



CABINET

3 August 2022

A meeting of the CABINET will be held on Thursday, 11th August, 2022, 6.00 pm in Town Hall, Market Street, Tamworth

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of Previous Meeting (Pages 3 - 8)

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 Cabinet in Accordance with the Overview and Scrutiny Procedure Rules (Pages 9 - 10)

(Report of the Chair of the Health & Wellbeing Scrutiny Committee)

6 Application for an Increase to Prescribed Hackney Carriage Fare Rates (Pages 11 - 18)

(Report of the Portfolio Holder for Voluntary sector, Town Centre, Evening economy & Community Safety)

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.

If a member of the public is particularly concerned about being filmed, please contact a member of Democratic Services before selecting a seat.

FAQs

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

To Councillors: J Oates, R Pritchard, M Bailey, T Clements, S Doyle, A Farrell and M Summers.



MINUTES OF A MEETING OF THE CABINET HELD ON 21st JULY 2022

PRESENT: Councillor J Oates (Chair), Councillors R Pritchard (Vice-Chair), T Clements, S Doyle and M Summers

The following officers were present: Andrew Barratt (Chief Executive), Matthew Fletcher (Head of Economic Development and Regeneration) and Jo Hutchison (Democratic Services, Scrutiny and Elections Officer)

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Bailey and A Farrell.

22 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 30 June 2022 were approved as a true record.

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

23 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

24 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1 Under Schedule 4, 13, Mr M Hall will ask the Leader of the Council, Councillor Jeremy Oates the following question:-

My question relates to the FHSF of £40M and the plans for the regeneration of Tamworth - Can the leadership of Tamworth Borough Council outline the level of experience which exists within the leadership team in planning, management (of the council team, advisers contractors) and delivery of a project of this value and complexity?

In the absence of Mr Hall the Question and Answer are set out in the Minutes.

Answer

The Assistant Director Growth and Regeneration, Anna Miller, is a Chartered Town Planner with 25+ years' experience in the planning and development industry working both in the public and private sectors. As the senior responsible officer within the Borough Council for the FHSF project, Anna is supported with additional Governance, officer resource and an external multidisciplinary team.

The Wider Executive Leadership team along with three Members of Cabinet form the majority of the FHSF Programme Board which provides the strategic leadership for the project and meets monthly, to ensure that progress is made. In addition to this the project also supported by a scrutiny committee, cabinet and an audit and Governance sub committee, all of which meet quarterly.

Officer support for the project includes a dedicated project officer and a Programme Manager. The Programme Manager works for a Construction Project Management consultancy which leads on the delivery of construction projects for a range of clients across the West Midlands region including local authorities. Additionally, there is a delivery team comprising officers across the authority who meet monthly.

External support is provided by McBains, a multi-disciplinary property and construction consultancy that supports the FHSF project including architectural services, project management, engineering services, cost management and civil and structural services, to name a few.

It should be noted that the £40M FHSF programme comprises the flagship college project which is being delivered by South Staffordshire College.

To respond to the request for information relating to the delivery of complex projects with high value, I can only reflect on that part of the programme that the Borough Council are delivering.

Therefore, in relation to the refurbishment of the TEC, the demolition and rebuild of Middle Entry and the various heritage projects associated with the castle gateway, I can confirm that McBains have delivered both complex projects and projects to this value as evidenced during the procurement process.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2 Under Schedule 4, 13, Mr R Bilcliff will ask the Leader of the Council, Councillor Jeremy Oates the following question:-

Can the Leader of the Council give Tamworth residents assurances that it has undertaken due-diligence regarding any health impacts from the 5G Network Rollout in Tamworth?

Answer

5G is the fifth-generation technology standard for broadband mobile phone networks, which mobile phone companies began deploying worldwide in 2019, and is the planned successor to the 4G networks to provide connectivity to most current mobile phones.

Under the General Permitted Development Order when considering applications relating to 5G rollout for example masts, cabinets etc. there are stringent requirements for consideration. The health implications are not a consideration for either the planning process or Tamworth Borough Council.

Supplementary Question

Mr Bilcliff asked the following supplementary question:

The European Parliament in June 2021 published a review in entitled Health Impacts of 5G. They called for a halt in the expansion of 5G which should be a clear warning for policy makers to put the brakes on. Indeed one of the world's leading re-insurance providers, the Swish Re Group has rated 5G as a high impact liability risk. Can you please assure residents that Tamworth Borough Council's public liability insurance provides cover for adverse health effects caused by 5G. Thank you.

Answer

Thank you, Mr Bilcliff, in terms of the specific element of your question at the end, I don't have access to the public liability documents in front of me so I cannot tell you what is and what is not covered within those. In terms of the broader areas covered with your supplementary question, and policy makers, Tamworth Borough Council is not a policy maker in relation to the roll out of 5G communications so as a result we are not involved in the halting of, the progression of, the roll out or any opportunity to set any policy in accordance with that. So it would be inappropriate for this authority to suggest anything either way on that. I am happy to have a conversation with you at a later date, to look at how we could respond to the information you have just given me and to look at possible opportunities of addressing your concerns and also addressing the matter at hand. So if you'd like to contact me by email, we can have a further discussion.

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

None.

26 QUARTER FOUR 2021/22 PERFORMANCE REPORT

The Report of the Leader of the Council provided Cabinet with a performance update and financial Healthcheck. The report was considered by Corporate Scrutiny Committee at their meeting on 21st June 2022.

RESOLVED that Cabinet endorsed the contents of the Report.

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

27 CAPITAL OUTTURN REPORT 2021/22

The Report of the Portfolio Holder for Finance, Risk and Customer Services advised Members of the final outturn of the Authority's Capital Programme for 2021/22 (subject to audit confirmation) and requested formal approval to re-profile specific programme budgets into 2022/23.

This report was a key decision due to expenditure in excess of £100k requiring approval.

RESOLVED that Cabinet:

1. received the final outturn position of the 2021/22 capital programme as summarised in Appendix A; and
2. approved for each of the projects detailed in Appendix B the re-profiling of the budget into the Authority's Capital Programme 2022/23 (total **£30.528m**).

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

28 WRITE OFFS 1 APRIL 2021 TO 31 MARCH 2022

The Report of the Portfolio Holder for Finance, Risk and Customer Services for Members to endorse the amount of debt written off for the period 01 April 2021 to 31 March 2022.

RESOLVED that Members endorsed the amount of debt written off for the period of 1st April 2021 to 31 March 2022 – **Appendix A-E**

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

29 SHARED PROSPERITY FUND

The Report of the Portfolio Holder for Skills, Planning, Economy and Waste updated Cabinet on UK Shared Property Fund (UKSPF / SPF) and the approach recommended for the Council in order to submit an investment plan and develop a process for awarding funding for agreed interventions.

The Head of Economic Development and Regeneration provided updated revenue cashflow profiles provided by central Government, which updated the figures shown at page 90 of the Agenda pack such that:

- Financial year 2022 / 2023: 12.14% of allocation
- Financial year 2023 / 2024: 24.5% of allocation
- Financial year 2024 / 2025: 63.59% of allocation.

RESOLVED that:

1. Cabinet approved the outline approach to delivering Shared Prosperity Fund (SPF), to invest in local priorities, targeting funding where it is most needed:
 - building up pride in place in Tamworth,

- supporting the development of high quality skills training,
 - supporting improved pay, employment and productivity growth opportunities
 - increasing improved life chances of the residents of Tamworth.
2. Cabinet delegated authority to the Assistant Director Growth and Regeneration in consultation with the Leader of the Council, the Chief Executive and the Section 151 Officer, to submit the investment plan to central Government by the submission deadline.
 3. That a report be brought back to Cabinet setting out detailed resource requirements, governance including scrutiny, monitoring and evaluation processes and an update on the SPF programme by the end of 2022.

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

Leader

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11 August 2022

Report of the Chair of the Health & Wellbeing Scrutiny Committee**Matters referred to Cabinet in accordance with the Overview and Scrutiny Procedure Rules****Exempt Information**

None.

Executive Summary

The following Committee has referred the following matter to Cabinet:

Scrutiny Committee	Title of Matter referred	Date of Scrutiny meeting
Health & Wellbeing Scrutiny Committee	Update on Housing Strategy	12 July 2022

Background

To update Cabinet and to make recommendations to it following consideration of matters by the Health & Wellbeing Scrutiny Committee (the "H&W Committee").

At its meeting on 12 July 2022, the H&W Committee received an update from the Assistant Director, Partnerships on the Housing Strategy. This followed a request from the H&W Committee to receive this update following Cabinet's approval of the Strategy in October 2020.

The Assistant Director provided an overview of the 4 Priorities set out in the Housing Strategy. At the H&W Committee, the Assistant Director highlighted some of the future proposed actions which included:

- An update to the Empty Homes Strategy to increase housing provision
- The development of an Older Persons Housing Needs Strategy in conjunction with stakeholders
- Work to determine the criteria for the First Homes requirement, whereby 20% of the affordable homes on a development would be allocated as first homes for Tamworth residents.
- To develop relationships with the voluntary sector to maintain healthier communities and sustain independent living
- To develop an approach to the needs of Asylum Seekers and Refugees in line with Government policies

The Committee commented and sought clarifications in the following areas:

1. How the criteria for the First Homes requirement would address the issue of resale of those affordable first homes such that the benefits of the scheme would be retained in perpetuity and that the benefits of any market price discount was continued through resales of the First Home. The Assistant Director reported that the criteria was under discussion and that this was led by the planning team.
2. The need for the Committee to receive regular and measurable data in respect of the various action plans / metrics included in the strategy, so that there could be effective scrutiny of the implementation of the strategy and performance. It was further identified

that to support this scrutiny, the data should not be solely a snapshot in time but would need to be provided over a period of time (for example over three years) to enable trends to be identified.

3. It was raised that there was a need for urgency in addressing areas within housing related to climate change given the aspiration of the Council to be Carbon Net Zero by 2030 if financially able to do so. Given the housing stock owned by the Council, and given the expected Government initiatives to stop the installation of new gas heating in homes from potentially 2030, there would be significant challenges to the Council in delivering appropriate housing to Tamworth's vulnerable residents in line with the Council's Climate Change agenda unless action was taken now.
4. The process followed for residents to apply for and receive Disabled Facilities Grants, where it was highlighted that this process appeared lengthy and complex. It was requested that data on this be included in the regular reporting of performance which could enable further scrutiny of how this process worked by the Committee as an additional work plan item at a later date.

Following its consideration, the H&W Committee agreed to make recommendations to Cabinet as set out below.

Recommendations

1. It recommend to Cabinet that a bi-annual report be prepared by Officers for presentation to the Health & Wellbeing Scrutiny Committee, every 6 months, setting out performance metrics relating to each action plan for the 4 Priorities in the Housing Strategy including data over a three year period;
2. A presentation be prepared for consideration by the Health & Wellbeing Scrutiny Committee regarding the delivery of the Council's climate change agenda in terms of Council's Housing stock and the impact on vulnerable Tamworth residents;
3. It recommend to Cabinet that consideration be given in the development of the criteria for First Homes, for the 20% discount to market price on the initial purchase, being continued in subsequent resales, where possible.

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

Options Considered

None.

Report Author

Councillor Rosey Claymore
Chair of Health & Wellbeing Scrutiny Committee

THURSDAY, 11th August 2022**REPORT OF THE PORTFOLIO HOLDER FOR VOLUNTARY SECTOR, TOWN CENTRE, EVENING ECONOMY & COMMUNITY SAFETY****Application for an increase to prescribed hackney carriage fare rates****EXEMPT INFORMATION**

No exempt information

PURPOSE

To consider an application from Tamworth Hackney Carriage and Private Hire Association for an increase in the prescribed Hackney Carriage fare rate.

RECOMMENDATIONS

1. That Cabinet consider the request received from the Tamworth Hackney Carriage and Private Hire Association in relation to the increase to the current Hackney Carriage fare rates, (attached at Appendix 3)
2. That Cabinet approve the issuing of Notice of the intention to increase hackney carriage fares by advertising in local press for a consultation period of 14 days.
3. That Cabinet approve that if no objections are received, the Assistant Director Growth & Regeneration be authorised to bring the new fare structure into force on a day deemed suitable to re-calibrate taximeters.
4. In the event of objections being received that Cabinet delegate authority to the Assistant Director Growth and Regeneration and the Chair of the Licensing Committee to consider any objections.

EXECUTIVE SUMMARY

A hackney carriage is a taxi with a meter which is licensed to collect passengers from a taxi rank and is available to be hailed in the street. A private hire vehicle, such as a minicab, is not licenced to collect passengers from ranks or to be hailed in the street, but is licensed only to be hired by prior arrangement only. Fares are only set by the council for hackney carriages to which this report relates. Private hire operators set their own fares.

Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 empowers the Council to fix fare rates for taxi services provided by hackney carriage proprietors licensed by the Authority.

In Tamworth, there are 190 hackney carriage and private hire drivers licensed by Tamworth Borough Council of which 99 or 52% are members of the Tamworth Hackney Carriage and Private Hire Association (THCPA). The THCPA is a voluntary body that represents those drivers with membership and historically, it is the taxi body that Tamworth Borough council

recognises for the purpose of consultation. It should also be stated that the Borough Council equally recognises and consults the views of all drivers licensed by Tamworth Borough Council.

The THCPA submitted an application to the Borough Council for an increase in the prescribed fare rate as outlined in Appendix 3.

A tariff increase amounting to the following is applied for; (Appendix 3)

50 pence on the initial flag (370.526 yds)

30 pence on the running mile (1760 yds)

Between 10:30pm and 6am and Bank holidays:

50 pence on the initial flag (370.526 yds)

45 pence on the running mile (1760 yds)

Midnight on Christmas Eve and Midnight on Christmas day
Midnight on New Year's Eve to Midnight on New Year's Day:

50p for the flag drop (370.526 yds)

60 pence on running mile (1760 yds)

RESOURCE IMPLICATIONS

The proposed increase, if granted would be advertised in the local press at a cost of £200.00 excluding VAT which can be met from existing budgets.

LEGAL/RISK IMPLICATIONS

Councils must adopt taxi fares in a prescribed manner as contained with the Local Government (Miscellaneous Provisions) Act 1976 providing that the procedure detailed in recommendations 1 - 4 are followed. Keeping fares reasonable would encourage the use of taxis thereby reducing private vehicular use, reducing pollution and congestion and assisting in promoting the night time economy however, if fares are set too high there is a risk that those most reliant on public transport are priced out of the market, this could also have an adverse impact on the night time economy and public safety

EQUALITIES

The fare structure specifically excludes extra charges made for the carriage of wheelchairs. The law prevents charges for assistance dogs.

SUSTAINABILITY IMPLICATIONS

The taxi trade is an important part of the local economy and the level of fares directly impacts on those local businesses. There has been a significant loss of licensed drivers following the Covid 19 pandemic, due to illness, better pay in other sectors and the effect of inflation. However, public safety is an important consideration regarding the night time economy, which can be sensitive to price increases.

BACKGROUND INFORMATION

Tamworth Hackney Carriage and Private Hire Association have applied for an increase in the prescribed hackney carriage fare rates. (Appendix 1). The current rates have not increased since December 2017 at which time an application for a 10p increase per mile between 06:00hrs and 24:00hrs, 15p per mile between 00:00 midnight and 06:00hrs and 20p per mile for Christmas and New Year's Day tariff of was approved by Licensing Committee. (Appendix 2)

The Association contends that apart from the above increase there has been no other increase in fare rates for almost five years. There has been a significant increase in the price of fuel because of the Covid 19 pandemic, having a significant impact on the trade. Insurance and maintenance costs have risen and the Consumer Price Index (based on September figures used for pay rises) shows an increase over the last five years of 16.5%. The increase set out in Appendix 3 represents an increase of 20% for the flag drop and 15% for the running mile. Flag drop is 3.5% higher than the CPI for the same period. Running mile is 1.5% lower than CPI for the same period. See Appendix 4 and 5 for a comparison of Tariff Tables.

Although this increase has been requested by the Taxi Association, this is the maximum fare that can be charged by a hackney carriage within the Borough, however a lower fare can be charged at each driver's discretion. Any change to the fare tariff only affects hackney carriage licensed vehicles regardless of whether the driver is a member of the taxi association. Private hire vehicles are not affected by this proposal.

REPORT AUTHOR

Wendy Smith

- **Appendix 1; Letter from Tamworth Hackney Carriage and Private Hire Association requesting tariff increase**
- **Appendix 2; Current Hackney Carriage Tariff 2017**
- **Appendix 3; Proposed Hackney Carriage Tariff**
- **Appendix 4; Comparison Tariff Table**
- **Appendix 5; Comparison Chart of Tariffs with Local Authorities**

APPENDIX 1

TAMWORTH HACKNEY CARRIAGE AND PRIVATE HIRE ASSOCIATION

FAO Mr John Morgan

On behalf of the above association I would like to inform you that a meeting was held on the 29th March 2022 at the Globe Inn Tamworth. At this meeting members voted on an increase for the trade. We have spoken to members and we request that the increase is as follows:

50p on the "flag"

30p on the running mile

Time and a half Christmas and New Years Eve from 1800-24.00

Double time from 2400 Christmas Eve to 2400 Christmas Day

Double time from 2400 New Years Eve to 2400 New Years Day

Time and a half after 2230 until 0600 every day

Time and a half for all Bank holidays


We are applying for this increase at this time because we have had no increase in the last 5 years. As you are aware all costs have risen by between 10 and 50%. The cost of buying or renting vehicles suited to the job, insurance, servicing costs, tyres and obviously fuel etc.

We would appreciate it if our request be placed before the Licensing Committee at the earliest opportunity so that it can be implemented as a matter of urgency due to the current situation we find ourselves in. Hopefully this will help us to maintain and gain more drivers as we have a shortage at this time.


Kind regards

Jon O'Gara

Chairman of the Association

	Borough of Tamworth Hackney Carriage Fare Rates HC Plate 01/12/2017 H
i) MILEAGE - RATE 1 - Between the hours of 06:00 and midnight	
For the first 370.526 yards (338.80897m), or part thereof	£2.50
For each subsequent 88 yards (80.4672m) or uncompleted part thereof	£0.10
ii) MILEAGE - RATE 2 - Between the hours of midnight & 05:59	
For the first 370.526 yards (338.80897m), or part thereof	£3.45
For each subsequent 88 yards (80.4672m) or uncompleted part thereof	£0.15
iii) MILEAGE - RATE 3 Between the hours of midnight on 24 December & midnight on 25 December & midnight on 31 December & midnight on 1 January	
For the first 370.526 yards (338.80897m), or part thereof	£4.30
For each subsequent 88 yards (80.4672m) or uncompleted part thereof	£0.20
iv) WAITING TIME	
Waiting time only applies to:	
i) any delay caused by the passenger when the taxi arrives	
ii) when the passenger specifically asks the driver to wait	
For each period of 1 minute or uncompleted part thereof	
£0.20	
v) EXTRA CHARGES	
The rate advertised at ii) above will also apply as follows: For hirings commencing between 18:00 hours and midnight on 24 December and 1800 hours and midnight on 31 December & midnight to midnight on all Bank Holidays	
Fouling of Car	£80 at drivers discretion

APPENDIX 3

	Borough of Tamworth Hackney Carriage Fare Rates HC Plate 01/09/2022 H	
i) MILEAGE - RATE 1 - Between the hours of 06:00 and midnight		
For the first 370.526 yards (m), or part thereof		£3.00
For each subsequent yards (m) or uncompleted part thereof		£0.10
ii) MILEAGE - RATE 2 - Between the hours of 22:30 & 05:59		
For the first 370.526 yards (338.80897m), or part thereof		£3.95
For each subsequent yards (m) or uncompleted part thereof		£0.15
iii) MILEAGE - RATE 3 Between the hours of midnight on 24 December & midnight on 25 December & midnight on 31 December & midnight on 1 January		
For the first 370.526 yards (338.80897m), or part thereof		£4.80
For each subsequent 88 yards (80.4672m) or uncompleted part thereof		£0.20
iv) WAITING TIME		
Waiting time only applies to:		
i) any delay caused by the passenger when the taxi arrives		
ii) when the passenger specifically asks the driver to wait		£0.20
For each period of 1 minute or uncompleted part thereof		
v) EXTRA CHARGES		
The rate advertised at ii) above will also apply as follows: For hirings commencing between 18:00 hours and midnight on 24 December and 1800 hours and midnight on 31 December & midnight to midnight on all Bank Holidays		
Fouling of Car		£80 at drivers discretion

Appendix 4

1st Tariff Present		
Flag Drop	Flag Drop to 370.526 yards	£2.50
Running Mile		
1 Mile	1760	£2.00
Total Cost for journey of 1 mile and 370.526 yards		£4.50

1st Tariff Proposed		
Flag Drop	Flag Drop to 370.526 yards	£3.00
Running Mile		
1 Mile	1760	£2.30
Total Cost for journey of 1 mile and 370.526 yards		£5.30

2nd Tariff Present		
Flag Drop	Flag Drop to 370.526 yards	£3.45
1 Mile	1760	£3.10
Total Cost for journey of 1 mile and 370.526 yards		£6.55

2nd Tariff Proposed		
	Flag Drop to 370.526 yards	£3.95
1 Mile	1760	£3.10
Total Cost for journey of 1 mile and 370.526 yards		£7.05

3rd Tariff Present		
Flag Drop	Flag Drop to 370.526 yards	£4.30
1 Mile	1760	£4.00
Total Cost for journey of 1 mile and 370.526 yards		£8.30

3rd Tariff Proposed		
Flag Drop	Flag Drop to 370.526 yards	£4.80
1 Mile	1760	£4.60
Total Cost for journey of 1 mile and 370.526 yards		£9.40

Appendix 5

Authority	2 Mile Fare	Last Increase	National League position out of 366
North Warwickshire	£6.10	2017	180
Tamworth	£6.10	2017	182
Tamworth (proposed)	£7.12	2022	42
Lichfield	£5.80	2021	240
East Staffordshire	£6.00	2013	193

Private Hire Taxi Monthly publish an updated hackney taxi fare league table on Tariff 1 nationally every month. Above is information obtained in May 2022 which ranks 355 Councils from 1st being most expensive to 355 being the cheapest.

It must be noted that many number of authorities have recently increased their fares and many more are looking to increase fares but have yet to do so.