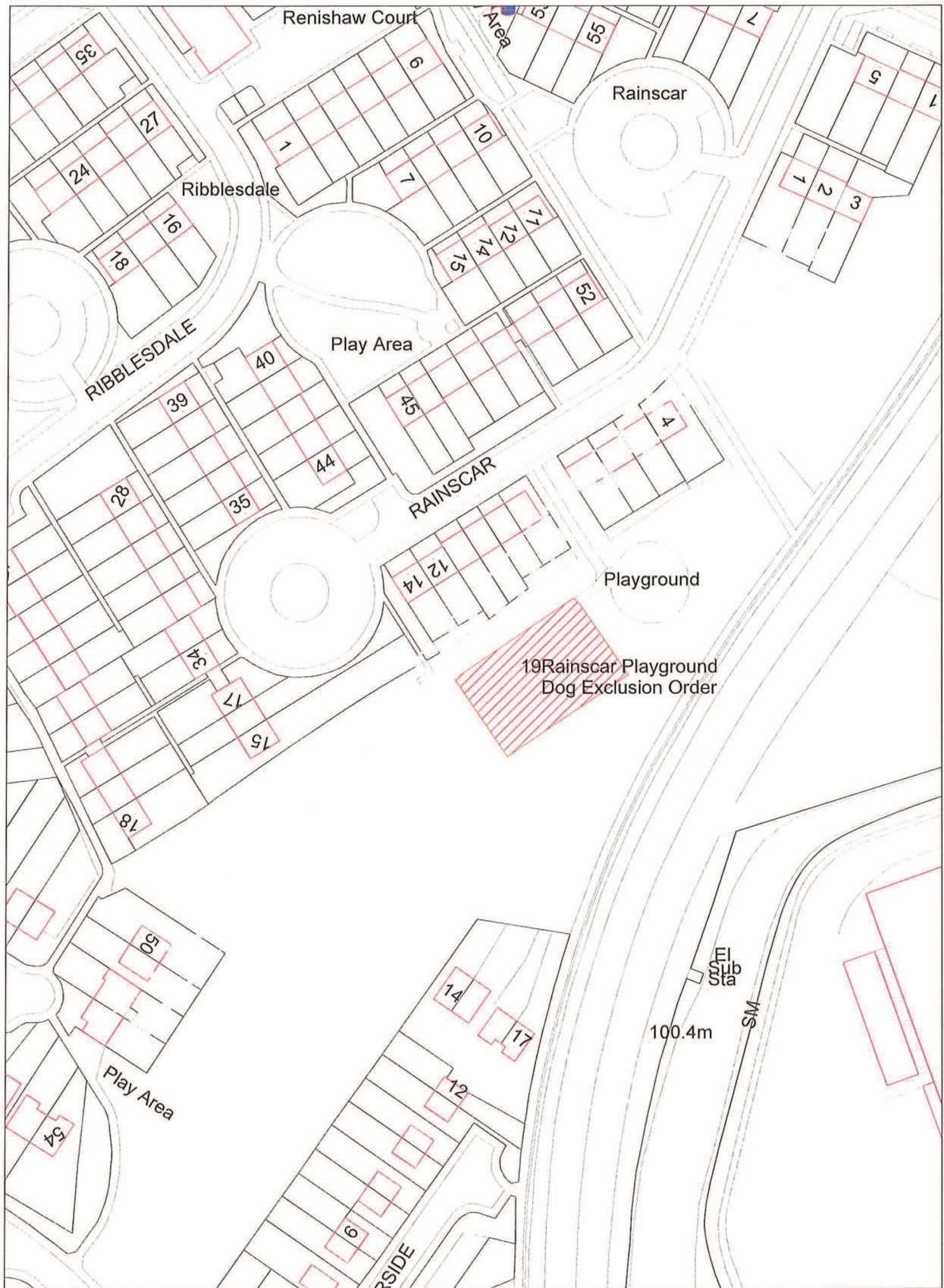
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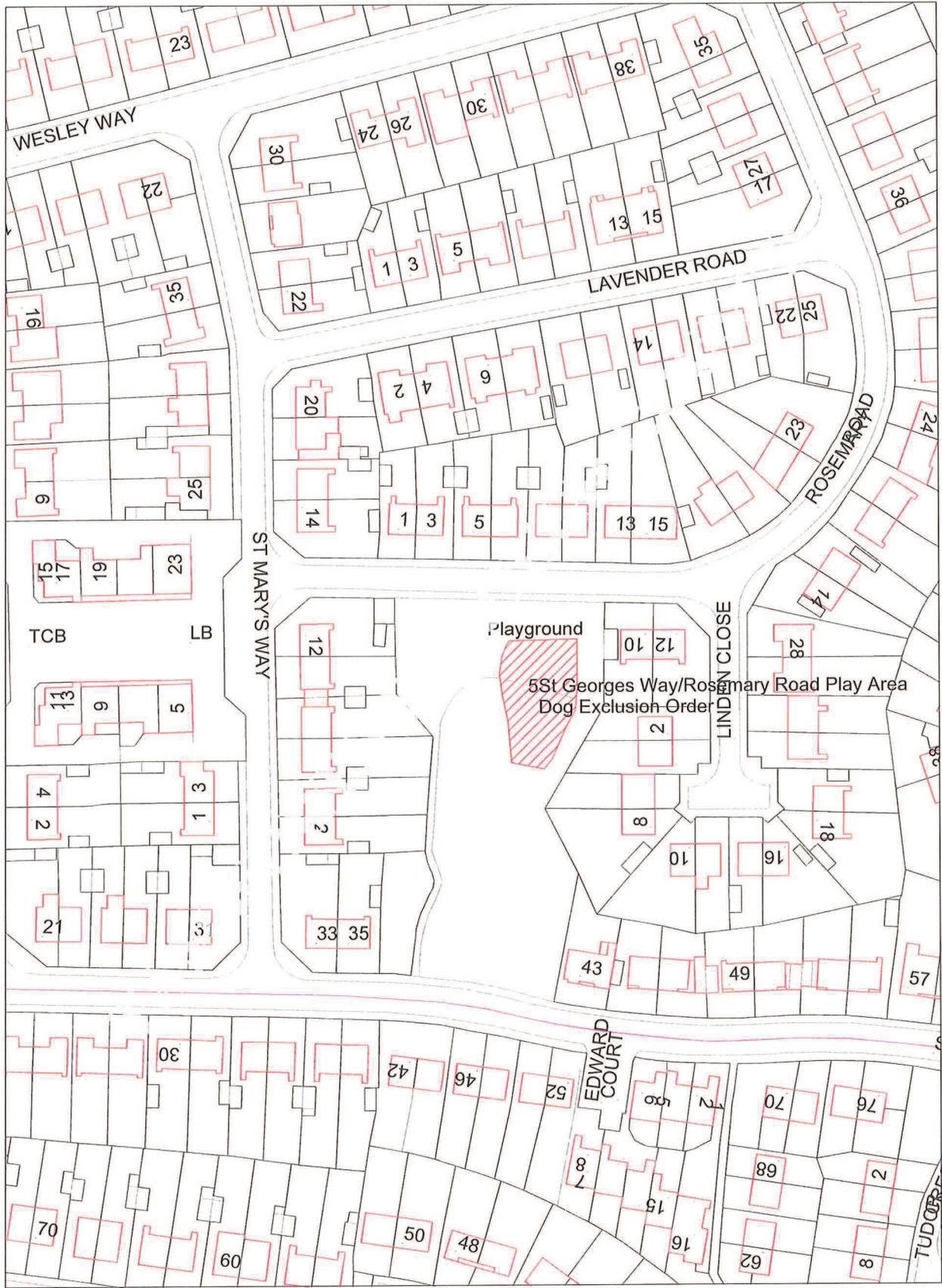
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The Clean Neighbourhoods and Environment Act 2005

Dog Control Orders - Consultation

The vast majority of dog owners are caring and responsible. Not only for their pet's well being but also considerate as to the effect their dog has on other residents and visitors to Tamworth.

However, complaints regarding the behaviour of some dog owners and regarding the problem of dog fouling are still regularly received by the Local Authority. Reports and letters in the local newspapers also highlight the frequency and extent of the problem.

Over the years, various Bye Laws have been made to control dogs. Currently Tamworth Borough Council only has powers to issue fixed penalty for dog fouling. Other byelaws in place have proved cumbersome and difficult to enforce, with no power of fixed penalty.

To address the concerns and complaints of residents and visitors to the borough, Tamworth Borough Council intends to make a number of Dog Control orders under Section 55 of the Clean Neighbourhoods and Environment Act 2005.

The orders intended are:

Dog Exclusion Order - The effect of the Order is to make it an offence for a person in charge of a dog to permit the dog to enter or remain on any land to which this Order applies.

Fouling of Land By Dogs Order - The effect of this Order is to make it an offence for a person in charge of a dog to fail to remove faeces forthwith from any land to which the Order applies.

Dogs on Leads Order - The effect of the Order is to make it an offence for a person in charge of a dog to fail to ensure that a dog is kept on a lead on any land to which the Order applies.

Dogs on Leads by Direction Order - The effect of the Order is to make it an offence for a person in charge of a dog to fail to put that dog on a lead under the direction of an authorised officer on any land to which the Order applies.

Proposed areas for Dog Exclusion Order

The 'exclusion of dogs order' is designed to create dog free areas that can be enforced. This is being introduced to combat the problem of dog fouling within play areas. The order will only include any enclosed or marked areas in which children play.

Please select whether you agree or disagree with the 'exclusion of dogs order' being introduced in the following areas:

	Agree	Disagree	No opinion
Wigginton Park Play Area	216 (86.1%)	15 (6.0%)	20 (8.0%)
Lakenheath Play Area Castle	213 (84.9%)	13 (5.2%)	25 (10.0%)
Pleasure Grounds Play Area	225 (88.6%)	13 (5.1%)	16 (6.3%)
Castle Pleasure Grounds	33 (89.2%)	2 (5.4%)	2 (5.4%)
Activity Centre			
St George's Way/Rosemary road Play Area	207 (82.8%)	13 (5.2%)	30 (12.0%)
Dosthill Park Play Area	213 (84.2%)	15 (5.9%)	25 (9.9%)
Lothersdale Play Area	208 (82.9%)	14 (5.6%)	29 (11.6%)
Brendon / Ealingham Play Area	208 (83.2%)	13 (5.2%)	29 (11.6%)
Crowden Road Play Area	207 (82.8%)	14 (5.6%)	29 (11.6%)
Hawksworth Play Area	205 (82.3%)	14 (5.6%)	30 (12.0%)
Lakeside Park Play Area	209 (83.3%)	14 (5.6%)	28 (11.2%)
Park Farm Road Play Area	208 (82.9%)	13 (5.2%)	28 (11.2%)
Beauchamp Road Play Area	208 (83.5%)	12 (4.8%)	29 (11.6%)
Allensmead Play Area Hamble	208 (83.2%)	13 (5.2%)	29 (11.6%)

Recreation Play Area Parkfield	205 (82.0%)	16 (6.4%)	29 (11.6%)
Crescent Play Area	206 (82.4%)	14 (5.6%)	30 (12.0%)
Linthouse Walk Play Area	207 (82.8%)	13 (5.2%)	30 (12.0%)
Rainscar Play Area	206 (82.4%)	14 (5.6%)	30 (12.0%)
Irwell Play Area	206 (82.7%)	14 (5.6%)	29 (11.6%)
Reedmace Play Area	205 (82.7%)	14 (5.6%)	29 (11.7%)

Please use the space below for any general comments you have in relation to the Dog Exclusion Order. If your comment relates to a specific area please tell us which area this is.

119 (100.0%)

Proposed areas for Fouling of Land By Dogs Order

The dog fouling order is broadly similar to the current provisions for dog fouling.

Regulation for offences relating to dog fouling in Tamworth currently fall under Section 3 of the Dog Fouling of Land Act 1996 and it is an offence not to clean up after a dog on designated land. For the purpose of the 1996 Act, all land in Tamworth is designated with the co-operation of landowners and includes canal tow paths. The current penalty is £50, however formalisation of the dog fouling order under the Clean Neighbourhoods and Environment Act 2005 will bring this legislation up to date and in line with littering offence penalties of £80. The new proposal will also include all land open to the air, whereas the current provisions have certain land exemptions e.g. common land and land used for agriculture.

Please select whether you agree or disagree with the 'fouling of land by dogs order' being introduced in the following area:

	Agree	Disagree	No opinion
The whole of the Borough of Tamworth	239 (93.0%)	12 (4.7%)	6 (2.3%)

Please use the space below for any general comments you have in relation to the Fouling of Land By Dogs Order. If your comment relates to a specific area please tell us which area this is.

78 (100.0%)

Proposed Areas for Dogs on Leads Order

The keeping of dogs on leads order is designed to keep dogs under closer control in specific areas and to discourage persons allowing dogs to stray and foul in those locations. Under the Road Traffic Act 1988, it is already an offence for a person to cause or permit a dog to be on public footway or grass verge adjacent to a road without its being on a lead.

Please select whether you agree or disagree with the 'dogs on leads order' being introduced in the following areas:

	Agree	Disagree	No opinion
Castle Grounds (bandstand area/lower lawn)	237 (91.5%)	12 (4.6%)	10 (3.9%)
Anker valley football pitches	219 (84.6%)	17 (6.6%)	23 (8.9%)
Pedestrian area of the town centre (George St, Market St, Middle Entry, Church St, St Edithas Square, Lower Gungate, Colehill)	253 (97.7%)	4 (1.5%)	2 (0.8%)
Wigginton Cemetery	230 (89.1%)	9 (3.5%)	19 (7.4%)
Amington Cemetery	229 (89.1%)	8 (3.1%)	20 (7.8%)

old)			
Glascote Cemetery	230 (89.1%)	8 (3.1%)	20 (7.8%)
All public footways or grass verges adjacent to a road in Tamworth (as per the current Road Traffic Act 1988)	228 (88.4%)	16 (6.2%)	14 (5.4%)

Please use the space below for any general comments you have in relation to the Dogs on Leads Order. If your comment relates to a specific area please tell us which area this is.

58 (100.0%)

Proposed Areas for Dogs on Lead by Direction Order

The keeping of dogs under control when directed to do so order is designed for those circumstances when a dog is considered to be out of control or causing concern and an instruction by an authorised officer will help to rectify the situation.

Please select whether you agree or disagree with the 'dogs on leads by direction order' being introduced in the following area:

	Agree	Disagree	No opinion
The whole of the Borough of Tamworth	230 (89.8%)	22 (8.6%)	4 (1.6%)

Please use the space below for any general comments you have in relation to the Dogs on Leads by Direction Order. If your comment relates to a specific area please tell us which area this is.

66 (100.0%)

Are you a dog owner?

74 (29.4%)	Yes	173 (68.7%)	No	5 (2.0%)	Prefer not to say
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Age

6 (2.4%)	18-24	74 (29.4%)	55-64
15 (6.0%)	25-34	54 (21.4%)	65-74
24 (9.5%)	35-44	15 (6.0%)	75+
61 (24.2%)	45-54	3 (1.2%)	Prefer not to say

Gender

148 (59.0%)	Male	101 (40.2%)	Female	2 (0.8%)	Prefer not to say
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Do you consider yourself to have a disability or long term health condition

84 (33.5%)	Yes	160 (63.7%)	No	7 (2.8%)	Prefer not to say
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What is your ethnic origin?

0 (0.0%)	Asian or Asian British - Indian	0 (0.0%)	Mixed Heritage - White and Black Caribbean
0 (0.0%)	Asian or Asian British - Pakistani	0 (0.0%)	Other Mixed
0 (0.0%)	Asian or Asian British - Bangladeshi	77 (30.7%)	White - British
0 (0.0%)	Other Asian	153 (61.0%)	White - English

0 (0.0%)	Caribbean	1 (0.4%)	White - Scottish
0 (0.0%)	Black or Black British - Black African	4 (1.6%)	White - Welsh
0 (0.0%)	Other Black	3 (1.2%)	Other White background
0 (0.0%)	Chinese	9 (3.6%)	Prefer not to say
0 (0.0%)	Mixed Heritage - White and Asian		
0 (0.0%)	Mixed Heritage - White and Black African		

DOG CONTROL ORDERS – CONSULTATION

PUBLIC COMMENT AND FEEDBACK

Dog Control Orders - Public Consultation Comments.

- You can only enforce it if you have somebody there to do so. People will ignore it as do those that allow their dogs to foul without cleaning the mess in the first place.
- This is an excellent proposal.
- I was unsure from the literature on the Tamworth borough council website which areas were included in this. The maps listed there showed the town centre, the walkways through the castle grounds and Anker Valley football pitches to be in the dog exclusion area. I would disagree with all of this. My son plays football regularly at Anker Valley, my dog accompanies us when we go, she is kept on the lead at all times and I make sure that she never fouls on any of the pitches. When she does go, around the edges of the field, I always pick it up. I have never seen anyone do differently there! Any dogs that I have seen attending the matches are always on leads and there is no mess in sight. It would be a real disappointment to have to leave her at home on Saturday mornings.
- All play areas should be out of bounds - its impossible to clear up 100% after dogs have messed, residue is always left
- it is not just dogs that law should change as it seems cat fouling is on the up where I live and so far law says the owner cannot be held responsible should a cat trespass on your beautiful grass lawn every day....would you be happy having to keep clearing it and spend fortunes on preventive measures etc...even if you do not have a cat...
- though I agree animal fouling is not pleasant, it is not just dog owners that turn a blind eye, if we are intending to wipe out fouling,, lets help our cat owners too (((to pick it up themselves)))) .save them saying do not have to!!!!!!their cats using garden and communal area as a toilet..... its not the animals fault but the minority that still get away with it, restricting a thing will cause family chaos as a day out etc,, lets make all be responsible
- enforcement is always going to be a problem.
- A DESIGNATED PERIMETER TO THE DEFINED 'PLAY AREAS'S' WOULD BE DESIREABLE AND ALSO A PROPOSAL I SUBMIT TO INCLUDE 'DOGS MUST BE PLACED ON A LEAD OR OTHERWISE BE KEPT UNDER PROPER CONTROL AT:-ANY OTHER PUBLIC RECREATION AREA WHEREBY A DOG OR SPECIFIC DOGS CAUSE OR ARE LIKELY TO CAUSE NUISANCE OR DANGER TO ANY OTHER USER OF THAT AREA' I WORRY ABOUT THE INTRODUCTION TO THE MEASURE WHERE THE TERM 'ALL LAND OPEN TO THE AIR'. IF THE CONTROL ORDER IS SPECIFIC TO DESIGNATED AREAS THEN I HAVE NO PROBLEM. HOWEVER IF IT IS LEFT OPEN TO 'CREEP' IN TURNING IT INTO A LAW UNDULY PUNITIVE TO THE 99% OF GOOD AND RESPONSIBLE OWNERS THEN I WOULD MIND!
- I live on Amington Fields and regularly exercise my dog in this area including walking along the canal tow path. My dog is very small. My walks are not always very enjoyable; there is the danger of dogs off lead, I have had quite a few scares when a large dog has ran at us and I have had to pick my dog up, which is scary for me and my dog as they jump up me. I also have to dodge the dog mess; I ALWAYS clean up after my dog and I have noticed that most small dog owners do, it is the owners with large dogs, who produce great

mounds of mess, that leave it and walk off. The canal towpath is in a disgraceful state with dog excrement everywhere, it actually makes us feel sick, I don't know how people can leave it. I just wish more people were caught, dogs were on leads in busy walking areas and always on leads and kept off childrens play areas.

- Any area where children play
- I agree that there must be areas left clean and safe for all members of the community to enjoy
- will the exclusion order apply to parents or guardians who take their children and dogs to play areas in exclusion zones and also to children who themselves take their dog.
- All dogs should be excluded from all play areas and be on a lead at all times
- don't know about the other play areas so cannot really comment on them
- It needs to be policed and on-the-spot fines introduced as it spoils enjoyment in grassed areas.
- I would be interested to know how this would be implemented. Would more dog-do bins be provided?
- Is the act enforceable if a dog fouls private land, such as a garden irrespective of the wishes of the landowner/tenant/occupier?
- Dog owners have a responsibility to all other citizens in regards to health and safety especially to young children
- If the wardens were available when and where people walk the dogs then it should work but walking in Wigginton Park on Saturday it was obvious nothing is done in that area as there is dog mess all over the grass and is very dangerous to children when playing in area it is a disgrace but obviously it's not an area that is looked after very well
- No comment.
- Which area?...outside my home for a start, Charlotte. There is someone who, I'm told, is regularly allowing their animal to foul on the verge. I've seen it myself but of course he picks it up when he's been seen. Another area is MacGregor Park... very unsanitary place to let children use the area with goalposts designated for football. Residents at Anker Moor Court, Rene Road who look out over the football pitches next to the home say dozens of dogs foul the pitches every day.
- what about the dogs that are roaming strays that foul the area how are you going to contact their owners there are more of them than the ones walking there pooch who do not pick up after them
- Agricultural land should be free of the control. All fines for dog fouling should be made public and the cost of dog fouling prevention should be shown as a separate issue. A better effort should be made by the Council to keep Dirt bins clean and emptied on a more regular basis.
- We have neighbour that regularly take their dogs onto waste ground at the end of our property with no leads and no fouling bags, these people have been reported but the people that patrol this area very rarely and have seen this act taking place. The area is the grassed area at the bottom of our street and at the rear of my property, also tipping is taking place now that the council does not visit these areas.
- Penalty not high enough

- Area outside my home is constantly misused by dog owners who fail to clear up after their animals
- It is particularly disgusting to find dog fouling on play areas reserved for children, Lakenheath is a prime example. perhaps the Health Authorities should become involved.
- Coton Green - my concern is that dog bins are being removed (two in Fontenaye Road) and this will encourage some people to throw bags away.
- i am fed up of walking in either wiggington park or to coton green school and having to look out for dog mess. my children are frequently coming home with dog poo on their shoes. there is even a bin on the way to school!
- The problem you are getting is that dogs are walked at night so you don't know who's not cleaning the mess.
- The areas of main concern are school routes, moorgate in particular suffers with a high amount of dog fouling every day.
- Anyone walking a dog should be liable to an on-the-spot fine if not in possession of a dog litter bag or means of cleaning up after the dog.
- I FEEL THE AREA AROUND WHERE I LIVE HAS IMPROVED WE JUST GET THE EARLY DOG WALKERS [5AM-7AM] WHO COULDN'T CARE LESS ABOUT THE DOGS FOULING OTHER PEOPLES GARDEN OR DRIVES
- Public alley & walkways seem particularly prone to fouling
- strong policy is required
- More needs to be done its a real problem round by me in the Hockley Road, Gorsey Bank and surrounding areas
- THINK THIS IS A BRILLIANT IDEA, MORE DOG BINS AROUND AND THEN PEOPLE HAVE NO EXCUSE, HAVING TWO SMALL CHILDREN SOMETIMES ITS A NIGHTMARE TAKING THEM TO PARKS AND GRASS AREAS BECAUSE OF THE DOG MESS.
- I agree with increasing the fine but unless dog fouling is 'policed' then I cannot see that it will make any difference. The green area on our estate, Keepers Gate, Basin Lane, is used as a dog toilet, also the grass that runs alongside the canal towpath adjacent to our estate has the same problem. As a dog owner that always picks up after my dog, I find this very frustrating.
- As long as resource is available to enforce this then I support it fully. My walk to work (along the B5000 from Tamworth to Pennine Way) is littered with dog excrement.
- There are often dog faeces on the footpath between Glascote recreation ground and Canning Road. This path is used by children going to Woodlands Primary School. I often walk my own dog there and have to take care that she doesn't tread in the mess left by other dogs.
- Kettlebrook Rd through 'old' Kettlebrook seems to get more than its share of dog fouling left on the pavements for all to mop up and spread with our footwear! Maybe a little more focus here and around Kettlebrook would be appreciated.
- Cats and Foxes also foul so why take it out on dog owners specifically?
- Lakeside - dog owners in this area are responsible people and there is rarely any mess left. However, the open space off Abbotsgate is generally used as a dog toilet and is therefore not suitable for children to play on.

- We are inundated locally with dog fouling. The local walkway behind my house between 4-5 Broadway is a huge dog toilet and residents from all the surrounding roads pass my house on the way to the toilet...I have never seen a bag?
- think the penalty £50 enough surely must have a problem getting the fines paid, also dogs are sometimes let out on their own how would owner be fined then?
- WISDOM AND WARNINGS ARE A GOOD OPTION - NOT LIKE THE TRAFFIC WARDENS ONE SOMETIMES HEARS OF, MOST DOG OWNERS ARE NICE PEOPLE. IT IS THE ODD COULDN'T CARE LESS TYPE WE ALL DESPISE THAT NEED TO BE TARGETED.
- Sick of having to clean up the gully from Overwoods Road and the School so the children attending the pre-school don't carry the poo in on their shoes.
- its ok to have the laws but you need people to enforce them , if there arent people out looking for the culprits then whats the point, i have reported the same person at least 3 times for dog fouling and its still happening.
- Will the law be effectively enforced?
- I think £50.00 fine is enough
- More enforcement needed. I have a dog and always take 2 or 3 bags when walking the dog so I can dispose of the litter in the proper place. I have lost count of the times i have seen polythene bags used for dog foul thrown into bushes or left hanging on branches. I hope this is an offence also.
- Fouling of land and pavements/walkways is a huge problem but we don't see many people charged. If legislation is going to make more impact on lazy, dirty owners it will be wonderful (if it works).
- Who will monitor? Who has the authority to fine?
- This is a good idea but will be virtually unenforceable
- From junction of Birds Bush Road and Shannon, up to path going over Shannon to grass land
- Around Anker Valley Football pitch and public footpath ways
- I am a dog person myself and would never go out without a poop-scoop. I think that people who foul should have higher fines and be shown up in the Herald
- The leyfields are constantly used by all sorts of dogs and it's disgusting
- I agree with increasing the fine, however, there is no monitoring of dog fouling in any public areas I visit on a regular basis, so will it make any difference? Also, dogs are meant to be kept on a lead, and they aren't - especially where young children are walking or playing. Again, there is no monitoring of this.
- Dog fouling should be clamped on because it's a health hazard
- Don't think dog fouling is as much of an issue as littering.
- Alley between Barbra Street and St John's Street and Ludgate
- I have a dog. It annoys me to see dog owners let their dogs loose on the green next to our house to mess. I never let my dog on there. The majority of the time it is in our garden and cleaned up when she's done it. We never go for a walk without adequate poo bags. Dosthill park has good bins for the bags.
- If dogs are walked their waste should be collected at once and taken with owner to be disposed.
- Along Fazeley Canal

- Excellent idea. Paths around lake in Fazeley Country Park are covered in dog mess
- My daughters school - Hillfield primary. The only path to the school is COVERED in dog fowl
- All playing grounds used for sport should have 'no dogs'
- If people have dogs they should take responsibility for their mess and a hefty fine may make them.
- More dog wardens early in the morning
- There are a few dog owners who do not clean up their mess in the cottage farm area. Take their dogs out early doors so they don't get caught
- More dog waste bins. Council should provide free bags as this would reduce the amount of dog waste that is about at the moment.
- The walkway from the top of Mergamer, Wilnecote down towards the Kingsbury Road is a very popular dog walking route and dog mess is a bad problem. A warden occasionally would help.
- Unless there are extra police officers on the streets to enforce this order, I do not see what difference it will make, or how it will act as a deterrent. Maybe it would be more worthwhile running a course to teach people the responsibilities that come with owning a pet.
- Fouling of public footpath is particularly objectionable
- More people are needed on the streets and in the parks to enforce the changes otherwise the changes are pointless!
- While some dog owners take the time to clear the dog mess up, others don't, consider the health hazards, apart from the mess, the bigger the fine, the better.
- Areas en route to parks etc. Such as Wigginton Poad and Fossdale Road. Much fouling of footpaths
- How do you convict people? I see lots of dog walkers not cleaning up; let us know what we have to do.
- More dog wardens on foot patrol
- I have a dog and clean up after him, i'm fed up of walking my dog if it's only a short distance and all I see is dog mess. I live in Bancroft, Glascoate and people just use ot for dogs to go to the toilet.
- Things have improved but I occsionally see dog mess on pathways. It's unhygienic and an annoyance
- Should increase to £100. Possiblty employ more dog wardens to enforce law
- There are still too many dog owners not cleaning up dog mess particularly on coventry canal towpaths.
- It's great having these orders but are they ever inforced! The amount of dog fouling makes walking hazardous along Thomas Street and Bamford Street, it's appalling.
- needs to be higher penalty
- Also litter dropping should be addressed with a larger penaltie fee
- Please install more dog poo bins to make disposal of bags better. Please re issue compostable bags for free or subsidised cost to encourage.
- Will this include the Garden of the dog owner. After all it is in an open air place, be it private property.
- The Council should be promoting areas where dogs are allowed to be free and have extra facilities for owners to clear the dogs mess, allow dogs to drink and be dog friendly.

- It is a sensible and reasonable approach to tackling a real and growing problem.
- People who get fined should also be given 15 hours community service clearing up other dog mess.
- If it is in an area where people and moreover children go it must be removed we all know what can happen and the bugs that live in dog mess. If you have a dog be responsible clean up after it.
- Plastic bags are harmful to environment
- Hospital Street/Orchard Street
- I agree about the dog fouling order
- Needs more bins to place poop in
- Maybe a slightly higher fine if within a certain distance of schools
- Unnecessary for agricultural land and common land. It's natural for animals to excrete here.
- Whether the dog is on a lead or not, some dog owners still let them foul the grass and pavements. It is hard to catch these owners. Fines should be more expensive if caught.
- In the 10 years we have lived here the past year has been the worst for fouling on pavements around Amington Tam road and Amington road
- Does anyone actually get prosecuted on this issue? Dog Fouling is on the increase on dosthills streets.
- Dog shit alley
- More dog bins needed for people to put bags into
- WE had a dogs for 29 years and never allowed either of them to foul the footpaths etc., Our children bought too much in on their shoes to allow our own to do it.
- I have only read that 1 person has been taken to court for non payment it would be nice if the number of people that were fined was put in local papers. The problem of dog mess is far worse in all areas of the borough
- Agree with increased fine, but current exemptions should remain
- I live in Davis Road and own a dog. I am fed up with the mess in this area, there needs to be more signage.
- You cannot walk on any grass area without walking in dog mess. Kettlebrook Linear Park
- I agree. The fouling of land footpath is getting worse but I'm at a loss of how to tackle it in this present financial climate (would bringing out dog licencing do any good?)
- I have rung on more than one occasion re dog mess in order for street scene to come to clear up to no avail in our residential area (Hanbury Farm Estate)
- I feel the legislation goes a little too far in including 'all land open to the air' ie woodland and moorland as surely nature would deal with dogs along with wildlife in such areas

Please use the space below for any general comments you have in relation to the Dogs on Leads Order. If your comment relates to a specific area please tell us which area this is.

- Dogs off lead is the single biggest cause of dog fouling - when dogs are in front of their owner the owner may clear up after them. if the dog is behind them the owner isn't even aware they've left a mess. Kept on lead the owner would be aware, the dog wouldn't be able to stray so far that the owner could say it was too difficult to reach. This order doesn't go far enough - the control of dogs on roads order 91/92 covered designated roads (all roads/footpaths were supposed to be designated). By going against this order you are saying its now ok for dogs to be off lead and to cause a nuisance to considerate dog owners who keep theirs on lead. I know of an owner who lets their dogs out to exercise on their own (ninefoot lane football pitch!) so how is the owner going to clear up after them when he's at home watching telly ?!!
- The whole of the Castle Pleasure Grounds should also be included to avoid dogs running wild.
- around belgrave and surrounding areas cat fouling and being forced to pick up and cost to prevent or be fined when it even is not owned just chooses to go toilet on your lawn or pathway,cats
- enforcement is practically impossible
- DEFINING THE CASTLE GROUNDS AREA IS A CRITERIA ACCEPTABLE IF I WALK MY DOG THERE.
- Again Amington Fields and the canal towpath in and around this area.
- I don't understand the problem having a behaved dog unleashed in town in the evenings when streets are free from shoppers. As for the last area I was unaware of this law & believe many other dog owners are likewise. Also I think there must be quite a few 'Grey Area' concerning the grass verges some of which are wide expanses.
- As a pet care professional I would welcome seeing a control on dogs on public footways as I have too many customers whose dogs (on lead) have been injured by dogs off lead as they try and go for a walk in the local area, I myself hesitate to take out my dogs in the village for fear they will be attacked by the dogs of less responsible owners. Common sense would dictate that all dogs would be on lead when walked by a road, however I see loose dogs in danger of causing a traffic accident all too often, and would applaud the control order for this reason.
- Dogs like to run and stretch their legs. This legislation seems to be restricting a dogs (especially well behaved ones) movements. Will you be restricting areas that mobility scooters can roam free? As they are a much bigger menace sometimes than any dog! I have been hit by irresponsible owners of these many times, with just a 'sorry' to cover your hurting leg or foot! When this is done i will agree that that dogs should be reigned in!
- If the owner can not control there own dog then it should always be on a leash
- I am have no problems with this.
- After chairing public PACT meetings for the last five years I know this to be an issue across the qwhole of Tamworth. Any area which is left out of the order would be very, very angry about it.

- See my last comment. Treat dog owners as responsible people until it is proven otherwise, then take action. Dog owners should not be punished as a group for the sake of a minority.
- The person I was referring to earlier let the dogs run from house without a lead and they are big dogs that have already knocked people over as they boystress dogs and should be on a lead at all times.
- Dogs need somewhere to run free!
- Being a non dog owner it may be necessary to set aside areas where dogs can be let off the leash for exercise. No solution is a perfect one ' you just can't please all the people all the time'.
- How can you monitor the owner all the time
- 100% in favour all areas
- NO COMMENT
- As a Dog owner there is no need whatsoever to let a dog off its lead, it can still exercise and have free space on a lead. What about children and older people that may be a little worried about dogs off leads, what about other dog owners walking their pets on leads, it has got to stop, if I am ever bitten or my dog is attacked I will take legal action and it will be pointed in the direction of my local council, without hesitation
- Warwickshire Moor but everywhere I go I see the same problems
- I believe dogs should have certain freedom when with their owners out walking. For example along canal towpaths, common land that is not tilled or tilled and open fields. Dogs need exercise and relish a 'run around'.
- If a dog is out of control then the owner should be offered training at a cost or confiscation of said animal
- I have no problems with well behaved dogs on leads being walked anywhere in Tamworth..I do have a problem with misbehaved dogs. There are 2 very aggressive dogs usually tied up or walked around Stonydelph shops
- All dogs can be dangerous in the right circumstances and should be kept under control.
- any action on loose dogs is a good thing, for safety sake,
- Yes, if directed, owners should know when a dog is not trained, and if misbehaving they must put a lead on.
- Dogs should always be on a lead, I feel strongly about this as a parent and numerous times I have had to brake in my car due to dogs running into the road
- This is virtually unenforceable
- Amington canal tow paths. Dogs jumping up causing to soil my clothes and also rip my jacket with dog off lead and no control over dogs. Happens too many times
- Ludgate/Leys
- By Roads or public places which is pedestrian ways or shopping areas likely to be crowded. It is safer and kinder to the dog to keep them on a lead next to you.
- My dogs are always on a lead
- There should be places where we can take dogs for walks
- any public area
- Dangerous dogs should not be kept by people unable to control them, my dog was recently attacked by another dog, something needs to be done.

- Dogs not on leads are often encouraged by their owners to jump into local waters, causing much disturbance
- Unless there is a specific area for dog users to use, the health and safety of people must come first.
- In built up areas dogs need to be on leads, in an open space let them have a run.
- See previous comments. Be positive not negative.
- It really should apply to the whole area of the Borough.
- Dogs should be on leads
- The proposal seems clear
- People should be on leads
- Dogs should be kept on a lead except for wide open spaces where they could run free.
- You are creating a more and more unnatural, sterlised world. We don't want to be constantly controlled!!
- See last page and also in the local Marlborough Park.
- if the dog is out of control and has been put on a lead and it continues to cause a problem it should be taken from the person whos do it is
- My wife got bitten by a loose dog in the Amington area
- We often walk around the lakes at kettlebrook, but find dogs running loose quite intimidating
- As above, do not penalise responsible dog owners for the actions of a minority or general public phobias about dogs
- Wiggington Park

Please use the space below for any general comments you have in relation to the Dogs on Leads by Direction Order. If your comment relates to a specific area please tell us which area this is.

- I hope that the 'Authorised Officer' is going to include a wide variety of Officers to expand the reach and effectiveness of this regulation. Will there also be a spot-fine for non-compliance?
- Dogs should be on lead at all times - any dog can bite, all it takes is a trigger. This order should be irrelevant.
- dogs on leads are more in control but it does seem that persons without dogs should wake up too to their kids and others that think to walk at through or even stroke without permission very dasngerous and rude
- again impossible to enforce
- ALWAYS EVERYWHERE - AS LONG AS IT IS WARRENTED AND APPLIED FAIRLY WITH THE 'JUDGE' OF ANY PARTICULAR SITUATION HAVING RECEIVED ADEQUATE TRAINING TO DIFFERENTIATE BETWEEN OUTRIGHT AGRESSION AND 'DOGGY '[SOMETIMES BOISTEROUS] PLAY WITH ME' BODY LANGUAGE EXHIBITION WHICH CAN BE COMMON. I NOW BELIEVE IT IS NOT ENOUGH FOR ME TO SIT AND SNIPE AT THIS, I WOULD LOVE TO HAVE MORE INVOLVEMENT IN THE DESIGNING OF THE MEASURE.

- As mentioned in my previous comments. There have been numerous occasions when I have had to pick my dog up as there is a large dog with no lead and no owner in site racing towards us.
- I have absolutely no problem with this BUT will it BE enforced and WILL offenders be brought to task?
- I have doubts about 'authorised officers', who will they be, what training will they receive, under what circumstances will they be able to exercise their powers. How will enforcement be implemented (this applies to all of the proposed orders, implementation without enforcement is a waste of tax payers money).
- Sometimes irresponsible owners do let their dog get out of control and this should not happen.
- Were I live in Salters Lane we have a lot of Staffies, and most of them are not on the leads at anytime !!! so donot like taking my dog out as I don't feel safe with them off the lead, and if you say anything you get abuse from the owner.
- Dogs should not be allowed in children's play areas just in case they become out of control
- I don't know enough of these places to comment on.
- a dog on a short lead can be controled
- Again, this is a very negative attitude. A positive attitude would be spelling out where dog owners can use the area with appropriate signage, appropriate dog dirt bins and perhaps facilities for dogs to get drinks.
- Where children are playing dogs should not be allowed
- Play areas are for children to play in not dogs
- I don't think dogs should be allowed in play areas where there will be children.
- Dogs should not be allowed in play areas for children due to danger of infection etc, also to keep children safe from dog attacks etc
- WOODHOUSE LANE AREA
- Dogs should NEVER be allowed to foul any designated childrens play area.
- any area where children play
- ANOTHER EXCELLENT IDEA, AS WITH MANY BEACHES NOW DOGS ARE NOT ALLOWED OR ONLY ALLOWED IN CERTAIN TIMES.
- PLayer areas should be kept as safe and as clean as possible for our children, there is no need for dogs to enter them.
- Dog fouling should be prevented by fining owners rather than excluding dogs. If the reason for exclusion was on safety grounds (i.e. preventing children from being bitten), then I would agree with the measure.
- dog owners must be responsible for they own dogs not any body else
- As comment @ 10
- All play areas should be dog fouling free. Question could have been worded as such!
- provided dogs aren't by actual play equipment can't see what the problem is provided owners are responsible for ensuring no dog fouling occurs
- CAN ONLY COMMENT UPON THE AREAS I KNOW, PARKFIELD I AM ASSUMING IT REFERS TO THE GRASSED AREA TO THER REAR OF THE HOUSES NEXT TO THE OLD SCHOOL SITE, NOW A DEVELOPED HOUSING SITE.

- Tethering posts outside the play areas could be made available for people when they take their dogs and children to the park
- play areas should be free from dogs
- As long as it is only in the actual play area
- Sorry, I don't know all the areas, so have no valid opinion. I think play areas for children should be surrounded by fencing.
- This is a good idea and should be enforceable
- Dogs allowed in open spaces, not in play areas.
- Anywhere where children play no dogs allowed at all as there is some dog owners do not clear their dog mess up.
- Children's play area is what it means. Dogs should not be allowed in these childrens places!
- As long as this is only the play areas and around the perimeter there is somewhere to tether your dog should you have taken dog with grandchildren.
- Dogs should be excluded from the sports pitches in Wigginton Park
- any play/public area
- Aren't dogs already excluded from these areas. Maybe if you stopped building on the countryside that surrounds the town, people wouldn't have to exercise their dogs in play areas and cemeteries.
- Dogs shouldn't be allowed in play areas in the first place, they're for children, not dogs
- Dogs should not be in play areas at all.
- Dog poo usually left lying about!
- It's ok but where will people walk their dogs?
- I have no objections to dogs being off leads if they are well trained and of no danger
- All areas where children are playing should not have dogs mess to contend with
- adults and children should be able to enjoy play area's with out dogs jumping up or running after them
- Get rid of the broken glass and drug paraphernalia before you waste money on dog control! These play areas are a magnet to the scum of the town at night.
- Dogs and children learn to play together, many parents take their dogs out with their children to play parks. Should we restrict this? I don't think so.
- As these areas are principally used by children and young people the order should apply to them all.
- No dogs should be allowed in any play area
- same as previous comments
- I think dogs should be on leads at all times
- Can there be a specific park for dog walkers like in America
- It is very sad that you have to legislate to make owners act responsibly!
- Dogs should not be in specially made child play areas but they do need somewhere to exercise
- I do not think dogs should be excluded as they are part of life but should be looked after responsibly I know that is a tall order but children need to be used to animals.
- all play areas should be dog free and dog mess free
- I agree all play areas should be dog free

- Dogs should be on a lead in all public places
- Dogs should not be allowed where children are playing in case of attacks on children or fouling
- No dogs should be allowed to run free to foul childrens play areas. An exclusion zone for dogs would be fine providing it can be enforced by law or by-law.
- Along tow paths would be good
- Would prefer to include dogs but perhaps suggest should be muzzled in play areas

SAMPLE ORDER ONLY – NOT FOR OFFICIAL USE

Tamworth Borough Council

**The Clean Neighbourhoods and Environment Act 2005
The Dog Control Orders Regulations 2006
(Prescribed Offences and Penalties, etc.)**

The Fouling of Land by Dogs (Tamworth Borough Council) Order 2012

Tamworth Borough Council hereby makes the following Order:

1. This Order comes into force on **DD MM YYYY**
2. This Order applies to the land specified in the Schedule below.

Offence

3. (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless—

(a) he has a reasonable excuse for failing to do so; or

(b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

(2) Nothing in this article applies to a person who—

(a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or

(b) has a disability which affects his mobility, manual dexterity, physical co-ordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

(3) For the purposes of this article—

(a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

SAMPLE ORDER ONLY – NOT FOR OFFICIAL USE

(b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;

(c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

(d) each of the following is a "prescribed charity"—

(i) Dogs for the Disabled (registered charity number 700454);

(ii) Support Dogs (registered charity number 1088281);

(iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Signed

Chief Executive
DD MM YYYY

Schedule

1. Subject to the exception in paragraph 2 below, this Order applies to all land which is within the area of Tamworth Borough Council and which is –

i. Open to the air (which includes land that is covered but open to the air on at least one side); and

ii. to which the public are entitled or permitted to have access with or without payment.

2. Excepted from the description in paragraph 1 above is:

i. land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967; or

ii. agricultural land.

**PUBLIC NOTICE
THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005
THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND
PENALTIES, ETC.) REGULATIONS 2006**

DOG FOULING

NOTICE is hereby given that Tamworth Borough Council proposes to make an Order pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005.

This Order will apply to all land open to the air to which the public are entitled or permitted to have access (with or without payment) in the administrative area of Tamworth Borough Council including but not limited to parks, public open spaces and roads*. Forestry Commission Land is exempt.

If a dog defecates at any time on land to which the Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person will be guilty of an offence unless -

- a) he has reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented to his failing to do so.

The Order will provide exemptions for a person who -

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the purpose of this order –

- a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

DOGS ON LEAD BY DIRECTION

NOTICE is hereby given that Tamworth Borough Council proposes to make an Order pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005.

This Order will apply to all land open to the air to which the public are entitled or permitted to have access (with or without payment) in the administrative area of Tamworth Borough Council including but not limited to parks, public open spaces and roads*. Forestry Commission Land is exempt.

If a person fails to comply with a direction given him by an authorised officer of the Authority on any land to which this Order applies to put and keep a dog on a lead he shall be guilty of an offence if unless –

- a) he has a reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.

For the purpose of this order –

- a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
- b) an authorised officer of the Authority may only give a direction under this Order to put and keep a dog on a lead if such restraint is reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which this Order applies] or the worrying or disturbance of any animal or bird.

Any written representations should be received by Tamworth Borough Council no later than 30 June 2012. Comments can be made in writing to the address above or by Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ via email environmentalmanagement@tamworth.gov.uk

** A road is any length of highway or of any other road to which the public has access, and includes bridges over which a road passes (RTA 1988)*

PUBLIC NOTICE
THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005
THE DOG CONTROL ORDERS (PRESCRIBED OFFENCES AND
PENALTIES, ETC.) REGULATIONS 2006

DOGS ON LEADS

NOTICE is hereby given that Tamworth Borough Council proposes to make an Order pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005.

This Order will apply to all roads (including adjacent footpaths and verges)* in the administrative area of Tamworth Borough Council. Forestry Commission Land is exempt.

** A road is any length of highway or of any other road to which the public has access, and includes bridges over which a road passes (RTA 1988)*

The Order will also apply to specified areas to include:

- Tamworth Borough Council cemetery land at Glascote, Wigginton, Wlincote and Amington,
- the pedestrianised areas of the town centre,
- St Edithas Church graveyard,
- the Top and Lower Lawn areas of the Castle Grounds and Anker Valley Sports Pitches

The proposed Order will require persons in control of dogs to:

Keep a dog on a lead at all times on land to which the Order applies and a person who is in charge of the dog at that time who fails to do so will be guilty of an offence unless -

- a) he has reasonable excuse for failing to do so; or
- b) the owner, occupier or other person or authority having control of the land has consented to his failing to do so.

For the purpose of this order –

- a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;

DOG EXCLUSION

NOTICE is hereby given that Tamworth Borough Council proposes to make an Order pursuant to its powers under the Clean Neighbourhoods and Environment Act 2005.

This Order will apply to land **SPECIFIED** as play areas and multi use games areas only in the administrative area of Tamworth Borough Council.

A person in charge of a dog shall be guilty of an offence if, at any time, he takes the dog onto, or permits the dog to enter or to remain on, any specified land to which this Order applies unless –

- a) he has a reasonable excuse for doing so: or
- b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his doing so.

This order will provide exemptions for anyone who –

- a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
- b) is deaf, in respect of a dog trained by the Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance; or
- c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.

For the purpose of this order –

- a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog; and
- b) each of the following is a “prescribed charity” –
 - (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Any written representations should be received by Tamworth Borough Council **no later than 30 June 2012**

A copy of the designated areas is available from Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, B79 7BZ and on line at www.tamworth.gov.uk.

Comments can be made in writing to the address above or by email environmentalmanagement@tamworth.gov.uk

Tamworth Borough Council
The Clean Neighbourhoods and Environment Act 2005
Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006

Notice is hereby given that Tamworth Borough Council has made the following Orders
on DATE OF FULL COUNCIL which will come into force on DD MM YYYY

Order One – Dog Fouling

This Order requires people, in control of a dog, to immediately remove faeces deposited by the dog from all areas of land, to which the public are entitled or permitted to have access, within the Borough of Tamworth.

There are exemptions for people with registered guide dogs and trained assistance dogs.

Order Two – Dogs on Leads

This Order requires people in control of a dog to keep it on a lead in the following areas:- (AREAS TO BE INCLUDED HERE)

Order Three – Dogs on Leads by Direction

This Order requires people in control of a dog to put and keep the dog on a lead when told to do so by an authorised officer of the Council.

This Order applies to all areas of land within the Borough of Tamworth and which are open to the air and to which the public are entitled or permitted to have access.

Order Four – The Exclusion of Dogs

This Order excludes dogs from specific areas of land. There are exemptions for blind people with guide dogs and disabled people using trained assistance dogs.

This Order prohibits dogs from entering the following areas:-

ALL AREAS TO BE INCLUDED HERE

Fixed Penalty Notices and Enforcement

Tamworth Borough Council intends to issue fixed penalty notices to enforce the Dog Control Orders as prescribed by Section 59 of the Clean Neighbourhoods and Environment Act 2005. The fine will be £80 failure to pay the fine within fourteen days may lead to prosecution in the Magistrate's Court.

Further Information

Information is available on the Council's website regarding the Dog Control Orders, alternatively any queries can be made via email to environmentalmanagement@tamworth.gov.uk or by contacting Neighbourhood Services on telephone number 01827 709445.

The areas covered by the Dog Control Orders may be viewed free of charge at Tamworth Borough Council, Marmion House, Lichfield Street Tamworth, B79 7BZ or at www.tamworth.gov.uk

Chief Executive
DD MM YYYY

CABINET

30 MAY 2012

Report of the Portfolio Holder for Environment and Waste Management

Environment Health and Regulatory Services Fees & Charges 2012/2013

Cabinet is recommended to approve the revised fees and charges outlined in the appendix to take effect on 1 June 2012.

Recommendation

- 1. That Cabinet approves the fees and charges proposed for Environment Health & Regulatory Services set out in Appendix 1 of this report with effect from 1 June 2012 apart from Taxi Licensing fees which need to be approved by Council**
- 2. That Cabinet recommend to Council that the Taxi licensing fees set out in Appendix 1, subject to the statutory advertising prescribed by the relevant legislation, be approved.**
- 3. That Cabinet recommend to Council in future reviews the revision of taxi licensing fees be delegated to Cabinet.**

Purpose

To seek Members' approval to implement revised fees and charges in respect of services provided by Environment, Health and Regulatory Services to come into effect from 1 June 2012. The proposed fees and charges are at **Appendix 1**.

Executive Summary

Fees and charges were last reviewed in 2011, with the new fees effective from April 2011. The fees proposed in the Appendix recognise the need to maintain reasonable charges and levels of income and take account of the annual rate of inflation. They also take into account the Council's medium term financial strategy and the need to recover the Council's reasonable costs in delivering regulatory services. The levels set have been rounded and include VAT (where applicable).

These fees span across a broad area of regulatory work some set by Government, other set locally including animal health and welfare, dog kennelling, the provision of information across a range of disciplines and a number of licensing processes including, Environmental Permits, pet shops, riding establishments, fireworks storage, ear piercing etc.

The report also sets out proposed tax licensing fees. However these will need to be approved by Full Council.

The Council's mid term financial strategy provides for an annual increase in fees and charges. The increase to be applied in 2012/2013 is 2.4%. The attached Appendices identifies the new locally set fees and charges proposed for Environment, Health & Regulatory Services, (Appendix 1) that have been adjusted to include the increase, namely Animal Welfare; General Licensing; Food Safety; Health and Safety; Environmental Information/Protection; Drainage and Private Hire and Hackney Carriage.

Fees and charges in relation to the Licensing Act 2003, lotteries & amusements and Local Authority Air Pollution Control (LAPC and LAPPC) are set by Her Majesty's Government and do not include any inflation adjustment, these are shown at Appendix 2. Premises license fees under the Gambling Act 2005 were approved by Cabinet on 25 April 2007.

In relation to Hackney Carriages and Private Hire Vehicles, there is a statutory requirement to advertise proposed changes to fees and charges for 14 days prior to implementation. These charges, if approved, will therefore take effect following the appropriate notice period.

Financial Implications

Implementation of the proposed fees and charges should ensure budgeted income levels in 2012/2013 are achieved.

"If Members would like further information or clarification prior to the meeting please contact Mr S Lewis. Ext 437"

Appendix 1

Environmental Health and Regulatory Services

Fees & Charges set by Tamworth Borough Council 2012/2013

SERVICE	Charge as at 1 April 2011	Charges From 1 June 2012
---------	------------------------------	--------------------------------

Animal Welfare

Kennelling Costs per Day (for each day the dog is kennelled overnight an addition of £8.00)	8.00	8.19
Fine set by Central Government	25.00	25.00
Administration	20.00	20.04
Transport of Dog back to Borough	45.83	46.92
Microchipping	12.74	13.05

General Licence / Registration

Sex Establishments		
- new application	4105.09	4203.61
- renewal or transfer	2052.55	2101.81
- variation	198.74	203.51
Dangerous Wild Animals	257.09	263.26
Dog Breeding Establishments	114.94	117.70
Animal Boarding Establishments	114.94	117.70
Riding Establishments	257.09	263.26
Pet Animal Dealers		
- Up to 250sq m	158.06	161.85
- 251 to 500 sq m	215.47	220.64
- 501 to 1000 sq m	276.48	283.16
- Over 1000 sq m	344.82	353.10
Game Dealers	12.68	13.16
Acupuncture, Tattooing, Ear Piercing, Electrolysis	114.94	117.70
Motor Salvage Vehicle Operators		
- registration	88.79	90.92
- certified copies of register entries	38.05	38.96

Food Safety Act

Copy of Single Entry	17.35	17.77
Copy of Category	72.71	74.46
- plus per entry	1.28	1.31
Copy of Register	205.59	210.52
- plus per entry	1.28	1.31
Admin for Issuing Invoice	20.67	21.17

Health & Safety

Accident Investigation		
- Disclosure Information	76.57 + VAT	78.41 + VAT
- Factual Reports (including copies of photographs)	146.77 +VAT	150.29 +VAT

Environmental Information Act (deemed to include contaminated land enquiries)		
Research / Admin per hour (pre-payment)	75.28	77.09
Additional Charge for Invoicing	20.67	21.17
Photocopying of Documents (per side)	0.78	0.80

Environmental Protection Act 1990 Part 1		
Copies of Information		33.44
- copies of register extracts (pre-payment)	32.66	
- copy of list of applicants	26.17	26.80
- copy of an application (per process)	26.17	26.80
- plus photocopies per side	0.75	0.80
Admin Charge for Issuing Invoice	19.15	19.61

Drainage			
Drainage Enforcement	EHO	37.79	EHO 38.70
- Section 35 LGMPA	TA	24.80	TA 25.40
- Section 59 Building Act	Admin	16.98	Admin 17.39
Note - Charge determined on Officer's Hourly Rates			

Hackney Carriage / Private Hire *			
Hackney Carriage Vehicle	-	under 4 years old	283.65 284.22
Hackney Carriage Vehicle	-	over 4 years old	315.57 316.20
Private Hire Vehicle	-	under 4 years old	283.65 284.22
	-	over 4 years old	315.57 316.20
Combined Hackney Carriage / Private Hire Driver's			82.34 82.50 (DVLA only) 84.64 84.81 (DVLA & CRB) 109.69 109.91 (DVLA & MEDICAL) 122.48 122.72 (DVLA, CRB & MED)
Private Hire Operators			135.54 135.81
Change of Vehicle			67.08 67.21
Replacement Plate - Hackney Carriage / Private Hire			19.16 19.20
Replacement Stickers - Private Hire			4.80 4.81
Missed MOTs (without 24 hours prior notice)			40.05 40.13
Bounced Cheques			20.00 20.04
Cancelled Insurance (without notification)			66.76 66.89
Failure to Return Plates Within 7 Days Hackney Carriage / Private Hire			40.05 40.13
* = Must be advertised 28 days prior to taking effect			

Appendix 2

FEES PRESCRIBED BY HER MAJESTY'S GOVERNMENT

Licensing Act 2003 †		
Personal licences	Application for the grant or renewal of a personal licence	37.00
	Theft, loss etc of personal licence	10.50
	Duty to notify change of name or address (personal licence)	10.50
Temporary Event	Temporary event notice (for each event)	21.00
	Theft, loss etc of temporary event notice	10.50
Premises Licence	Theft, loss, etc of premises licence or summary	10.50
	Application for a provisional statement where premises being built etc	315.00
	Notification of change of name or address (holder of licence)	10.50
	Application to vary licence to specify individual as premises supervisor	23.00
	Application for transfer of premises licence	23.00
	Interim authority notice following death etc of licence holder	23.00
Club Premises Certificate	Theft, loss etc of certificate or summary	10.50
	Notification of change of name or alteration of rules of club	10.50
	Change of relevant registered address of club	10.50
	Right of freeholder etc to be notified of licensing matters	21.00
*	Supply of copies of information contained in register	0.78 per side of A4
Licensing Act 2003 †		

Fee Bands †

Premises and club application and annual fees - each premises that is licensable will be allocated to a fee band according to rateable value. See Table 1 - Fee Bands

Table 1 - Fee Bands †

Rateable Value	Band
No rateable value to £4,300	A
£4,301 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

Premises Licence Fees †

Table 2 – Premises Licence Fees

	A	B	C	D	E
New application & variation	£100	£190	£315	£450	£635
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)	N/A	N/A	N/A	X2 (£900)	X3 (£1905)
Annual charge *	£70	£180	£295	£320	£350
Annual charge multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)	N/A	N/A	N/A	X2 £640	x3 £1050

*There are additional fees for premises licence applications, and the annual fee for exceptionally large scale events (5,000+), unless certain conditions apply. Please contact the Licensing Team for details.

Premises licences sought for community centres and some schools that permit regulated entertainment but do not permit the supply of alcohol and / or the provision of late night refreshment will not incur a fee. For more information please contact the Licensing Team

Licensing Act 2003 †

Club Premises Certificate †

	A	B	C	D	E
New application and variation	£100	£190	£315	£450	£635
Annual Charge	£70	£180	£295	£320	£350
Key					
† = Fees under the Licensing Act 2003,					
* = Not set by statute					

Gambling Act 2005

Premises Type	New Application	Annual Fee
New Small Casino	5860.00	2770.00
New Large Casino	7080.00	4250.00
Regional Casino	10260.00	5000.00
Bingo Club	2760.00	880.00
Betting Premises (excluding Tracks)	2610.00	525.00
Betting Premises (Tracks)	2260.00	945.00
Family Entertainment Centre	1480.00	610.00
Adult Gaming Centre	1480.00	945.00

Small Lottery Licence

Type	Set by	Fee/Charge 2012/13
Grant	Statute	40.00
Renewal	Statute	20.00

Gaming Licence Permit (3 years)

Type	Set by	Fee/Charge 2012/13
Gaming machine permit premises with liquor licence	Statute	50.00

Type	Set by	Fee/Charge 2012/13
Club machine permit	Statute	Grant: £200 Annual fee: 50.00
Club gaming permit	Statute	Grant: £200 Annual fee: 50.00

Gambling Act 2005

Premises Type	App Vary	App Transfer	App Reinstatement	App Provisional Statement	Licence App (Provisional Statement Holders)	Copy Licence	Notification of Change
New Small Casino	2850.00	1400.00	1100.00	5860.00	2340.00	25.00	50.00
New Large Casino	3030.00	1900.00	1100.00	7080.00	3500.00	25.00	50.00
Regional Casino	3650.00	3000.00	3460.00	10260.00	5000.00	25.00	50.00
Bingo Club	1390.00	880.00	920.00	2770.00	970.00	25.00	50.00
Betting Premises (excluding Tracks)	1070.00	880.00	920.00	2610.00	970.00	25.00	50.00
Betting Premises (Tracks)	1070.00	730.00	700.00	2260.00	900.00	25.00	50.00
Family Entertainment Centre	880.00	730.00	700.00	1480.00	710.00	25.00	50.00
Adult Gaming Centre	880.00	880.00	920.00	1480.00	890.00	25.00	25.00

Temporary Use Notice	375.00
Replacement Copy	25.00

Local Authority Pollution Prevention and Control (LAPPC) charges for 2012/13 The fees and charges are set by the Secretary of State and are reviewed annually with effect from the 1 April.

Type of charge	Type of process	2012/13 Fee		
Application Fee	Standard process	£1579		
	Additional fee for operating without a permit	£1137		
	Reduced fee activities (except VRs)	£148		
	PVR I & II combined	£246		
	Vehicle refinishers (VRs)	£346		
	Reduced fee activities: Additional fee for operating without a permit	£68		
	Mobile screening and crushing plant	£1579		
	for the third to seventh applications	£943		
	for the eighth and subsequent applications	£477		
		Where an application for any of the above is for a combined Part B and waste application, add an extra £297 to the above amounts		
Annual Subsistence Charge	Standard process Low	£739 (+£99)*		
	Standard process Medium	£1111(+£149)*		
	Standard process High	£1672 (+£198)*		
	Reduced fee activities Low/Med/High	£76	£151	£227
	PVR I & II combined	£108	£216	£326
	Vehicle refinishers Low/Med/High	£218	£349	£524
	Mobile screening and crushing plant, for first and second permits L/M/H	£618	£989	£1484
	for the third to seventh permits L/M/H	£368	£590	£884
	eighth and subsequent permits L/M/H	£189	£302	£453
	Late payment Fee	£50		
		* the additional amounts in brackets must be charged where a permit is for a combined Part B and waste installation		
		Where a Part B installation is subject to reporting under the E-PRTR Regulation, add an extra £99 to the above amounts		
Transfer and Surrender	Standard process transfer	£162		
	Standard process partial transfer	£476		
	New operator at low risk reduced fee activity	£75		
	Surrender: all Part B activities	£0		
	Reduced fee activities: transfer	£0		
	Reduced fee activities: partial transfer	£45		
Temporary transfer for mobiles	First transfer	£51		
	Repeat transfer	£10		
	Repeat following enforcement or warning	£51		
Substantial change	Standard process	£1005		
	Standard process where the substantial change results in a new PPC activity	£1579		
	Reduced fee activities	£98		

LAPPC mobile plant charges for 2012/13

Number of permits	Application fee 2012/13	Subsistence fee 2012/13		
		Low	Med	High
1	£1579	£618	£989	£1484
2	£1579	£618	£989	£1484
3	£943	£368	£590	£884
4	£943	£368	£590	£884
5	£943	£368	£590	£884
6	£943	£368	£590	£884
7	£943	£368	£590	£884
8 and over	£477	£189	£302	£453

LA-IPPC charges for 2012/13

NB – every subsistence charge in the table below includes the additional £99 charge to cover LA extra costs in dealing with reporting under the EPRTR Regulation.

Type of charge	Local authority element 2012/13
Application	£3218
Additional fee for operating without a permit	£1137
Annual Subsistence LOW	£1384
Annual Subsistence MEDIUM	£1541
Annual Subsistence HIGH	£2233
Late Payment Fee	£50
Substantial Variation	£1309
Transfer	£225
Partial transfer	£668
Surrender	£668

Key

Subsistence charges can be paid in four equal quarterly instalments paid on 1st April, 1st July, 1st October and 1st January. Where paid quarterly the total amount payable to the local authority will be increased by £36.

Reduced fee activities are; Service Stations, Vehicle Refinishers, Dry Cleaners and Small Waste Oil Burners under 0.4MW

Newspaper advertisements

Newspaper adverts may be required under EPR at the discretion of the LA as part of the consultation process when considering an application (see Chapter 9 of the General Guidance Manual). This will be undertaken and paid for by the LA and the charging scheme contains a provision for the LA to recoup its costs

In the case of a discharge consent local authority permit, 56% of the annual charge that would be payable under the Environment Agency Discharges to Controlled Waters Charges Scheme in relation to the financial year if the discharge or discharges authorised by the permit were permitted by a consent given or served by the Environment Agency under Part III of the Water Resources Act 1991, is payable to the Environment Agency.

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DATE OF COMMITTEE
30th May 2012

REPORT OF THE PORTFOLIO HOLDER FOR HOUSING

TITLE OF REPORT
Homelessness Prevention Funding

EXEMPT INFORMATION

None

PURPOSE

The purpose of this report is to seek approval for the use of Department of Communities and Local Government Preventing Homelessness Grant to support the delivery of key homelessness prevention projects.

Tamworth Borough Council has received Department of Communities and Local Government (DCLG) Preventing Homelessness Grant since 2003 to support the delivery of the Homelessness Strategy Action Plan and associated prevention activity. The coalition Government, despite cuts elsewhere in public sector budgets, has confirmed an intention to provide the grant for a further three years to 2013/2014.

The use of DCLG Preventing Homelessness Grant as proposed in this report will further develop the Councils approach to Homelessness prevention and support the delivery of Council's Homelessness Strategy. This Strategy is currently under review and will be presented to Cabinet for approval in a report in July. It is anticipated the proposed use of resources as presented in **Appendix A** will form the basis of the refreshed Homelessness Strategy Action Plan and support the delivery of priorities identified by the Tamworth Strategic Partnership and within the Council's Healthier Housing Strategy. Where resources are allocated to support new schemes and policies these will be subject to further reports to Cabinet as required.

RECOMMENDATIONS

That Cabinet approves the use of Department of Communities and Local Government Preventing Homelessness Grant allocated to the Council to support homelessness prevention activity to 2015 as shown in **Appendix A**.

EXECUTIVE SUMMARY

Since 2003, the Council has received Department of Communities and Local Government Preventing Homelessness Grant to support the delivery of the Homelessness Strategy Action Plan and associated prevention activity. Subsequently, these resources have been utilized to develop numerous projects and initiatives that have prevented homelessness in Tamworth, supported residents to access a range of housing options, ensured the provision of timely and effective housing advice to customers and increased the capacity of the Strategic Housing Service to deliver innovative and value for money services to customers.

The Coalition Government confirmed an intention to provide the grant for a further three years to 2013/2014. The Council has been allocated £163K per annum across this three year period.

It is therefore proposed that these resources should continue to be used to continue established homelessness prevention activity and develop new initiatives that will equip the Council with the tools and capacity to enhance levels of advice and assistance available to customers. This will be increasingly important as proposed welfare and social housing reforms are introduced that will affect many local residents in a period of continuing economic recession.

RESOURCE IMPLICATIONS

By implementing an approach to homelessness which is based on prevention the Council is able to achieve significant financial savings. For example during 2007/08 before an embedded homelessness prevention approach was in place the Council spent £186,968 on bed and breakfast accommodation costs. During 2010/2011 when prevention approaches had been adopted the cost of such expenditure was £28,798.

Work and initiatives to prevent homelessness will remain a key priority for the Council. The Government have acknowledged that tackling homelessness will be a demanding task over the coming years due to the ongoing economic uncertainty. Homelessness acceptances, both nationally and locally, are increasing and difficulties with meeting housing costs continue to affect many local people, a position that could be exacerbated by further cuts to Housing Benefit in 2013. Repossessions and mortgage arrears continue to affect many residents and Tamworth has already been identified as a hotspot for mortgage repossessions, and this recognition has resulted in additional funding from DCLG for 2012/13.

Preventing Homelessness Grant is not ring fenced but is clearly allocated by Central Government for the purpose of preventing homelessness.

The list of activities to be undertaken in relation to Homelessness Prevention is shown in **Appendix A** with associated costs and sources of funding shown.

The total grant received from DCLG for 2011/12 was £163,270. Additionally, during 2011/12 the Council received additional funding totalling £50,797 to support homelessness prevention activity. Identified resources carried forward for 2011/12 equates to £186,811. This amount has been incorporated into the proposed plan and has been added to the grant to be received in 2012/13 and 2013/14.

The plans shown at **Appendix A** represent a total expenditure of £512,811 across the period to 2014/15. The plan takes into account DCLG grant that will be available to 2013/14. Funding for key projects in 2014/15 has been allocated from existing resources. A review of funding to cover this period and beyond will be undertaken to assess the availability of grant and other funding sources in order to continue key projects and initiatives in the future.

LEGAL/RISK IMPLICATIONS BACKGROUND

A key risk will be to not continue and further develop the prevention approach to

homelessness as this will place an increased financial burden on the Council at a time it can least afford to do so. Consequently, effective use of the DCLG funding will be required to further develop the Council's approach to prevention and enable appropriate responses to increases in demand on services generated by welfare reform, continued economic problems or the availability of housing to meet need in the Borough.

SUSTAINABILITY IMPLICATIONS

Delivery of projects identified in the Preventing Homelessness Grant spend plan will contribute to improved health outcomes for local residents. The prevention of homelessness and other associated outcomes will contribute towards the delivery of key priorities identified by the Tamworth Strategic Partnership and within the Council's Healthier Housing Strategy and refreshed Homelessness Strategy.

BACKGROUND INFORMATION

Since 2003, the Council has received DCLG Preventing Homelessness Grant to support the delivery of the Homelessness Strategy Action Plan and associated prevention activity.

The Council has utilised government grants to fund a number of projects and services in recent years to assist in the objective of preventing homelessness in the Borough. These have included:

- Introduction of a Homelessness Prevention Fund
- Money Advice and Court Desk services
- Homelessness Education Programme
- Private Sector Leasing Scheme
- Bond Scheme

In order to continue and further develop this work, it is proposed the Council deploys available resources as detailed in **Appendix A** to ensure value for money prevention and advice services are either continued or initiated.

Additionally, it is proposed that a review of the Council's Homelessness Strategy 2009/12 be undertaken in the broader context of the Governments Housing Strategy for England and reform in the public sector and more specifically in the health and wellbeing, criminal justice, welfare and social housing sectors. The updated Strategy will incorporate the proposed use of homelessness funding to deliver against priorities identified by the Tamworth Strategic Partnership and within the Council's Healthier Housing Strategy.

It will be important to continue the provision of effective, value for money homelessness prevention services in order to avoid incurring additional costs to the Council. Consequently, having a well thought out strategic response and making effective use of available resources will be required to further develop the Council's approach to prevention and enable appropriate responses to potential increases in demand on services generated by welfare reform, continued economic problems or the availability of housing to meet need in the Borough.

REPORT AUTHOR

LIST OF BACKGROUND PAPERS

APPENDICES

A: Proposed Use of Homelessness Prevention Funding 2012-15

PROPOSED PROJECT / AREA OF SPEND	2012/13 YEAR 1 COST	2013/14 YEAR 2 COST	2014/15 YEAR 3 COST (assuming no grant beyond 2013/14)	PROJECT DETAIL
Crash pad / Nightstop	£15K	£5K	£5K	Provision of short term emergency accommodation & support for young people
IT Orchard module	£20K (but may be met from IT budget)	£5K	£5K	To ensure integration of databases to underpin service development and planning
Social Lettings Agency	£30K	£12K (Using existing Homes For Homeless budget)	£12K (Using existing Homes For Homeless budget)	Scheme to enable the Council to discharge homelessness duty into the private sector, offer wider housing choice & directly manage previously empty homes and homes acquired via enforcement action
CAB Debt Advice Service	£20K (April 12 – March 13)	£10K (April 13 to Sept 13)		Service commissioned as per Cabinet report June 2011 to provide debt advice to residents
Provision of training for partners	£5K	£5K		Training sessions delivered that are beneficial to the Council & partners to encourage joint working, shared resources etc.
Repossession Prevention Fund	£17,862	£17,862		To fund the payment of interest free loans of between £1k and £5k to pay mortgage or rent arrears to prevent homelessness
Spend to Save	£10K	£10K		To fund interest free loans up to £500 to meet the objective of preventing homelessness for 6 months or more
Sanctuary Scheme	£15K	£15K	£15K	For measures to be installed in the homes of Domestic Abuse victims to allow them to remain in their own homes where safe to do so
THEP (Education officer post)	£15K	£15K		Officer to deliver the Tamworth Homelessness Education Project in schools

THEP scheme development (includes £6.6K pot for schools activity)	£10K	£5K		To review develop and improve the current THEP project
Winter Relief / Rough Sleepers provision	£5K	£5K	£5K	The provision of services for those who may require assistance when sleeping rough
PSL Scheme	£10K	£10K		To cover costs of the council managing properties leased from private landlords to house homeless people
Bond Scheme	£10K	£10K		Scheme that offers a paper bond to a private sector landlord where a tenant is able to sustain a private sector tenancy but may not have the deposit
Tenancy Strategy (Fixed Term Tenancies support & termination)	£5K	£5K		To provide support to those who may require advice and assistance when a fixed term tenancy comes to an end and is not reissued
Health specific initiatives incorporated into Healthier Housing Strategy delivery	£7,138	£7,138	£15K	For the development of projects related to health identified as a result of the implementation of the Healthier Housing Strategy
Support for partners (to support service delivery / continuity on loss of funding etc.)	£5K	£5K		Emergency funding to assist partners or extend contracts if the situation arises.
DWP Housing Benefit Reforms Transitional Funding Project	£8,407			Funding recently made available that can be utilised to prevent homelessness, enable negotiations with landlords, support people who need to move or provide appropriate money advice. Funds reserved in order to fully develop the most appropriate manner in which to utilise these additional resources in Tamworth
Implementation of best practice / government initiatives following review of strategy	£52,404	£52K	£25K	To put in place new initiatives for Strategic Housing as a result of direction from Central Government or from the identification of best practice
Total Projected Spend	£260,811	£182K	£70K	£512,811

Budget (above plan assumes no further grant funding beyond 13/14)

Total Available budget = £512,811

11/12 Homelessness Grant identified resources C/F	£136,014
11/12 Mortgage Rescue	£35,724
11/12 Young Persons Homelessness Education in Schools	£6,666
12/13 HB Reforms Transitional Funding	£8,407
12/13 Homelessness Grant	£163,000
13/14 Homelessness Grant	£163,000
Total	£512,811

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30th May 2012**REPORT OF THE PORTFOLIO HOLDER FOR ECONOMIC DEVELOPMENT****Community Infrastructure Levy****EXEMPT INFORMATION**

None

PURPOSE

To provide Members with an appraisal of introducing a Community Infrastructure Levy and seek approval for undertaking the necessary evidence base collection and production of a preliminary draft charging schedule.

RECOMMENDATIONS

- 1. The Cabinet agrees to the introduction of a Community Infrastructure Levy;**
- 2. The Director of Communities Planning and Partnerships leads on the production of an evidence base and a preliminary draft charging schedule to be considered by Cabinet prior to public consultation;**
- 3. The Director of Communities Planning and Partnerships leads on the production of the necessary procedures and processes to enable the efficient operation of a CIL; and**
- 4. The Director of Communities Planning and Partnerships leads on discussions with infrastructure providers to draft protocols for the passing of collected CIL monies for the delivery of infrastructure, the monitoring of the implementation of those monies and to seek financial assistance with producing the evidence base for CIL.**

EXECUTIVE SUMMARY

The Community Infrastructure Levy (CIL) is a discretionary charge so the options available to the Council are to introduce CIL or to continue with the current regime of developer obligations secured through section 106 and other legal agreements. There are revenue costs to introducing CIL which are able to be recovered via the CIL. The potential receipts that could be recovered through CIL are expected to be higher than the section 106 regime. It will become more difficult to rely on s106 Agreements in respect of developer obligations after April 2014 as their use is to be restricted. It is therefore proposed that CIL is introduced and work begins on establishing the evidence base and the necessary protocols and procedures to enable the efficient operation of a CIL. A preliminary draft charging schedule is proposed to be produced and brought back to Cabinet for approval to consult upon.

RESOURCE IMPLICATIONS

The cost of establishing CIL is estimated to be a minimum of £45k. The Council has a budget of £40k for the financial year 2012/2013 and it is envisaged that the shortfall of £5k can be met from future CIL receipts and those organisations that are seeking to have CIL receipts passed to them will be asked to contribute on a proportionate basis to the establishment of the CIL and share some of the set up costs.

There will be an ongoing revenue cost associated with implementing and monitoring CIL. At

present up to 5% of CIL receipts could be used to cover administration expenses. It is considered that this would be sufficient to cover our expenses in an average year.

LEGAL/RISK IMPLICATIONS BACKGROUND

CIL can provide an income stream for infrastructure, but will only provide top up funding and will not replace mainstream sources. Introducing CIL does minimise the risk of the identified infrastructure needed to deliver growth in Tamworth being under funded.

The administration of CIL could be complex with potential legal and financial impacts. This risk is minimised by putting in place agreed processes and protocols.

There is a risk that the introduction of CIL could impact on development viability. This is minimised by undertaking viability assessments to ensure that an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects of the imposition of the levy upon the economic viability of development across their area is struck.

There is a risk that the introduction of CIL could make Tamworth less attractive to developers if set too high. The Regulations state that a “charging authority must **aim** to strike **what appears to the charging authority** to be an **appropriate balance**” between the desirability of funding infrastructure from the levy and the potential effects of the levy upon the economic viability of development across their area. Each Local Authority that introduces CIL will also have to determine what the appropriate Levy is for their area. Working with neighbouring authorities and infrastructure providers should help to minimise differences in collection of evidence and determination of the ‘appropriate balance’ and therefore levy. It should be noted that land values in Tamworth can be lower than neighbouring authorities so by definition the Levy is likely to be at a lower level.

The introduction of CIL will give developers greater certainty that the required infrastructure to support development will be provided. It also provides greater certainty to developers up front on the costs of development as there will be a fixed rate. It also is a fairer system that captures more types of development than s106. As a consequence more developers bear the costs of the infrastructure that supports development.

CIL will be able to be used to fund the ongoing costs of the infrastructure provided (e.g. maintenance). In this respect it will be more flexible than s106 as the decision on how much can be used to support infrastructure will be decided by the Council.

SUSTAINABILITY IMPLICATIONS

CIL will contribute to the provision and maintenance of the necessary infrastructure to support sustainable growth and development.

BACKGROUND INFORMATION

Cabinet received a report in August 2011 on infrastructure delivery and it resolved that an option appraisal for the Community Infrastructure Levy (CIL) be approved. That report introduced the concept of CIL and what powers were associated with it. It highlighted some of the implications of CIL but suggested that further work be undertaken to look at the options of whether CIL should be implemented in Tamworth or whether the existing regime of developer contributions is continued.

It is considered that the main issues of consideration are:

- a) Do we have an infrastructure funding gap?
- b) Restrictions on the future use of Section 106 Agreements
- c) Potential amount of funding that could be raised through CIL and s106
- d) The costs of both models

e) Governance

a. Do we have an infrastructure funding gap?

During the process of finalising the new Local Plan the Council has sought to gain greater clarity on the infrastructure that is required to support development, the cost of providing that infrastructure, the body responsible for that infrastructure and potential delivery dates.

It is apparent that many organisations are unable to consider their long term infrastructure requirements, but those that can estimate that they will be unable to provide the infrastructure themselves and will look to developers to contribute. This is particularly true for large infrastructure items such as highways, education, open space improvements and leisure. For example the cost of a new leisure centre is estimated at between £6m-£10m and identified funding available is well short of this. It is therefore considered that there is a funding gap between the cost of providing the required infrastructure to support sustainable communities and that CIL or developer contributions will assist in meeting some of that gap.

b. Restrictions on the future use of Section 106

This infrastructure funding gap is not new and in the past has been met by developers through section 106 agreements in most cases, particularly for education and open space requirements.

However, from April 2014 the Council will not be able to collect more than 5 planning obligations (which are back dated to include those collected since April 2010) for a project or type of infrastructure. For some infrastructure requirements this will have little impact particularly where the infrastructure need arises from the development itself - such as an access road or junction improvements. However, for infrastructure such as 'off site open space improvements' or 'education contribution' only 5 developments would be able to contribute through planning obligations. This will reduce the potential amount that could be collected for these items significantly as they would be limited to 5 contributions and in many cases these have already been collected. The CIL regulations are still in their infancy and are interpreted by the legal profession theoretically as no challenges and therefore case law is not in place yet. There is a suggestion though that if a s106 agreement was very specific – such as open space improvements for x park, then greater flexibility could be achieved, however it would still place a theoretical cap on the amount that could be collected. This would have implications for new infrastructure required which is not yet envisaged.

c. What is the potential amount that could be raised through CIL and s106?

CIL is only applicable to those developments that gain planning permission after its adoption, estimated at 2014.

The Core Strategy is planning for the development of 4500 residential units between 2006 and 2028, 38400sqm of retail floor space, 36 hectares of employment land and 20,000sqm of offices.

Sizes of residential properties can range from 65m² for a 2 bedroom property to 162.02m² for a 5 bedroom property.

The average floorspace of a residential unit is approximately 78m² which equates to a 3 bedroom semi-detached. One hectare of employment land could be estimated to generate 40,000 m² of floor space. The table below shows the potential floorspace that could be eligible for CIL if a spring 2013 adoption occurred.

	Core	Estimated	Committed	Estimated new	Potential
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	Strategy Target	Constructed 2006 - 12	Floor space (with planning permission)	commitment Floor space (planning permission 2012-13)	for CIL 2014-28
Residential	351,000sqm (4,500 units)	98,280sqm (1260 units)	32,526sqm (417 units)	101,400sqm (1300 units)	118,794sqm (1523 units)
Retail	38,400		20,700sqm		17,700sqm
Employment	Office: 20,000sqm General employment (36ha): 144,000sqm =166,000sqm	-	67,600sqm (11.9ha)	57,200sqm (9.3ha)	41,200sqm (14.8ha)

The rate that could be charged per square metre is difficult to estimate without undertaking the detailed evidence collection. However, a cue could be taken from other authorities that have progressed further with CIL.

	Shropshire	Newark & Sherwood	Colchester	Mid Devon	Torbay	Bristol	Broadland/ Norwich
Residential	£40 - 80	£45 - 75	£120	£113	£100m ²	£50 - 70	£75 - 160
Retail	-	£100	£120 - 140	£250	£150m ²	£120	£135
Employment	-	£5 - 20	-	-	-	-	£5

If these rates are applied to Tamworth then the following amounts would be collected for the plan period (average yearly figures in brackets)

	Shropshire	Newark & Sherwood	Colchester	Mid Devon	Torbay	Bristol	Broadland/ Norwich
Res	£4.7m-£9.5m (£0.3m-£0.6)	£5.3m-£8.9m (£0.3m-£0.6m)	£14.3m (£0.9m)	£13.4m (£0.9m)	£11.8m (£0.7m)	£5.9m - £8.3m (£0.3m - £0.5m)	£8.9m - £19m (£0.6m - £1.3m)
Retail	-	£1.77m (£0.1m)	£2.1m - £2.4m (£0.14m - £0.17m)	£4.4m (£0.29m)	£2.6m (£0.17m)	£2.1m (£0.14m)	£2.4m (£0.16m)
Emp	-	£0.2m-£0.8m (£0.01m-£0.05m)	-	-	-	-	£0.2m (£0.01m)
Total	£4.7m-£9.5m (£0.3m-£0.6)	£7.2m-£11.5m (£0.48m-£0.76m)	£16.4-£16.7m (£1.1m)	£17.8m (£1.18m)	£14.7m (£0.96m)	£8m-£10.4m (£0.5-£0.7m)	£11.5m-£21.6m (£0.8m-£1.4m)

Through other pieces of evidence already undertaken to support the Core Strategy we know that land values are lower than average in Tamworth and therefore it is likely that we would be looking at rates which are comparable or below the lower rates above (e.g. Shropshire, Newark and Bristol). It is clear that even with CIL the funding gap for all projects would not be closed.

With regards to s106, in theory the same amount of funding could be achieved because the key issues are land and sales values and viability. However, because s106 would be limited and contributions would be linked to infrastructure spatially, this will limit the amount that

could be asked for. For example, we could only ask for a contribution towards a new leisure centre 5 times or a development could only make contributions that support a local park.

d. Cost of establishing and maintaining a CIL or s106 regime

Charging Authorities can recover their administration costs from CIL income up to a total of 5% (although this cap is proposed to be removed by the Government), and this will need to be considered when calculating the charge. The set-up costs of CIL, including fees involved in setting the charge and any training, can be included and defrayed against the first 3 years income.

Whilst this will allow costs incurred in setting up CIL to be recovered alongside ongoing costs of maintaining CIL (if below the current 5% cap), this will reduce the amount collected for infrastructure itself.

The costs involved in establishing CIL relate to evidence collection and the examination itself.

Evidence	Current Status	Estimated Cost
Identify and cost infrastructure needs, development costs (including construction costs, land values)	Draft IDP complete	Nil. TSP responsible for keeping up to date and accurate
	Information obtained for residential, lack of information on commercial development	£5,000 to commission consultant/ agent Nil if researched by Council (this could take longer)
Sales Value	Information obtained for residential, lack of information on commercial	£5,000 to commission consultant/ agent Nil if researched by Council (this could take longer)
Calculate 'viable charges'	Could estimate residential but not for others	£10,000 to commission consultant /agent to test scenarios
Evidence check	Will be necessary if TBC estimate. Unlikely to be required if already commissioned a surveyor	£10,000 to commission consultant /agent

The cost of collecting the evidence could be a minimum of £20,000 if consultants were used. If done by officers this could be a significant time resource and make the program for proceeding to examination longer, reducing the amount that could be collected.

The cost initially estimated by the Government was £25 -70,000. The cost of examination based on the experience of Shropshire, which on a two day examination for a fairly straightforward levy was £25,000.

Therefore the capital cost of establishing CIL is estimated to be a minimum of £45,000. The Council has already budgeted £40,000 for the financial year 2013/14.

There is likely to be a cost of administering the CIL. Regular monitoring will need to be undertaken alongside the cost of producing and sending out the relevant Notices, receiving payment, allocating monies to projects and other organisations and reporting on annual expenditure.

A robust system will need to be in place that brings together existing systems (such as planning registration process and building control processes) and new requirements (annual reporting). This could be developed in-house or a bespoke piece of software could be purchased. The cost of this is unknown but as stated above, it could be recovered from the

CIL receipts.

The Localism Act has brought in a requirement for a 'meaningful proportion' (yet to be determined) of CIL to be passed to parish councils, and where these don't exist charging Authorities will be required to engage with their communities to determine how to spend those receipts. This will add further burden to the Council.

The Section 106 regime is part of the current application process, accounting processes monitoring processes and costs the council in officer time, and on occasion the cost of specialist legal advice if required. Part of these costs could be recovered if locally set planning fees are introduced but this would not recover as much as potentially could be recovered via CIL.

e. Governance

If CIL is introduced a number of governance issue will be raised;

Who decides what infrastructure funding is spent on?

- This will be down to the charging authority, TBC, and there is considerable discretion and flexibility and allows funds to be passed to another body to spend for CIL purposes, such as the County Council, Environment Agency or LEP. A decision making process will need to be in place and will be a good way of demonstrating to the public and developers how the funding is to be spent. The IDP should be the starting point for identifying required infrastructure.

How are priorities for funding set?

- This will be the responsibility for the charging authority and again a decision making process will be required. There will be times, particularly in the early years of CIL, where low levels of funding are raised and it will not be possible to pay for all required infrastructure early on, particularly the larger cost items. Therefore decisions will need to be made as to what money gets spent or passed on when.

Who is responsible for providing the infrastructure?

- As the charging authority there will be an expectation that the Council also takes responsibility for providing the infrastructure. Expectations will need to be managed about what can be provided and when. Other bodies such as the Highways Authority will be better placed to deliver infrastructure and so some of the CIL monies could be passed to others. This will require decision making process as outlined above but will also require a system to monitor progress made on spending when it has been passed to others.

Who will take responsibility for CIL at TBC?

- The Government sees the planning system to have 3 main functions:-
 - to give people the opportunity to shape the look and feel of their communities, including protecting and promoting important environmental and social interests;
 - to provide sufficient housing to meet demand; and
 - to support economic development through the provision of infrastructure and by using land use planning to support economic activity

Change will primarily be delivered by development and the Government has recognised that incentives can encourage communities to recognise the benefits of growth. CIL therefore has an important role. Guiding development of the right quality, in the right place and supported by the right infrastructure will require planners with communities and partners to work with private sector developers to activate their vision. A well considered infrastructure plan which demonstrates what is needed, where, when and how it will be provided is a pre-requisite of the process. Whilst planners are an important profession to input into the process of establishing and maintaining CIL it is not something they can do alone or should do alone. The CIL should be seen and presented as a corporate initiative.

To ensure it meets corporate obligations, corporate buy in is essential, including political leadership buy-in.

It will require the input and ongoing resource commitment of a range of professions and departments across the Council including ICT, Legal and Democratic, Planning, Building Control, Revenues, Finance, Environmental Management, Community Development and Partnerships.

Options Appraisal

Option	Resource Implications	Legal/Risk Implications
Proceed with establishing and monitoring CIL	<p>Cost to establish and maintain but can be clawed back through levy raised.</p> <p>The levy will allow a wider range of infrastructure to be funded and potentially and overall larger amount to be raised and could stimulate neighbourhood planning – additional resource.</p> <p>There is likely to be competing demands on the limited resource collected and some bodies may be better placed to deliver infrastructure. If other bodies are benefiting from CIL they could be approached to contribute to establishing it.</p>	<p>The legislation has been worded to favour the introduction of CIL, there are legal restrictions on the continued use of s106.</p> <p>There will be governance issues and difficult decisions over passing monies to other bodies and the prioritisation and spending of CIL. Agreed processes and procedures will need to be put in place.</p> <p>If CIL is established, because it is difficult for developers to avoid paying, where there is a viability issue developers will seek to vary s106 agreements which will still be used for affordable housing, therefore affordable housing may suffer.</p>
Continue with current s106 regime	<p>S.106 will be regulated on a case-by-case basis which will place additional burden on officer time.</p> <p>Monitoring of s106 to ensure pooling does not occur will place additional burden on officer time.</p> <p>Will reduce the amount that</p>	<p>Tight restrictions on use on s106, potentially leaving the Council open to legal challenge if not done correctly.</p>

Summary

There still remains a number of questions to be worked through and understood but it would seem that CIL is here to stay and will be the preferred method of raising finance to pay for infrastructure by Government.

The difficulties in continuing to use s106, and the potential flexibility of CIL and the potential money it can raise suggest that the Council should decide to put CIL in place and undertake the necessary evidence collection to enable this to happen as soon as possible to maximise the potential amount collected. If this course of action is approved by Cabinet officers will commission consultants to undertake the relevant studies in order to put in place an evidence base for the examination of CIL. This could be done independently or working with other public sector organisations in Staffordshire.

Officers will also work on draft protocols, processes and procedures to enable the smooth operation of a CIL regime and work with colleagues in other public sector organisations such as the County Council, Environment Agency and the Highways Agency on what infrastructure needs to be provided for by CIL and mechanisms for passing on the collected CIL at the appropriate time. These organisations will also be asked to contribute to putting in place the required evidence base.

Draft Timetable

- Key dates:
 - May 2012 – establish project team
 - May 2012 Cabinet for approval to proceed
 - June – November evidence collection
 - February 2013 Cabinet / Council to publish preliminary draft charging schedule
 - June 2013 Cabinet / Council for approval to Publish draft schedule for formal 4 weeks for representations to be made and if no substantial objections, submit
 - June 2013 Publish
 - August 2013 Submit
 - October 2013 examination
 - December 2013 Inspector Report
 - January 2014 Cabinet / Council to adopt
 - March 2014 Levy takes effect

REPORT AUTHOR

Matthew Bowers x276

LIST OF BACKGROUND PAPERS

Report to Cabinet, 31 August 2011, "Infrastructure Delivery Plan"

APPENDICES

30 May 2012

Report of the Portfolio Holder, Core Services & Assets**Local Authority Mortgage Rate for Mortgages granted Under Housing Act, 1985****EXEMPT INFORMATION**

None

PURPOSE

The purpose of this report is, in accordance with Section 438 of the Housing Act 1985, to make the statutory declaration of the local authority mortgage interest rate from 1 June 2012 to 30 September 2012.

RECOMMENDATION

Cabinet is recommended to endorse the statutory declaration of interest to be charged at 4.72%.

EXECUTIVE SUMMARY

In accordance with Section 438 of the Housing Act 1985 with effect from 1 June 2012 the Authority interest charged on Council mortgages changes from 6.87% to 4.72%. This reflects the reduction in the Council's average debt rate due to the additional debt taken at low interest rates during March 2012 relating to the self financing of the Housing Revenue Account.

RESOURCE IMPLICATIONS

There are no significant resource implications.

LEGAL/RISK IMPLICATIONS BACKGROUND

None

SUSTAINABILITY IMPLICATIONS

None

BACKGROUND INFORMATION

Authorities are required to charge whichever is the higher of:

1. The standard national rate, which is set by the Secretary of State, or
2. The applicable local average rate based on the Authority's own borrowing costs and a small percentage (0.25%) for administration.

The Council currently has a portfolio of 4 mortgages with a total amount outstanding of £38,451.56.

The standard national rate last declared by the Secretary of State after taking into account rates charged by building societies is 3.13%.

The applicable local average rate for Tamworth Borough Council is the Council's local average rate 4.47% plus 0.25% being 4.72%.

The mortgage interest rate that will be applied from 1 June 2012 will be 4.72% as it is the higher of the standard national rate and the local average rate.

REPORT AUTHOR

Michael Buckland

30 May 2012

REPORT OF THE PORTFOLIO HOLDER CORPORATE SERVICES & ASSETS**WRITE OFFS 01/04/2011 – 31/03/2012****EXEMPT INFORMATION**

Not exempt.

PURPOSE

To provide members with details of write offs from 01 April 2011 to 31 March 2012.

RECOMMENDATIONS

That members endorse the amount of debt written off.

EXECUTIVE SUMMARY

The Heads of Service are responsible for the regular review of debts and consider the need for write off and authorise where necessary appropriate write offs in line with the Corporate Credit Policy. This report shows the position for the previous financial year. Further updates will continue to be produced on a quarterly basis.

Type	01/04/11-31/03/12
Council Tax	£7.87
Business Rates	£221,607.85
Sundry Income	£35,088.62
Housing Benefit Overpayments	£42,999.56

RESOURCE IMPLICATIONS

There are no new financial implications arising from this report. As the write offs detailed have already been approved in line with the Corporate Credit Policy/Financial regulations and have been reported to members where appropriate.

Members should note that NNDR write offs are funded by amending the Council's contribution to the Non Domestic Rating Pool.

LEGAL/RISK IMPLICATIONS BACKGROUND

Not applicable.

SUSTAINABILITY IMPLICATIONS

Not applicable.

CONCLUSIONS

That the amounts written off be endorsed.

BACKGROUND INFORMATION

This forms part of the Council's Corporate Credit Policy and effective management of debt.

The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off in accordance with the schemes of delegation prescribed in the Corporate Credit Policy.

The Council views such cases very much as exceptions. Before writing off debt, the Council

will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt together with any factors that it feels are relevant to the individual case.

Debt Write Off

Authorisations are needed to write off debt:

Authority	Account Value
Chief Officer (or authorised delegated officer)	up to £5,000
Executive Director Corporate Services	£5,001 - £10,000
Cabinet	over £10,000

These limits apply to each transaction.

Bad Debt Provision

The level of the provision must be reviewed jointly by the unit and Accountancy on at least a quarterly basis as part of the management performance review, and the table below gives the mandatory calculation.

Where the debt is less than 6 months old it will be written back to the service unit.

Debt Outstanding	Provision (net of VAT)
Between 6 and 12 months old	50%
Between 12 and 24 months old	75%
Over 24 months old	100%

The financial effects of providing for Bad Debts will be reflected in the Council's accounts at Service Unit level.

REPORT AUTHOR

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LIST OF BACKGROUND PAPERS

Corporate Credit Policy- effective management of debt.

APPENDICES

Appendices A to D give details of write offs completed for the Revenues and Benefits Service.

Appendix B- Business Rates

Approval Date	(£0.00-£75.00)	Deputy Director Finance Exchequer & Revenues (£75.01-£500.00)	(£500.01-£1,000.00)	(£1,000.01-£5,000)	Corporate Director Of Resources (£5,000.01-£10,000)	Cabinet (£10,000.01 and over)	Remitted	No. of accounts	Reason(s)
29/02/2012					£37,372.21				
06/03/2012	£49.46							6	statute barred
								20	Uneconomic to collect
10/03/2012				(£2,356.94)					
22/03/2012		(£173.90)						1	Reversal- property deleted
								1	Reversal- Rateable Value reduction
Q4 Totals	£49.46	(£173.90)	£0.00	(£2,356.94)	£37,372.21	£0.00	£0.00	28	
Q1 totals				(£3,847.55)	£135,080.50			£34,890.83	Quarter 4 Overall Total
Q2 totals	£136.19	£1,144.38	£2,588.86	£55,407.86				£131,232.95	
Q3 totals	£0.00	(£159.62)	£0.00	(£3,633.60)	£0.00	£0.00	£0.00	£59,277.29	
								(£3,793.22)	
Overall	£185.65	£810.86	£2,588.86	£45,569.77	£172,452.71	£0.00	£0.00	£221,607.85	Grand Total

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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