



CABINET

9 December 2020

A meeting of the CABINET will be held on Thursday, 17th December, 2020, 6.00 pm
in Online Meeting

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of Previous Meeting (Pages 5 - 10)**
- 3 Declarations of Interest**
To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.

When Members are declaring a pecuniary or non-pecuniary 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 pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.
- 4 Question Time:**
To answer questions from members of the public pursuant to Executive Procedure Rule No. 13
- 5 Matters Referred to the Executive (Overview and Scrutiny Committee or by the Council)**
- 6 Electric Vehicle Charging Points (Pages 11 - 22)**
(Report of the Portfolio Holder for Heritage and Regeneration)
- 7 Exclusion of the Press and Public**

To consider excluding the Press and Public from the meeting by passing the following resolution:-

“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

8 Legal Action - Tamworth Assembly Rooms (Pages 23 - 32)
(Report of the Portfolio Holder for Heritage and Regeneration)

Yours faithfully



Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: D Cook, R Pritchard, J Chesworth, M Cook, S Doyle and J Oates.
Councillor Dr S People is also invited to sit and speak at this meeting.

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MINUTES OF A MEETING OF THE CABINET HELD ON 3rd DECEMBER 2020

PRESENT: Councillor D Cook (Chair), Councillors R Pritchard (Vice-Chair), J Chesworth, M Cook, S Doyle and J Oates

The following officers were present: Andrew Barratt (Chief Executive), Anica Goodwin (Executive Director Organisation), Rob Barnes (Executive Director Communities), Stefan Garner (Executive Director Finance), Tina Mustafa (Assistant Director Neighbourhoods), Joanne Sands (Assistant Director Partnerships), Zoe Wolicki (Assistant Director People), Jo Hutchison (Democratic Services, Scrutiny and Elections Officer), Jodie Small (Legal, Democratic and Corporate Support Assistant) and Adam Deakin (Technical Infrastructure Engineer)

The following Councillor was in attendance:
Councillor S Goodall.

51 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dr S Peple and T Jay

52 MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of Cabinet held on 12th November 2020 were approved as a correct record.

(Moved by Councillor J Chesworth and seconded by Councillor R Pritchard)

53 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

54 QUESTION TIME:

None.

55 MATTERS REFERRED TO THE EXECUTIVE (OVERVIEW AND SCRUTINY COMMITTEE OR BY THE COUNCIL)

The Chair of the Infrastructure Safety & Growth Scrutiny Committee, Councillor S Goodall, presented the recommendation of the Committee in respect of the Castle Update. The Committee recommended that consideration of the Castle Review report by Cabinet, currently scheduled for the Cabinet meeting on 17 December 2020 be deferred to a later meeting of Cabinet to allow the report to be considered by Cabinet to include relevant financials (including cost / benefit analysis).

RESOLVED that consideration of the Castle Review report be deferred from 17 December 2020 meeting to a later meeting of Cabinet to allow the report to be considered by Cabinet to include relevant financials (including cost / benefit analysis).

(Moved by Councillor S Doyle and seconded by Councillor J Oates)

56 QUARTER TWO 2020/21 PERFORMANCE REPORT

The Leader of the Council provided Cabinet with a performance update and financial Healthcheck. The report had been previously considered by the Corporate Scrutiny Committee at their meeting on 19th November 2020, and two recommendations from that Committee were included in the report.

RESOLVED that Cabinet approve:

- the contents of this report,
- the Corporate Scrutiny Committee recommendation to Cabinet that Officers are requested to ensure that the Scrutiny Chairs are advised of the timelines of their Corporate Plan projects so there is an opportunity for scrutiny to participate in the process as necessary,
- the Corporate Scrutiny Committee recommendation to Cabinet that council staff in the collections team be thanked for their work at this difficult time.

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

57 DRAFT BASE BUDGET FORECASTS 2021/22 TO 2025/26

The Report of the Leader of the Council was presented which informed Members of the re-priced base budget for 2021/22, base budget forecasts for the period 2021/22 to 2025/26 (the 5 Year Medium Term Planning Period) and the underlying assumptions and which asked Member to consider the future strategy to address the financial trends.

The Executive Director, Finance provided an overview to Cabinet of the key provisions in the report.

RESOLVED that:

1. the technical adjustments and re-priced base budget figures for 2021/22 & indicative budgets to 2025/26 be approved (as attached at Appendix B, C, D, E, F, G & H);

2. consideration be given to the proposed Policy Changes and Capital Programmes, as detailed within the report;
3. consideration be given to the planned changes to Council Tax and Housing Rent for 2021/22, as detailed within the report; and
4. in compliance with the Constitution of the Council, note that the Leader's Budget Workshop considered the budget proposals contained within this report on 2nd December 2020.

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

58 LOCAL COUNCIL TAX REDUCTION SCHEME 2021/22 ONWARDS

The Report of the Portfolio Holder for Assets and Finance to advise members that the Local Council Tax Reduction Scheme for working age customers for 2021/22 should include continued alignment to Applicable Amounts with those of Housing Benefit was presented.

RESOLVED that Council consider and endorse or otherwise the proposed recommended changes detailed below:

That the planned review for the introduction of a banding scheme for Council Tax Reduction be deferred until 2021 and that the current scheme for working age customers continues to be aligned to Applicable Amounts with those of Housing Benefit for 2021/22.

(Moved by Councillor R Pritchard and seconded by Councillor J Chesworth)

59 REVIEW OF TEMPORARY RESERVES, RETAINED FUNDS AND PROVISIONS

The Report of the Portfolio Holder for Assets and Finance to advise Members on the levels of reserves and to seek approval to re-purpose unspent reserves, following the recent review by the Executive Director Finance.

RESOLVED that Cabinet:

1. Approved the transfer of the reserves, as detailed in Appendix A, including £560,000 to the Transformation reserve, £64,467.85 to General Fund Balances and £5,000 to Housing Revenue Account Balances (HRA);
2. Noted the reserves to be spent in 2020/21 and 2021/22 which will otherwise be returned to balances; and
3. Noted the current levels of reserves remaining.

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

60 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW REPORT 2020/21

The Report of Portfolio Holder for Assets and Finance on the Mid-year Review of the Treasury Management Strategy Statement and Annual Investment Strategy was presented to Members.

RESOLVED that Council be requested to approve:

1. the Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2020/21;
2. that the planned investments in property funds be deferred, with a review during Spring 2021 when the situation should be clearer, to inform future investment plans.

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

61 COUNCIL TAX BASE 2021/22

The Report of the Portfolio Holder for Assets and Finance on the Council Tax Base for the Borough Council for 2021/22 was presented to Cabinet.

RESOLVED

That the calculation of the Council Tax Base for the year 2021/22 to be 22,366 (2020/21 – 22,367).

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

62 WRITE OFFS 1 APRIL 2020 - 30 SEPTEMBER 2020

The Report of the Portfolio Holder for Assets and Finance was presented to provide Members with the amount of debt written off for the period 1st April 2020 to 30th September 2020 and to seek approval to write off irrecoverable debt in line with policy regarding Business Rates in excess of £10k.

RESOLVED that Cabinet

1. endorsed the amount of debt written off for the period of 1st April 2020 to 30th September 2020 – **Appendix A-E**; and
2. approved the write off of irrecoverable debt for Business Rates of £53,099.66 – **Appendix F**.

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

63 DATA PROTECTION POLICY

The Report of the Portfolio Holder for Assets and Finance provided an updated Data Protection Policy which details the framework within which Tamworth Borough Council will strive to ensure compliance with the requirements of the Data Protection Act 2018.

RESOLVED that:

1. Cabinet endorsed the policy and approved it for immediate implementation and publication.
2. The Data Protection Officer be given delegated authority to make amendments to the Data Protection Policy to reflect changes to future legislative changes.

(Moved by Councillor R Pritchard and seconded by Councillor J Chesworth)

64 HOMELESSNESS & ROUGH SLEEPING STRATEGY 2020-2025

The Report of the Portfolio Holder for Neighbourhoods was presented to Cabinet. The report set out that the Homelessness Act 2002 required all housing authorities to have in place a Homelessness strategy. In August 2018 the Government published its Rough Sleeping Strategy which set out the vision to, by 2027 support every person who sleeps rough off the streets and into a home. Its main focus was eradicating rough sleeping and preventing homelessness. A Homelessness Prevention and Rough Sleeping strategy was made a mandatory document for all Local Authorities to have as stated in the Homelessness Reduction Act 2017. Our new strategy identifies revised priorities drawing on the evidence base as well as our response to the impact of the covid-19 pandemic on service delivery. The purpose of this report is for Cabinet to agree and endorse all principles within the report and its delivery plan.

RESOLVED that Cabinet:

1. Approved the Homelessness and Rough Sleeping Strategy 2020- 2025 attached at **Appendix 1**
2. Endorsed the evidence base **Appendix 2**
3. Supported the community impact assessment (CIA) at **Appendix 3**. This was developed with stakeholders facilitated by external support
4. Acknowledged the Health and Wellbeing Scrutiny input into the development of the strategy.

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

65 COUNCILS TENANTS ANNUAL REPORT & COMPLIANCE 2019/2020

The Report of the Portfolio Holder for Neighbourhoods to consider the draft Neighbourhood Services Annual Report 2019/20 to tenants as required by the Regulator Social Housing (RSH) as part of the landlord regulatory framework

evidencing effective scrutiny by tenants of their landlord's performance was received.

RESOLVED that Cabinet:

1. Approved the digital draft `Neighbourhood Services Annual 2019/20` report for circulation to all the Council's tenants via the Council's website as required by the RSH (Regulator for Social Housing) to support effective scrutiny by tenants of their landlord's performance.
2. Agreed the distribution of the Annual report and future editions of 'Tamworth Matters' (Tenants Newsletter formerly Open House) as e-publications, available on-line as well as targeted hard copies to ensure value for money.
3. Delegated authority to the Portfolio Holder for Neighbourhoods to make the necessary amendments to the draft Neighbourhood Services Annual Report 2019/20 prior to digital circulation to Council's tenants.
4. Acknowledged the Ministry for Housing, Communities and Local Government (MHCLG) white paper published on 17th November 2020; `The Charter for social housing residents; social housing white paper`.
5. Accelerated a compliance review of the Landlord consumer standards; as required by the Regulator Social Housing (RSH) to assist with a self-assessment against the proposals announced in the white paper on 17/11/20.

(Moved by Councillor M Cook and seconded by Councillor J Chesworth)

66 TAMWORTH BOROUGH COUNCIL PRIVATE SECTOR LEASING SCHEME

The Report of the Portfolio Holder for Neighbourhoods to consider the future of the Private Sector Leasing scheme and provision of temporary accommodation was received.

RESOLVED that Cabinet:

1. Approved the phased ending of the Private Sector Leasing (PSL) temporary accommodation Scheme
2. Approved the allocation of 10 floating Council stock properties (based on flexible need) for a permanent Council stock temporary accommodation scheme
3. Approved the use of a **minimum** further 10 council properties dispersed across the Borough as temporary accommodation for homeless people allocated on a needs basis as a result of cessation of the PSL scheme.

(Moved by Councillor M Cook and seconded by Councillor J Chesworth)

Leader

Thursday, 17 DECEMBER 2020

INTERIM REPORT OF THE PORTFOLIO HOLDER FOR HERITAGE AND
REGENERATION

ELECTRIC VEHICLE CHARGING POINTS

EXEMPT INFORMATION:

None

PURPOSE:

The purpose of the report is as follows:

- To report on the outcomes of the ISG Scrutiny committee on the 8th July 2020
- Update Cabinet on progress to date
- Make recommendations for further activity

RECOMMENDATIONS:

1. That EV Charging Operating Model 2 is chosen as the primary delivery route subject to the results of a detailed options appraisal.
2. That a further marketing exercise using the ESPO Procurement Framework to secure a supplier / operator is carried out,
3. Produce a detailed options appraisal following further market feedback including costs/income/risks.
4. That a private sector location for EV charging on the wider Ventura retail park is investigated and promoted with relevant landowners
5. That an EV Action Plan is developed for adoption by the Council.
6. That, in principle, subject to the results of a detailed options appraisal, EV vehicle fast-charging infrastructure is installed in at least one of the Borough-owned car parks.

EXECUTIVE SUMMARY

A Report on Electric Vehicle charging was provided to the Infrastructure, Safety and Growth (ISG) Scrutiny Committee on 8th July 2020. The Minutes of the ISG Scrutiny Committee made recommendations to be considered by Cabinet. This Report recommends adopting the Scrutiny Committee recommendations with the exception of removing the proposed deadline on installing electric vehicle charging infrastructure on Council-owned land by the end of the 2020/21 municipal year for the reason that under the proposed delivery method, Operating Model 2, the private sector determines the timescales, therefore a Council commitment to external timescales cannot be accurately made.

With regard to EV charging infrastructure in Tamworth, it should be noted that when comparing the ZapMap register of EV locations in Tamworth from February 2020 to December 2020, two new EV charging points have been created in, or near, Tamworth at:

1. Morrisons, Upper Gungate – GeniePoint
2. Longwood, Watling Street, Tamworth – Osprey Point

Since July, further work has been carried out by officers on EV charging under the general areas highlighted in the ISG Scrutiny Committee recommendations, which have been included in the of the Background Section of this Report.

OPTIONS CONSIDERED

Scrutiny Committee discussed the options for the Operating Model the Council should use. The options were:

1. Purchase and operate the charging point(s) ourselves
 - Benefits: higher potential income, more control, more choice of location and greater control over timescales
 - Negatives: time-consuming and expensive for the Council to manage, higher upfront costs, greater risk
2. Lease land to a private sector EV charging point operating company.
 - Benefits: low upfront costs, no operational \ maintenance responsibility
 - Negatives: less control, less potential future income, location limited by company's preferences.

Operating Model 1 will require capital investment by the Council and a Capital Bid would be required for the capital expenditure for the physical and software infrastructure needed to operate what is essentially an electricity sales business and a Revenue Bid would be required for the associated staffing.

If Operating Model 1 is chosen four potential locations appear suitable: Aldergate car park, the taxi rank next to the Tamworth Enterprise Centre, Bolebridge car park and Riverdrive car park. These locations have the necessary room around the individual car parking spaces required for the installation of the infrastructure and charging point. The Riverdrive car park is close to a substation and there is a substation at Tamworth Library close to Aldergate / Tamworth Enterprise Centre. The town centre locations would be suitable for those using town centre shops and restaurants but lack visibility and are further from the A5 and other main routes. The town centre locations may also be affected by future town centre projects at Corporation Street. Riverdrive and Bolebridge car parks are well located for accessing from the A5 and other main routes and could be used by visitors to the Namco Funscape, the Castle Grounds, the retail parks, Peaks Leisure Centre, the Odeon cinema and the Snowdome.

If Operating Model 2 is chosen the location will be decided by the supplier / operator. Given the failure to date to encourage private sector interest, a more intensive marketing exercise will be required to identify an interested company. In order to attract interest it may be necessary for the Borough Council to offer both a land subsidy and a small, financial contribution towards the installation cost.

If, as is hoped, EV charging becomes a standard and widespread utility and there is increased provision on Council land, it will be necessary to develop this pilot project into a Council corporate function with a dedicated corporate budget.

Scrutiny Committee also discussed the options for locations for an E V charging point on private land. Based on the locations of EV sites nationally, the possibility of EV charging provision within Tamworth's regionally important retail park should be investigated. If this location is not possible, other large supermarket / retail area car parks should be investigated and the owners contacted to ascertain if there is any interest in providing EV charging points on their sites

RESOURCE IMPLICATIONS

Under Operating Model 2, revenue income is expected in the medium-term through lease rental / or profit-share agreements. To set against this is the potential loss of car parking income from the parking bays used by the EV charging facility though this will only occur when car parks are at 100% utilisation.

Any financial incentive required to attract private sector investment also has to be set against any projected revenue income. However, due to the significant level of capital expenditure involved in an EV fast-charging facility, private sector companies require 20 – 25 year leases to recover the capital investment. The long leases generated by EV charging infrastructure would result in an attractive, long-term revenue stream for the Council. The budget for any financial incentive offered for the initial pilot EV installation and for related legal costs will come from existing Economic, Development and Regeneration budgets.

No Council revenue (staffing) costs should be incurred under Operating Model 2.

Delivery of a Council EV Action Plan can be met from existing EDR staff resources but implementing an EV Action Plan will require additional financial and staff resources which will need to be considered by Cabinet as part of the budget process once the Action Plan is finalised’.

LEGAL/RISK IMPLICATIONS BACKGROUND

Legal advice and costs will be required to enter into any lease and / or profit sharing contract and one of the aims will be to ensure that all the operating risk lies with the private sector.

A residual risk will remain with the Council related to the loss of any financial incentive provided by the Council in the event of the private supplier activating any break clause or opt-out agreement should the EV charging facility prove to be unprofitable.

EQUALITIES IMPLICATIONS

Not applicable

SUSTAINABILITY IMPLICATIONS

Zero net carbon commitment 2050 or by 2030 if financially able to do so: Council Nov 2019.

Council Climate Change Emergency commitment.

Electric vehicles form a key part of the national zero net carbon aim in conjunction with sustainable forms of electricity production.

BACKGROUND INFORMATION

Electric vehicle (EV) charging can be divided into three main types:

- 'Slow' points give a full charge in 6-12 hours and are often used to charge vehicles overnight at home
- 'Fast' points typically fully charge an electric vehicle in 3-6 hours, located at areas such as car parks or supermarkets
- 'Rapid' points typically provide an 80% charge in 20-40 minutes, and are generally located at motorway services or on main routes

A general introduction to this topic can be found at...

[The Road to 2030: Your town/business can get FREE rapid chargers. - YouTube](#)

The 13 minute video describes the work of Osprey and InstaVolt (two of the main national providers of rapid EV charging), describes the use of ZapMap and discusses the practical issues relating to the use of EV chargers.

A Report on Electric Vehicle charging was provided to ISG Scrutiny Committee (8th July 2020). The Minutes of the ISG Scrutiny Committee resolved that the following recommendations be made to Cabinet:

1. That Operating Model 2 is chosen
2. That a further marketing exercise to secure a supplier / operator is carried out with Council Officers given delegated authority to offer financial incentives in the form of low rental value and / or a financial contribution towards the capital cost
3. That a private sector location on the Ventura retail parks is investigated
4. That an Action Plan is developed that focuses on new on-street fast charging sites and on-street residential charging sites.
5. Electric vehicle charging infrastructure is installed in the borough by the end of the 2020/21 municipal year.

The following up-date deals with each of the above recommendations in turn.

That Operating Model 2 is chosen

Please see OPTIONS CONSIDERED section

That a further marketing exercise to secure a supplier / operator is carried out with Council Officers given delegated authority to offer financial incentives in the form of low rental value and / or a financial contribution towards the capital cost

A marketing exercise was carried out early in 2020 with a document requesting Expressions of Interest sent to major companies involved in the installation and management of EV charging points ON Council-owned land. The companies contacted were Rolec, PodPoint, Chargemaster, New Motion, Polar, InstaVolt The EV Network and Engie. Despite repeating the distribution of the Expression of Interest the response was disappointing with only InstaVolt still maintaining an interest in establishing a fast charging facility in Tamworth on Council land.

A further marketing exercise is now proposed using a new national ESPO framework that offers public sector customers charging solutions from the leading providers in the market. The framework offers turnkey solutions for customers to help them access the latest technology. Although the framework is targeted at public sector organisations with electric fleet vehicles, it is hoped that interest can be generated in installing public fast-charging facilities by publishing an Expression of Interest on the Eastern Shires Purchasing System (ESPO) tendering system. Details of the framework can be found at:

REPORT AUTHOR
David Hunter – Senior Regeneration Officer, EDR Department

LIST OF BACKGROUND PAPERS
None

APPENDICES

Appendix A – Council Car Park Locations

Appendix B – Tamworth Sub-station Capacity



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INSTAVOLT

Tamworth Council

Riverdrive

Riverdrive, Tamworth B79 7ND

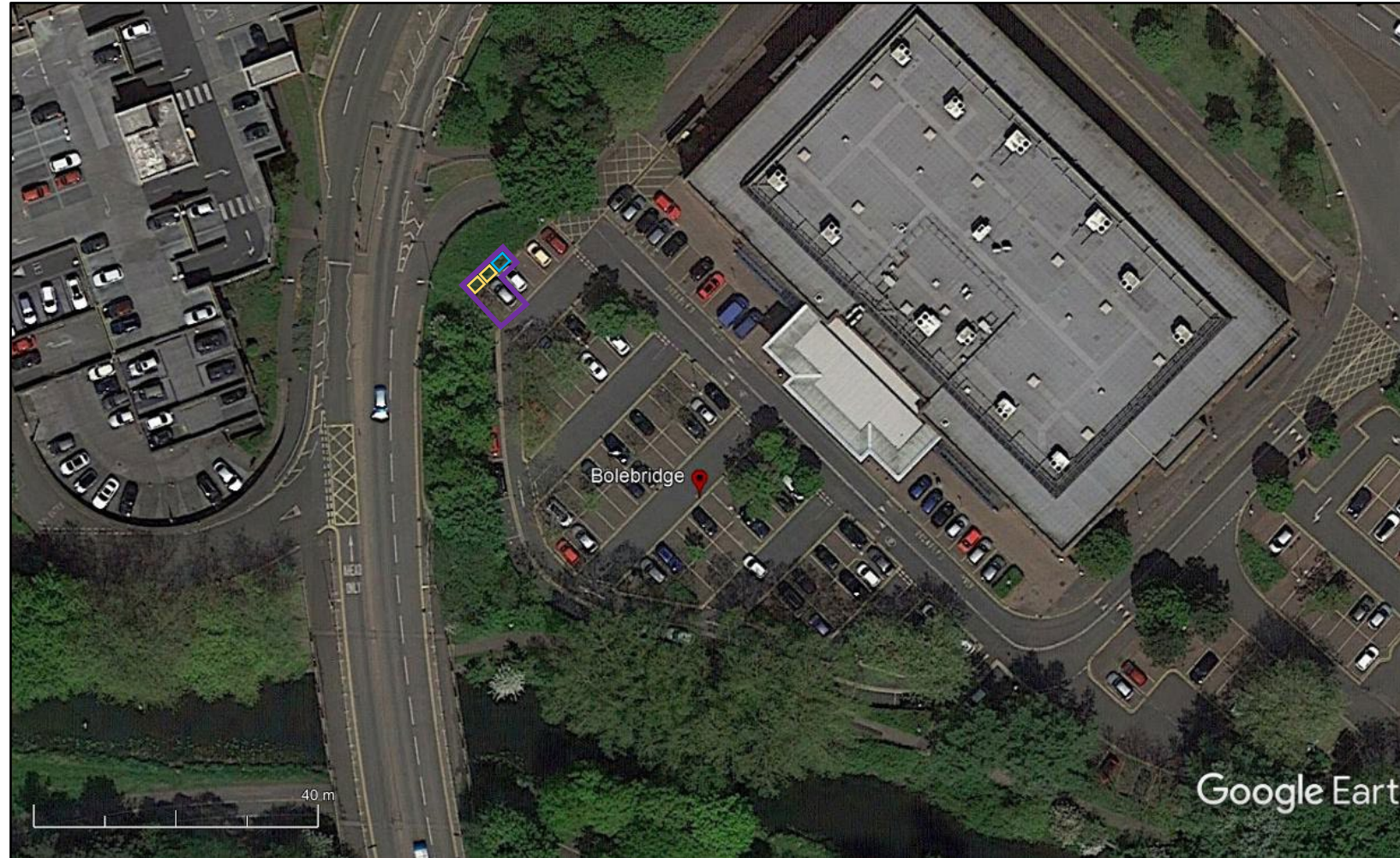
- Proposed No. of Stations: 2
 - Access from A51
- Site within a mile of Bolebridge.
- Gym, bowling alley and grill restaurant on site.



Bolebridge

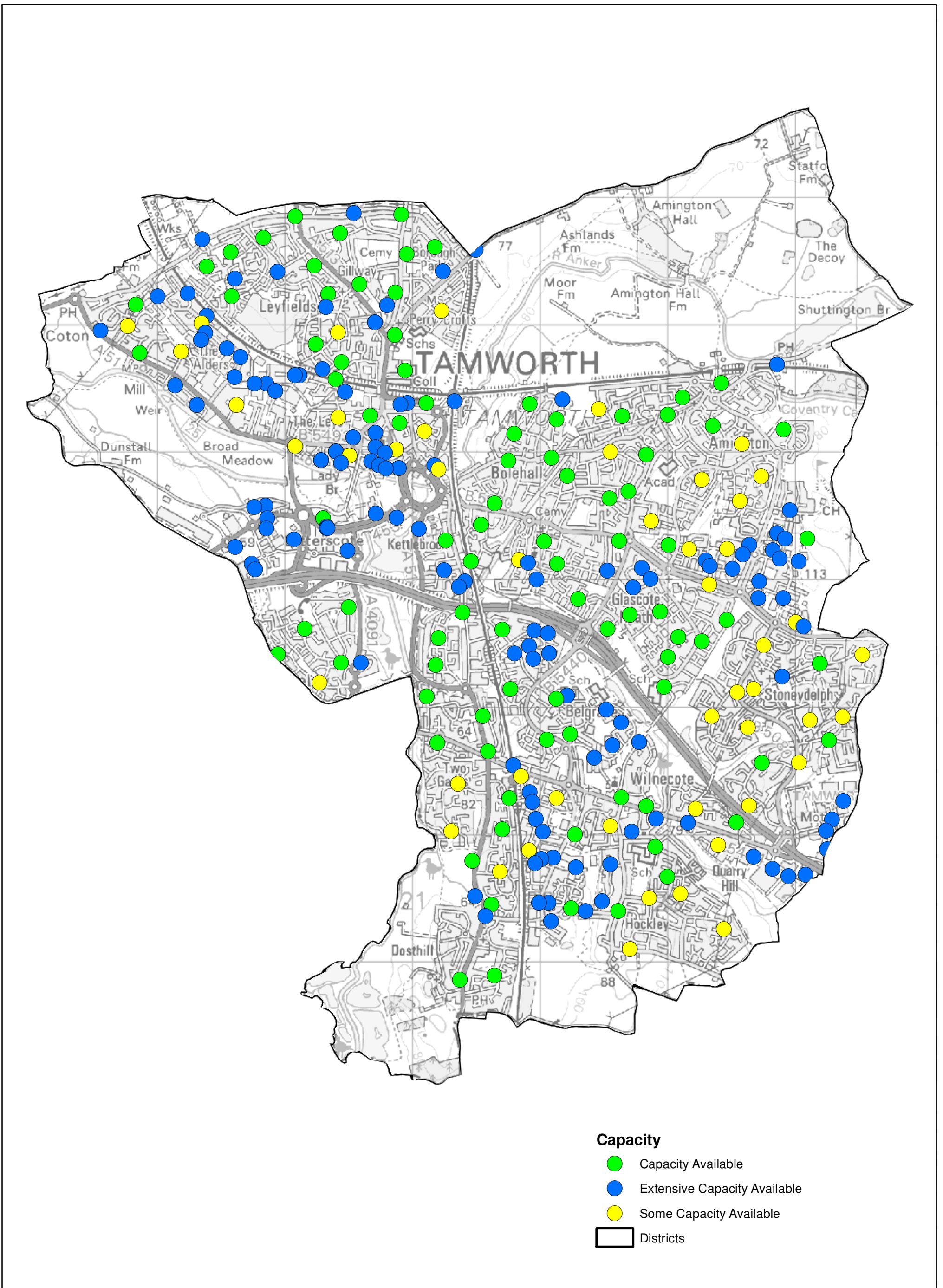
50 Bolebridge St, Tamworth B79 7PB

- Proposed No. of Stations: 2
- 0.15 mile distance from nearest A road (A51)
- Site within a mile of Riverdrive.
- Appears to be within unregistered land.
- Cinema, costa and Frankie & Benny's on site.



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Electric Vehicle Western Power Capacity Tamworth



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