



MINUTES OF A MEETING OF THE COUNCIL HELD ON 16th MAY 2013

PRESENT: Councillor J Garner (Chair), Councillors R Kingstone, L Bates, M Clarke, S Claymore, T Clements, D Cook, C Cooke, M Couchman, S Doyle, D Foster, K Gant, M Gant, M Greatorex, G Hirons, A James, J Jenkins, A Lunn, M McDermid, R McDermid, K Norchi, J Oates, S Peale, R Pritchard, S Pritchard, E Rowe, P Standen and M Thurgood

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Jane Hackett (Solicitor to the Council and Monitoring Officer) and Lara Allman (Democratic & Election Services Officer)

5 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Faulkner and P Seekings.

6 TO RECEIVE THE MINUTES OF THE MEETING HELD ON 19 MARCH 2013

The minutes of the meeting held on 19 March 2013 were approved and signed as a correct record.

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

7 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

Announcement by Councillor R Pritchard

The Tourist Information Centre has been awarded an accreditation from the Staffordshire Environmental Quality Mark (SEQM) for their work in reducing the environmental impact of their business.

9 QUESTION TIME:**QUESTIONS FROM MEMBERS OF THE COUNCIL NO.1**
Under Procedure Rule No 11, Councillor M Couchman will ask the Portfolio Holder for Housing, the following question:-

"Who will be responsible for the elderly tenants that will be decanted from Tinkers Green, ensuring that they are aware of the different types of tenancies that could affect their rights?"

The Portfolio Holder for Housing gave the following reply:

Cllr Couchman had an opportunity to talk this through with Officers on Friday 10th May, so the points I set out should already be known to her:-

- Following Cabinet approvals in November 2012 and March 2013 plans are being progressed to regenerate Tinkers Green and the Kerria Centre.
- Specifically a draft decant policy was approved for consultation, along with approval to move 14 households in the bungalows on Cottage and Leisure Walk. It was agreed that this was necessary to prevent any unnecessary anxiety to the older residents who had expressed an interest to move, as soon as possible.
- The moves are being co-ordinated by the housing options team within landlord services. Public meetings with the 14 households were held directly following Cabinet in March in the localities. Families and friends were invited to ask questions.
- In addition all 14 households have now been interviewed and details of their housing requirements logged. The landlord team know the occupants well and have been able to agree compensation packages and rehousing to suit all.
- In terms of different types of tenancies – all have expressed a desire to move into alternative council accommodation and will therefore have the same security of tenure - they will remain secure tenants. None will have fixed term tenancies as this does not apply to sheltered or oap designated accommodation in any event.
- A bus tour is being planned for all the 14 households to a selection of empty properties. 11 empty homes including bungalows, sheltered and other flats are undergoing works, including adaptations, to meet the needs of these residents. They have been directly matched to properties, in accordance with the allocations policy, to ensure they move to properties most suitable for their needs, in terms of adaptations, family support, size etc.
- It is anticipated that half of the residents will move over the summers with the remainder moving before Christmas.
- It is intended to move in two phases, so no-one individual is left in cottage or leisure walk alone and isolated.
- Colleagues in asset management are already preparing for demolition works so that any opportunity for vandalism or ASB is limited when they are finally emptied.

Also the leader and founder of the group Stephanie has demonstrated a remarkable commitment to both the community, through her current volunteer work and also to members of her family.

So I will continue to support and try to match the same level of commitment I have seen in Stephanie.

There have been a number of volunteers and the group would appear to have a core membership of around six members who will look to open and close gates at Wilnecote, regular meetings are now in place with the key members. Some of who are seated here tonight.

The group has been given a draft constitution to consider and support in recruiting members. Also provision is made within the Council insurance to cover the Group for Public Liability when carrying out the given task.

The group are also looking to achieve charitable status and guidance has also been given to enable them to achieve this, some of the additional volunteers will be engaged in this aspect.

They have been fully supported throughout and any requests for assistance have been fully met by me and Council Officers.

The Council will shortly begin the process of procuring the necessary locks and keys for the group after the group can demonstrate a rota and a process for holidays/sickness, this topic is currently being discussed and arranged within the group.

“Which cemeteries will be included?”

You ask which cemeteries are included, initially only Wilnecote, this is due to the fact that no one has approached / expressed an interest to the Council to take on or see a similar project in the other Cemeteries in Tamworth. As stated originally our response would be community led.

The only other response I've received is a request that the gates be left alone in Wiggington and I have seen no reason to refuse this request.

This is one of the reasons why a community lead approach has been preferred over imposing a solution that would not meet the needs of the people in the community.

“When will this project commence?”

The Project commenced ten months ago, as designated in the original report to Full Council, in two months' time we will review the status of the Project.

It is envisaged that the group will begin locking and unlocking the gates at Wilnecote by the end of June, if not before.

is expected to announce the preferred route and the decision to proceed by the end of 2014/early 2015. It is in 2015 where we expect detailed community engagement to start by HS2 Ltd as they refine the proposals and prepare information required for the Phase Two Hybrid Bill. At this stage exact timescales are unclear for Phase Two but it is expected that the Hybrid Bill will be deposited to Parliament before 2020 with construction starting in 2026 and the line becoming operational in 2032/33.

Background info

HS2 and Local Plans

High Speed 2 (Ltd) have no specific requirements for Local Authorities to incorporate Phase Two of HS2 in to their Local Plans. The Secretary of State intends to begin a consultation on a proposed phase two route in 2013. Following consultation, it is anticipated that the Secretary of State will make an announcement of the preferred route in 2014. As a result, the proposed phase two route may be subject to some change as a result of detailed consultation. In advance of formal safeguarding, for phase one planning authorities which have no stations, HS2 Ltd have provided comments on, through the public consultation process, but have not worked specifically with the planning authorities to date, to ensure inclusion of HS2 in their Local Plans.

As discussed, HS2 Ltd intend to present separate hybrid bills to parliament to seek powers to deliver Phase One and Phase Two of HS2. Any safeguarding directions for HS2 will come from the Secretary of State.

HS2 Ltd do not expect Tamworth to provide safeguarding for HS2. However, reference to HS2 in the evolving Local Plan can be made, the safeguarding directions from Government will ensure that the required land for HS2 is safeguarded.

BACKGROUND TO HS2 – PHASE2

High Speed 2 (HS2) will be the UK's new high speed rail network. The proposed new network will link London to the West Midlands (Phase One) and will expand in the future to connect Manchester and Leeds with Birmingham, London and Heathrow Airport (Phase Two). Phase One is anticipated to be operational by 2026 with Phase Two by 2032/33.

West Midlands to Leeds - Eastern Route

The eastern leg would serve stations in the East Midlands, South Yorkshire and Leeds.

The line would connect with the London to West Midlands leg to the east of Birmingham, near Junction 4 of the M6, and then follow the M42 corridor north-east towards Derby and Nottingham. The East Midlands Hub station would be located between these two cities at Toton, about a mile from the M1.

The line would head north, following the M1 corridor as it heads towards South Yorkshire. The station serving this region would be located at Meadowhall alongside the M1, between Sheffield and Rotherham. From here the line would pass to the east of Barnsley and connect to the East Coast Main Line nine miles to the south-west of York.

As with Manchester, Leeds would be served by a spur off the main line. It would run within the existing Castleford to Leeds railway corridor, passing the southern suburbs of Leeds before rising above street level into the new station at Leeds New Lane. The total route length would be 116 miles.

Supplementary question:

Will the portfolio holder specify the benefits of HS2 to the people of Tamworth?

The Portfolio Holder for Economic Development and Enterprise gave the following reply:

We don't know how noisy it will be but we all want stations and no-one wants the tracks. We have to bring the economy this way to get rid of the North/South divide and create jobs out of London.

The construction element will create thousands of jobs in the area and British companies will provide materials. I am sure that the benefits will outweigh the negatives and our kids will thank us for supporting HS2 as we won't be around by the time it's completed.

People would not have wanted the M1, M6 or M42 but we wouldn't want to be without them now.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.4

A further question was received from Councillor J Faulkner but this was withdrawn as Councillor Faulkner was absent from the meeting.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.5

Under Procedure Rule No 11, Councillor P Standen will ask the Leader of the Council, the following question:-

"At the budget council back in February this year, we were advised that 'the Executive Board, a non-decision making forum of Cabinet members and Chief Officers have formed a working group with the intention of developing a 'high level' plan designed to tackle the forecast deficit long before it becomes a reality'. Can the Leader of the council advice if there have been any meetings of this group and if any conclusions regarding tackling forecast deficits have been arrived at?"

The Leader of the Council gave the following reply:

I would like to thank the Portfolio Holder for his informing reply, does he agree this figure shows that the majority of the residents directly affected support the redevelopment, whatever some people both from inside Tamworth and afar claim?

The Portfolio Holder for Housing gave the following reply:

Residents and others in Tamworth support respectively.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.7
Under Procedure Rule No 11, Councillor M Clarke will ask the Portfolio Holder for Housing, the following question:-

"What measures are currently in place to monitor Private Landlords, presumably nationally accredited, to ensure we do not consign Housing List residents to less than acceptable standards of housing and conditions?"

The Portfolio Holder for Housing gave the following reply:

Chairman, Tamworth Borough Council has specific responsibilities under the Housing Act 2004 for licensing of qualifying HMO's, that is, those consisting of 3 stories or more and occupied by 5 or more households. These are responsibilities with which the council is 100% compliant. Work is being undertaken to consider options with regard to the possible implementation of an additional licensing for other HMO's within the borough. If this option is considered to be viable it will be the subject of a report to Cabinet in the late autumn 2013.

The housing and health directorate currently manage a small number of Private Sector Lease properties and Social Lettings Agency properties. Both of these schemes have been the subject of previous reports to Cabinet.

Currently consultation is underway on changes proposed as part of the allocations policy review which would lead to some homeless households being placed into private rented property rather than Council or other social rented accommodation. Any such discharge, made under the provision of the Localism Act 2011, would need to comply with the 'Homelessness (suitability of Accommodation) Order 2012 which came into effect on 9th November 2012. As this order principally mirrors legislation contained within the Housing Act 2004, the Council has applied these regulations to all PRS accommodation for a number of years.

In addition where a household is supported into PR accommodation with any of our other Homelessness prevention tools (ie bond scheme) the relevant property is also fully inspected in line with the HA 2004.

We don't 'monitor' every private rented property but will investigate any complaints regarding condition or management issues. There are legislative requirements on landlords and we undertake prosecutions if needed, with a total of 5 successful prosecutions of failing landlords during 2012/13.

There are National Accreditation schemes for private sector landlords and we provide information on these but we don't have a role in monitoring adherence to these. These schemes are entirely voluntary.

We provide advice and information to our Landlords Forum which is very well attended (50 plus landlords at the last meeting), and the private sector enforcement team will offer specific advice and guidance to any landlord within the Borough who may require.

Supplementary question:

When a Private Landlord is found wanting to any degree, whether regarding the standard of upkeep of the property, adding extra non-housing list tenants of their own, or criminal use of their property, are the Council's resources adequate and what action can be and is being taken?

The Portfolio Holder for Housing gave the following reply:

Resources are adequate. We work with partners and will and do take action where required.

10 APPOINTMENT OF CABINET AND ALLOCATION OF RESPONSIBILITIES

The membership of Cabinet for 2013/14 was received and circulated at the meeting as follows:

Leader of the Council Cllr Daniel Cook	Operations and Assets Cllr Rob Pritchard (Deputy leader)
Portfolio	Portfolio
Corporate Assessments	Corporate Finance & procurement
Engagement Overview	Audit & Governance
Financial Planning	Service Transformation
Performance Management	HR and ICT
Member Development	Corporate/HRA commercial Property & Asset Management
Strategic Overview	Constitution
Strategic Partnerships	Treasury Management
Budget Consultation	Revenues & Benefits
Participatory Budgeting	Legal and Democratic Services
Tamworth Listens	PR and Coms Management (TBC & HRA)
Reputation	Corporate Consultation
Organisational Capacity	Graphics & Publications
	Car Parks
	Civil Parking Enforcement
	Customer Services
	Council Tax and NNDR
	Tourism

	Place Steering Group
	Outdoor Events
Community Development and Voluntary Sector	Economy and Education
Cllr Jeremy Oates	Cllr Steve Claymore
Portfolio	Portfolio
Safer & Stronger Communities	Town Centre Development
Community Safety, ASB Reduction & Crime	Town Centre Economy / Cultural Qtr
Tackling Fear of Crime	Education / Educational Attainment
Integrated Enforcement	Career Skills and Training
CCTV Management	Business Liaison
Community Development	Business Development
Locality Working	Development Management
Services for Young People	Building Control
Youth Council	Market Development
Police and Crime Commissioner Panel	Local Plan
Third Sector Engagement	Southern Staffordshire Partnership (SSP)
Voluntary Sector Engagement and Funding	LEP Board Member
Community Sports Activities	Infrastructure / Transport / LTB
Half Term / Summer Holiday Activities	Planning
Leisure Services & Sport	Decent & Affordable Housing Development
GP Commissioning / PCT Engagement	Gateways Project
Healthier Communities / Lifestyles	Heritage Conservation
Environment & Waste Management	Public Housing and Vulnerable People
Cllr Stephen Doyle	Cllr Michael Greatorex
Portfolio	Portfolio
Strategic Waste Management	Strategic Housing
Refuse Collection	Homelessness Prevention
Recycling Services	Housing Advice
Waste Minimisation	Landlord Services
Environmental Health	Private Sector Housing
Community Health & Safety	Child Protection
Corporate Health and Safety	Safeguarding Children
Licensing	Vulnerable Adults
Streetscene	Neighbourhood Renewal
Tamworth in Bloom Operations	Healthier Housing
Clean Streets Enforcements	Public Sector Garages
Street Furniture Maintenance	HRA Business Planning
Parks and Play	HRA Consultation
Nature Reserves	Tenant Engagement
Street Wardens	Decent Homes Standard
Integrated Enforcement	

The constitution and membership of Committees for 2013/14 was received and circulated at the meeting as follows:

BOROUGH OF TAMWORTH

CONSTITUTION OF COMMITTEES 2013/14

CABINET

Councillors	Danny Cook	Leader with Portfolio
	Robert Pritchard	Deputy Leader/Operations & Assets Portfolio
	Stephen Doyle	Environment & Waste Management Portfolio
	Jeremy Oates	Community Development & Voluntary Sector Portfolio
	Steven Claymore	Economy & Education Portfolio
	Michael Greatorex	Public Housing & Vulnerable People Portfolio

ASPIRE & PROSPER SCRUTINY COMMITTEE

Councillors	Tina Clements
	Garry Hiron
	Andrew James
	Richard Kingstone
	Allan Lunn
	Matthew McDermid
	Simon People
	Patrick Standen
	Michelle Thurgood

HEALTHIER & SAFER SCRUTINY COMMITTEE

Councillors	Lee Bates
	Margaret Clarke
	Marion Couchman
	John Faulkner
	Andrew James
	Joan Jenkins
	Richard Kingstone
	Allan Lunn
	Evelyn Rowe

PLANNING COMMITTEE

Councillors	Steven Claymore
	Chris Cooke
	Maureen Gant

Richard Kingstone
Richard McDermid
Ken Norchi
Jeremy Oates
Evelyn Rowe
Patrick Standen
Michelle Thurgood

AUDIT & GOVERNANCE COMMITTEE

Councillors Marion Couchman
Ken Gant
Maureen Gant
Simon People
Steven Pritchard
Peter Seekings
Michelle Thurgood

LICENSING COMMITTEE

Councillors Lee Bates
Margaret Clarke
Tina Clements
Danny Cook
Chris Cooke
Stephen Doyle
Ken Gant
John Garner
Garry Hirons
Andrew James
Joan Jenkins
Allan Lunn
Matthew McDermid
Ken Norchi
Peter Seekings

APPOINTMENTS AND STAFFING COMMITTEE

Councillors Danny Cook
John Faulkner
Michael Greatorex
Richard McDermid
Robert Pritchard

CABINET (GRANTS) SUB COMMITTEE

Councillors Steven Claymore
Stephen Doyle
Robert Pritchard

Staffordshire Connects (1 member)**Local Parking Board (4 members)**

Steve Claymore
Rob Pritchard
Patrick Standen
Michelle Thurgood

Staffordshire Joint Parking Board

Jeremy Oates

SCC Communities Crime & Culture Committee (1 member)

Tina Clements

County Health Scrutiny Committee (1 member)

Andrew James

12 THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) REGULATIONS 2013

The Report of the Leader of the Council seeking to advise Members of the particulars of each urgent executive decision and a summary of the matters in respect of which the decision was made under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 Regulation 19 was considered.

RESOLVED: That the Annual Executive Arrangements report be endorsed.

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

13 REVIEW OF THE CONSTITUTION AND SCHEME OF DELEGATION

The Report of the Leader to the Council and Solicitor to the Council and Monitoring Officer seeking to obtain Council comments, endorsement and approval of the reviewed Constitution and Scheme of Delegation was due to be considered.

A Motion was made:

“That tonight Council re-adopt the current Constitution and Scheme of Delegation until 25th June 2013. Thus a seminar/workshop for all members can be arranged before then on the changes to the Constitution and then the new Constitution debated and hopefully adopted at the Full Council meeting on the 25th June 2013 and the Forward Plan be updated accordingly.”

(Moved by Councillor D Cook and moved by Councillor R McDermid)

14 MEMBERS CODE OF CONDUCT UPDATE

The report of the Solicitor to the Council and Monitoring Officer advising Members on the number of complaints received for the year 01 July 2012 until 30 April 2013 in relation to breaches of the Code of Conduct since the implementation of the part of the Localism Act 2011 which changed the system of regulation of Standards of Conduct for elected and co-opted Councillors was considered.

RESOLVED: That the findings of the contents of the report be endorsed.

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

15 CALENDAR OF MEETINGS 2013/14

The Calendar of Meetings for 2013/14 was received and circulated at the meeting.

RESOLVED That this Council accept the calendar of meetings for 2013/14 before us this evening with one amendment. That the Planning Committee meeting on 21 May be delayed until the 11 June as the majority of members of this Council have a meeting to review the new arrangements at Whittington Barracks the evening of 21 May and then that the meeting on 18 June be cancelled and all business be taken to the meeting on 11 June.

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

The Mayor