

NON-CONFIDENTIAL



Borough of Tamworth

10 November 2023

Dear Councillor

You are hereby summoned to attend a **meeting of the Council of this Borough** to be held on **MONDAY, 20TH NOVEMBER, 2023** at 6.10 pm in the **TOWN HALL, MARKET STREET, TAMWORTH**, for the transaction of the following business:-

AGENDA

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 To receive the Minutes of the previous meeting (Pages 3 - 20)**
- 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 To receive any announcements from the Mayor, Leader, Members of the Cabinet or the Chief Executive**
 - a Changes to Committee Membership
- 5 Appointment of the Planning Committee Chair**
- 6 Nomination of Honorary Alderwoman - Michelle Cook**

To consider conferring the title of Honorary Alderwoman on Michelle Cook under Section 249(1) of the Local Government Act 1972, in recognition of her services to the Council whilst she was a member of the Council, having served as a Councillor of the Borough of Tamworth for at least three consecutive terms.

7 Appointment of the Chief Executive (To Follow)

(Report of the Leader of the Council and Chair of the Appointments and Staffing Committee)

Yours faithfully

A handwritten signature in black ink, appearing to be 'A. B.', followed by a long horizontal line extending to the right.

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](#)

Marmion House
Lichfield Street
Tamworth



MINUTES OF A MEETING OF THE COUNCIL HELD ON 19th SEPTEMBER 2023

PRESENT: Councillor J Harper (Mayor), Councillors D Maycock, T Jay, C Adams, B Clarke, L Clarke, G Coates, C Dean, L Wood, D Cook, R Claymore, A Cooper, S Daniels, S Doyle, R Kingstone, R Pritchard, S Smith, M Summers, P Thompson, P Thurgood and J Wadrup

The following officers were present: Andrew Barratt (Chief Executive), Nicola Hesketh (Monitoring Officer) and Tracey Smith (Democratic Services Assistant)

41 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Turner, C Bain, M Bailey, T Clements, J Jones B Price J Wade.

42 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the four previous meetings held on 23rd May, 2023 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor T Jay)

The minutes of the meeting held on 26th June 2023 were approved and signed as a correct record.

(Moved by Councillor T Jay and seconded by Councillor J Wadrup)

The minutes of the meeting held on 18th July 2023 were approved and signed as a correct record.

(Moved by Councillor L Wood and seconded by Councillor T Jay)

The minutes of the meeting held on 21st August 2023 were approved and signed as a correct record.

(Moved by Councillor S Smith and seconded by Councillor S Daniels)

Councillor C Dean raised an observation that she felt more narrative was required in the minutes on the important discussions during this particular meeting and the conclusions arrived at. This was duly noted by the Chief Executive.

43 DECLARATIONS OF INTEREST

Councillor R Kingstone declared an interest in relation to Item No.6, as the Petition organiser.

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

The Mayor made the following announcement

I've just got two things I want to flag up, one concerns a proposal which I'm intending to take forward if I can and this is to stage in either March or April a Tamworth Festival of Youth, under the title 'Young Tamworth'. This is a proposal to stage a celebration of youth and the aim is to provide Tamworth school and college students and youth groups with an outlet for artistic and sporting endeavours. A key objective would be to foster Civic Pride, something that I'm particularly, desperately, want to do in my term of office and make awareness of Tamworth's history and culture and make all of these more accessible to young people. Tamworth Borough Council would be a key partner in organising the festival along with many voluntary organisations and groups which I'll hopefully be able to put together, and with the aim of forging closer links between young people and the town in which they live. The initial idea is for a week-long series of events in March or April and various components would include an original writing competition all about Tamworth - all of these things would be about Tamworth - a photography competition: the good, the bad and the ugly, asking students to provide three pictures that they think aptly reflects the town in which they live, a painting competition, a film-making competition, a chess competition perhaps. A Young Tamworth quiz competition. If we can do it, a swimming competition, a 5-a-side football competition and athletics competition. These would all obviously require a lot of organisation if I can get it all together. A Youth Marathon perhaps we could include in it, along with a music competition and the other thing I'm looking at is to try to establish, is to put on a concert featuring our young people in whatever particular endeavour they're going forward in so that we can stage and show the people of Tamworth the positive aspects of our brilliant, brilliant young people of which we have so many in this town. If I come across amongst you at some point asking for help, advice and anything else I can think of that will make this particular project come to fruition, I will be doing so, so I want to make you all aware of that's what I'll be doing in the next few months.

So thank you very much for that, the only other thing I want to tell you is I'm also looking to stage a Mayoral Concert and the initial date I've got is Saturday February 10th. This will be held at the Assembly Rooms with the sole proviso of raising funds for the Mayor's Appeal, I hope to make it a really good show that will have wide appeal and hopefully will attract you all to come along to it, so that's Saturday February 10th.

On behalf of Cabinet, Councillor S Smith, made the following announcement

Thank you, Mr Mayor. Right, I'd like to take a moment to provide a brief update regarding the Leaseholder matter discussed during Extraordinary Council on August 21st. Currently we're in the process of initiating a tender for an external independent consultancy to assist us in conducting a comprehensive strategic review. We are finalising a scope of work which will be presented to the Cabinet Committee of all the pertinent details and I want to emphasise that I have requested that the scope of this independent consultancy remains flexible to accommodate any additional issues that may arise during the course of the strategic review and to allow for the input of stakeholders including elected Members. I understand that unforeseen matters may come up and we want to be prepared to address them. In the coming weeks I will reach out to the Chairs of Scrutiny Committees to invite Members to join a working group as previously outlined during the last Extraordinary Council meeting. My next update and report will be presented during the Cabinet Committee meeting scheduled for October 28th.

45 QUESTION TIME:**QUESTIONS FROM MEMBERS OF THE PUBLIC NO.1**

Under Procedure Rule No 10, Mr Simon Goodall, of Tamworth will ask the Portfolio Holder for Entertainment & Leisure, Councillor Andrew Cooper, the following question:-

Our region has a rich canal heritage; Tamworth is boundaried and bisected by the Coventry Canal with the Fazeley Canal just a stones throw away. As you all know, canals are a growing part of the leisure sector both on and off water and provide important safe transport links as well as important ecological benefits contributing to the Council's green agenda. Can the Portfolio Holder commit the Council to supporting the Canal and River Trust in any way possible to provide support in light of future cuts to the grants provided by government?

Councillor A Cooper gave the following response

Thank you for your question.

Tamworth is very lucky to have a canal network and the Borough Council recognises the economic, social and environmental benefits that waterways deliver. As you rightly point out they are important for leisure, recreation and tourism uses and can provide sustainable transport routes for those walking and cycling. The Canal & River Trust is the charity who look after and bring to life 2000 miles of canals & rivers across England and Wales.

The Borough Council's Local Plan provides a supportive policy framework which assists in unlocking the potential contribution and value of waterways to communities and individuals in Tamworth. Policy EN3 ensures that quality and

accessibility of the canal and river corridors will be supported providing ecological value is not compromised.

The Canal and Rivers Trust is a statutory consultee in the Development Management process, and they have recently updated guidance on when they are consulted by Local Planning Authorities. As a result of new development in Tamworth adjacent to the canal network the planning team have secured £443K on behalf of the Canal and Rivers Trust, courtesy of the Dunstall Lane development site, to improve 1.1km of canal towpaths.

Through the planning system the Council has secured a significant amount of money to directly support the Canal and Rivers Trust. As a charity engaged in the planning system, this is the best form of support we can provide.

Supplementary

In light of your answer, could you commit to tabling a motion to Council that the Leader of the Council write to the appropriate Minister encouraging existing funding to be maintained based on those important benefits to our town.

Answer

I would be supportive of that we need to raise the local issue we have a lot of canals and I would be happy to support that motion.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2

Under Procedure Rule No 10, Mr Simon Goodall of Tamworth will ask the Leader of the Council, Councillor Paul Turner, the following question:-

The school uniform swap stall that was led by Cllr Clements was clearly so helpful for many families in this time of tighter finances. Does the leader believe a motion should be brought to Council to write to all local schools encouraging these ridiculous uniform policies of having to have logo branded clothing articles that causes undue strain on Tamworth families to be relaxed?

The Deputy Leader, Councillor T Jay, gave the following response

Thank you for the question. You're quite right, Councillor Clements and all of the volunteers that helped did an amazing job; it was definitely a godsend to the families that used it. I know that when I was a kid it would have been a godsend so absolutely fully support and commend them for that.

Sometimes when we're in here we often can say that's not in our remit as a Councillor, which this kind of thing isn't, however, in our positions I think it is important to lobby and influence wherever we can so I would support that in getting something sent in. Yes, absolutely.

Supplementary

Does the Deputy Leader of the Council agree education is far more important than what a student wears?

Answer

Yes, of course. I know schools have their policies for other reasons, for things like monitoring skirt length and that kind of thing, but absolutely, education is of course more important. I believe the process here, if I'm right, is the same as the last one if we're going to put a motion for Members to sign off at the next meeting. I'm happy to support that and get that through.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 3

Under Procedure Rule No 10, Mr Dennis Powick of Tamworth will ask the Portfolio Holder for Entertainment & Leisure, Councillor Andrew Cooper, the following question:-

Will the responsible Portfolio Holder please indicate within his portfolio responsibility for Tamworth Borough Council Cemeteries what contact does the Tamworth Borough Council have with the Commonwealth War Grave Commission on a formal or informal basis?

Councillor A Cooper gave the following response

The communication we have with Commonwealth War Grave Commission tends to be driven by them, as an example they may contact TBC to ask if they can come in and tend to the graves in our cemeteries.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 4

Under Procedure Rule No 10, Mr Dennis Powick of Tamworth will ask the Leader of the Council, Councillor Paul Turner, the following question:-

Will The Leader be able to share any information with me, within his wide-ranging portfolio responsibilities, especially in respect to what Tamworth Borough Council intend to do in supporting Tamworth's rate paying residents who do not have, or cannot afford, internet access for their future banking requirements? This is an obvious worry within a slowly diminishing extremely important service sector based within the town centre.

I sincerely hope the foresaid Council have taken into account the major banking concerns residents have within their own well published Town Centre Development Plan amid the continued town centre bank closures.

The Deputy Leader, Councillor T Jay, gave the following response

While I thank Mr Powick for his question, the Council is unable to provide internet access for its residents to provide access to future banking requirements, as this is outside of our remit as a local authority.

I understand several banks have made commercial decisions to remove branch access, while some have made the decision to remain open for face to face contact with their customers.

Several of our voluntary sector partners also offer assistance to people, certainly the CT CIC and Tamworth Advice Centre to name two.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor Jeremy Oates will ask the Leader of the Council, Councillor Paul Turner, the following question:-

Following the government that an additional 104 school buildings (bringing the total to 154) are being forced to close as they are constructed of aerated concrete known as RAAC, will the Leader of the Council take immediate action and proceed with the works planned for middle entry to remove the structures containing this material (which were identified at the start of the year) including sourcing the funding required to remove this danger from the town centre streets without any more delays?

The Deputy Leader, Councillor T Jay, gave the following response

Thank you for your question and I think we can all say that the headlines around school closures because of defective concrete has been a shock.

Reinforced Autoclaved Aerated Concrete or RAAC for short, has been identified in the Middle Entry Shopping Centre which is in the ownership of the Peer Group. The landowners are currently investigating the extent and condition of the RAAC and a report will be available by the end of September. There is currently no legislation or guidance that requires public sector organisations to mitigate the issues of RAAC in buildings which are in private ownership. The responsibility for Middle Entry therefore rests with the Peer Group.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor Robert Pritchard will ask the Portfolio Holder for Environmental Health & Community Partnerships, Councillor Martin Summers, the following question:-

In the current council by-election, the opposition are campaigning to reopen a Tamworth Police Station. Could the portfolio holder please confirm that Tamworth Police Station did not close, it merely moved to a new location on Marlborough Way.

Councillor M Summers gave the following response

I am aware of misinformation circulating that alleges Tamworth does not have a police station and that in some cases, somehow that is deemed the fault of the council.

As misinformation is a pet hate of mine, I'm more than happy to confirm that the Police station is located on Marlborough Way in Tamworth. I know this because it says Police station on the front of it, I have been in it, there are police officers within it and police cars outside of it. Everything which would suggest that there is indeed a police station in Tamworth.

The Police station houses the neighbourhood policing team and there is a 24/7 response team at the station. The public can use the intercom call button as necessary (the same as the old police station) and the police also meet the public for managed appointments.

The Station Fire and Rescue Manager and the Chief Inspector would be perfectly happy to arrange another cross party visit at a convenient time (as they did in June this year).

The town centre station was unfit for purpose, and anyone who went in there would attest to that. The front desk at that station had been closed for some time prior to its move. I'm reasonably sure that if someone were to present outside of the police station in an emergency situation, that they would not be ignored and could use the call button on the front of the building. I would imagine it is much more efficient for the police to have initial reports by phone.

I can't speak for the police but from what I understand they are quite happy with where they are, it is more than suitable for their needs and strategically places to get to all parts of Tamworth quickly, being in the centre of the road network. I would call upon anyone spreading the falsehood that we have no police station in Tamworth to cease doing so, as it is both unfathomable as to why this would be asserted as well as harmful.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor Gareth Coates will ask the Portfolio Holder for Environmental Health & Community Partnerships, Councillor Martin Summers, the following question:-

Last year Tamworth Council along with 42 other councils didn't issue one Fixed Penalty Notices (FPNs) for fly-tipping, there were 1453 incidents and 1120 of enforcement actions in Tamworth. Not one of these lead to a Fixed Penalty notice, could the Council please explain why not one FPN was issued and how they are looking at dealing with fly-tipping in the future?

Councillor M Summers gave the following response

The figures currently reported relate to 1453 cases of fly tipping reported by the public (with some duplications) from April 2021 to March 2022 whereby 1101 cases were investigated by the Enforcement or Streetscene teams. The remaining cases were collected by Streetscene but there was no opportunity for investigation as the item was an object such as table or chair, for example, with no direct or likely source to an individual or property. Those items were disposed of appropriately.

1101 sites were visited for inspection, with none holding significant evidence that was immediately available, to enforce. A small amount of cases were reported by persons who named an offender, and these were delivered a statement in which to complete so that the evidence could be used. Regrettably, in that period, no signed statements were received to progress to prosecution. Since the end of the Covid era, inspections are now more thorough as health and safety allows for the teams to delve deeper into bags of waste or fly tipped items.

As a local authority we will take appropriate and proportionate action where absolute evidence allows.

The Council have currently been awarded £26,000 through a flytipping grant from DEFRA and we have taken steps to independently gather evidence by purchasing 6 overt deployable cameras that will be installed at fly tipping hot spots over the next couple of weeks. The camera will record fly tipping and capture evidence of the offender directly. It is envisaged that this evidence may be suitable to pursue fixed penalty notices going forward to reduce and deter fly tipping locally. These cameras can be easily removed and replaced and will be followed up with significant signage, media campaigns and local advertising. We would encourage the public to continue to report issues.

To date in 2023, there has been one successful £400 fixed penalty issued.

Considering the Government's recent ASB Action Plan, the Environmental Crime Policy will also be reviewed with proposals for updated penalty charges to further deter flytippers.

Supplementary

When people get fined then that money will go to the council is it possible that any of that money I'm guessing it's not in the budget but you can correct me on that. Is it possible for any of the litter picking groups to have access to that for costs like black bags they pay for them themselves and I wondered if some of this fine money could be donated for their equipment.

Answer

It is probably not necessary to ring fence the money that comes in for the fines because we have quite a robust grants scheme and everybody is welcome including litter pickers to apply to it, so hopefully at some point next year us Councillor's will have more than the £400 that we currently have to be able to give to groups like that. So hopefully we can carry on funding then for as many bags as they want. It is a great opportunity to thank our litter pickers they are the unsung heroes and do a fantastic job and looking at the face book groups seeing them putting their bags of rubbish is both upsetting and pleasing at the same time. They shouldn't have to do it their they community spirited people and I really appreciate what they do for this town.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

Under Procedure Rule No 11, Councillor Gareth Coates will ask the Portfolio Holder for Entertainment & Leisure, Councillor Andrew Cooper, the following question:-

There is a piece of grass that runs from 112 Comberford Road to number 124, a few years ago the tree were removed for health and safety reasons. The reason was, there were Conker trees planted here and kids were going into the busy road to get them, the residents were told the trees would be replaced. Are they any updates on when the new trees are likely to be planted?

Councillor A Cooper gave the following response

The area of ground you are referring to is surrounded on both sides by SCC maintained roads. I would imagine if the tree was removed because of an issue with the road, it would have been a SCC operation. According to our Terra Nova system the ground appears to belong to TBC but, as I said, because it is a small strip surrounded by SCC controlled roads it would come under their jurisdiction. Also, it may well have been decided that if a tree had to be removed due to a safety issue, would it be wise to replace one in the same place? I will contact a colleague in SCC and see if they have any records of the removal.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5

Under Procedure Rule No 11, Councillor Robert Pritchard will ask the Leader of the Council, Councillor Paul Turner, the following question:-

When the Arkall Farm development (now called Arkall Green) was at a planning stage I campaigned against it and argued how North Tamworth cannot sustain further development.

This authority took the matter to the Planning Inspector and we secured a partial victory with a Grampian Agreement and a "Monitor and Manage" approach to the development.

I am shocked to see that an application has been made to Lichfield District Council to allow the developer to change or remove the vital "Monitor and Manage" condition.

Can the Leader of the Council confirm what the authority is doing to ensure that this vital planning protection is not removed?

The Deputy Leader, Councillor T Jay, gave the following answer

Thank you for your question.

As you will be aware, outline consent for the Arkall Farm proposal was granted by the Secretary of State in June 2018 following a public inquiry. Representatives of the Council attended the inquiry and put forward a case against the proposal on

the grounds that it would have an unacceptable impact on infrastructure within Tamworth.

Ultimately the proposal was granted consent subject to a number of conditions including in relation to the monitor and manage approach mentioned. This approach requires the development to cease at a number of set points, and for the developer to demonstrate that there is no unacceptable impact on the highways network, or to implement measures to mitigate any impact, before the development can continue.

An application has been submitted by the developer to Lichfield District Council to vary this condition and change the agreed monitor and manage approach. Officer's from the Council's planning team will be reviewing the details of the application and submitting a consultation response which will make it clear that the Council objects to any proposal that would weaken the measures put in place to help protect Tamworth's highway network.

Unfortunately, however, in this instance the power to determine the application rests with Lichfield District Council and not Tamworth Borough Council, so the Council's ability to directly influence the proposal is limited to an objection only.

Supplementary

Whilst I understand the application is with Lichfield Council would the Deputy Leader agree that the authority has a responsibility to offer strong community leadership on this important issue and ensure that it is robustly representing the community views as the planning authority as well as fighting to protect our infrastructure north of Tamworth.

Answer

Yes totally agree with that as you know yourself and others in the room there are a lot of campaigning on this before and we are fully behind you and we fully are fully supportive of objecting again.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 6

Under Procedure Rule No 11, Councillor Lee Wood will ask the Leader of the Council, Councillor Paul Turner, the following question:-

Following on from a recent FOI request revealing that RAAC has been found in the buildings linked to the FHSF project, has the Council investigated the possibility of adjacent buildings having the same material?

The Deputy Leader, Councillor T Jay, gave the following response

Thank you for your question. The issue of RAAC has indeed occupied a considerable amount of time over recent weeks and following the announcement that a number of schools would be forced to close.

I can confirm that RAAC, or reinforced autoclaved aerated concrete, is present in the former Christopher's jewellers, which is now vacated as part of the Future High Streets Fund Programme. This is the only building within the programme owned by the Borough Council in which RAAC is confirmed as present. RAAC removal from this unit will form part of the programme and hoarding has been erected around the site as part of safety measures associated with the project.

I can also confirm that RAAC is present in the adjacent Middle Entry buildings and surveying has been undertaken by the Borough Council on the two bridge links, which bookend either end of the Middle Entry passage. The removal of the bridge links and roof form part of the FHSF works to the Middle Entry buildings. Peer Group, the owner of Middle Entry, have been undertaking RAAC surveys on the rest of the Middle Entry estate, the contents of which will be shared with the Borough Council in the next couple of weeks.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 7

Under Procedure Rule No 11, Councillor Daniel Cook will ask the Leader of the Council, Councillor Paul Turner, the following question:-

Can the Leader of the Council confirm he believes there is still a point of operating Scrutiny Committees at Tamworth Borough Council?

Does the controlling group take them seriously?

The Deputy Leader, Councillor T Jay, gave the following response

Its very easy yes we do, but I know now that I've been in this for 5 years that this is tee'd up for something else but yes of course we do.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 8

Under Procedure Rule No 11, Councillor Daniel Cook will ask the Deputy Leader of the Council and Portfolio Holder for Operations and Finance, Councillor Thomas Jay, the following question:-

Given recent news that Birmingham City Council has served a section 114 notice, and that Stoke are not far behind. Noting as well that Woking and Thurrock are in the same dire place.

Does he believe that the process of setting the 2024/25 MTFS is business as usual, i.e. trim bits here, remove bits there, set income targets we never fully meet etc... or is it time for a much more radical approach to secure the long term financial viability of TBC?

Councillor T Jay gave the following response

At its meeting on 8th August 2023, Corporate Scrutiny Committee received the Quarter 1 Corporate Performance report including the updated MTFS forecasts as at 30 June 2023.

Updates to the MTFS are considered by Corporate Management Team, Corporate Scrutiny Committee and Cabinet on a quarterly basis – based on the financial information contained within the MTFS approved by council in February each year (following the detailed discussions held and information reported during the budget process) but informed by and in light of any developing financial issues as they arise.

As a result of the updated forecast at quarter 1, July 2023, the forecast projections now identify General Fund balances of £3.7m by 2025/26 (compared to £1.1m as part of the approved MTFS forecast in February 2023), a shortfall of £0.7m by 2026/27 (compared to a shortfall of £4.1m), a shortfall of £4.8m by 2027/28 (compared to a shortfall of £9m), with a shortfall of £9.5m by 2028/29.

Under the best case scenario, General Fund balances are forecast at £4.3m by 2025/26, £1.1m by 2026/27, with a shortfall of £2.9m by 2027/28, and £6.9m by 2028/29.

Under the worse case scenario, General Fund balances are forecast at £0.3m by 2025/26, with a shortfall of £5.3m by 2026/27, £10.7m by 2027/28, and £16.6m by 2028/29.

There remains a high degree of uncertainty arising from the most significant changes in Local Government funding for a generation - arising from the Fair Funding Review, review of the Business Rates Retention (BRR) scheme, reset of the Business Rates baseline and the ongoing uncertainty over the funding for the New Homes Bonus scheme.

While we are aware of these forthcoming changes, little to no information is available on the potential impact for individual Councils' finances.

We will therefore need to consider the approach to forecasting and planning for these uncertainties balancing the risk to the MTFS against the need for savings and potential service reductions.

As members will be aware, savings are usually considered annually as part of the budget process, and managers have again been asked to identify further areas for potential savings and growth opportunities for consideration by Members as part of the budget process.

With the ongoing uncertainty around the fair funding review and business rates reset, it makes it difficult to plan in the longer term - which is what we have experienced for the past 10 years as the review has been deferred numerous times and now is a question of if rather than when it could happen.

A further consideration is the potential scale and scope of any government funding reductions, which is currently unknown. **There needs to be a balance between hoping for the best and planning for the worst - which would**

include consideration of cost efficiencies, increased income and ultimately service reductions. Therefore it is suggested that the focus be on achieving a balanced 3 year MTFS, pending further clarification regarding the planned reforms to local government finance.

To enhance the MTFS process and in recognition of the ongoing financial risks for the organisation, a new Sustainability Strategy will be developed to provide a long term approach to sustainability planning including, management of financial risk, enhancing the effectiveness of service delivery and maximising commercial opportunities across the organisation.

With regard to the Housing Revenue Account, a 5 year MTFS was approved by Council including significant investment in meeting future housing needs to sustain the HRA in the longer term.

As a result of the updated forecast at quarter 1, July 2023, the forecast projections now identify HRA balances of £1.5m by 2025/26 (compared to £2.8m as part of the approved MTFS forecast in February 2023), £1.3m by 2026/27 (compared to £2.4m), £1.2m by 2027/28 (compared to £2.2m), with balances of £1m by 2028/29.

Under the best case scenario, HRA balances are forecast at £3.5m by 2025/26, £4.3m by 2026/27, £5.3m by 2027/28, and £6.2m by 2028/29.

Under the worse case scenario, HRA balances are forecast at £1.4m by 2025/26, £1.2m by 2026/27, £1m by 2027/28, and £0.9m by 2028/29.

However, there are anticipated cost pressures for the HRA identified during the ongoing work in updating the 30 year HRA business plan. Previous indications from the modelling are a potential shortfall over 30 years of £42m plus a significant and unsustainable increase in HRA debt levels arising from the capital programme pressures (of over £200m over 30 years). We are currently working on the updated projections and scenarios within the modelling which will then inform the future strategy and potential options for consideration.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 9

Under Procedure Rule No 11, Councillor Craig Adams will ask the Portfolio Holder for Housing & Planning, Councillor Samuel Smith, the following question:-

How long on average does it take for a council house that has a problem to be fully resolved - what is the average in the Belgrave ward?

Councillor S Smith gave the following response

In respect of repairs:

Repairs will fall into one of three categories based on the nature of the repair, this is set out in the [Repairs Policy](#) which can be found on our website.

Emergency Repairs(ER) - the target completion time for these is 1 day. In 2022/23 96% were completed on time (average time 1.04 days)

Urgent Repairs(UR) - the target completion time for these is 5 days. in 2022/23 89% were completed on time (average 6.37 days)

Routine Repairs(RR) - the target completion for these is 26 days in 2022/23 91% were completed on time (average 22.8days)

Average across all jobs was 13.9 days.

Unfortunately I am not able to filter the data by Ward as the address data in the Orchard Housing Management System doesn't contain Ward level data.

Supplementary

Would it be possible in the future if we could have these records break down to Wards so we can get information on how different wards are performing.

Answer

I was thinking the same thing, at the moment we are limited by this orchard Housing system but why can't we break it down by Ward. I will go back and see if we can get some answers maybe it as to be something that we put towards the Corporate Scrutiny Committee and hopefully we can get over come these limitations as I think this information by ward is quite vital.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 10

Under Procedure Rule No 11, Councillor Carol Dean will ask the Portfolio Holder for Entertainment and Leisure, Councillor Andrew Cooper, the following question:-

Can the portfolio holder please confirm to me what responsibility the Borough Council has with regard to local green spaces.ie: general maintenance around our estates with paths, roads, gullies and drains, tress and hedgerows. Can he explain the dividing line between County and Borough responsibility and the responsibilities undertaken by Street Scene?

Councillor A Cooper gave the following response

The dividing line between County and Borough responsibilities in its most simplistic terms is -: Staffordshire County Council is the Highway Authority so they are responsible for all the assets associated with the highway (including cycleways which are classed as Highways) this includes lighting, highway drains and gullies, infrastructure, bridges (although some bridges do belong to other utilities). There are anomalies to this rule though, for example, if SCC has not adopted the highway, obviously it will not fall to SCC (Note: TBC own Sorrel and Trefoil, SCC inspect on TBC's behalf).

Footpaths that belong to SCC tend to be any footpath that doesn't lead directly to one singular house, is a link footway between estates and main roads, runs alongside a main road, a multi-use footway that leads to another site.

SCC employ inspectors to audit the condition of their assets and TBC also pay for this service for their inspectors to inspect TBC assets too, through the Reverse Agency Agreement. We also maintain SCC grass verges through this too.

TBC hold no responsibility for the highways, this is an SCC responsibility and liability.

It could be said for all the information requested that in certain localities, hedgerows, grass verges and trees are all the responsibility of SCC when they sit alongside the highway. However, this isn't totally clear, hedgerows can be the responsibility of the landowner/ landlord/private resident.

On occasions, TBC can even require a Land Registry search to ascertain ownership.

Housing footpaths tend to be in housing estates and are only there to serve the local houses, access to individual residents, again there are anomalies. Footpaths in public open space tend to be TBC. Drains and gullies in housing parking areas, or amenity areas are most likely TBC, unless it's a private, or housing association area.

Separating the SCC and TBC responsibilities are complex, again generally speaking trees within public open space, inside council estates, within the community areas and paved areas tend to be TBC, the highways trees tend to be on or adjacent to the highways, the complexity of this is difficult for officers to understand at times. County often site a "rule" stating that the tree is the responsibility of the adjacent landowner.

TBC are legally required to litter pick, empty bins and generally keep the place reasonably free from detritus. However, grounds maintenance isn't party to the same rules, but TBC endeavours to prune all of our shrub beds, hedges etc once a year, during the winter months as well as also picking up a lot of SCC hedge lines as part of the reverse agency agreement.

As can be seen this can be very confusing, if the member would like to meet directly with the officer to discuss specific sites then the officer will be happy to assist.

Supplementary

Is it possible to have a copy of the comprehensive answer that the officers have put together. I don't think that clarified much at all without seeing what they've put through and as you know from previous comments I've made in several different areas we've been inundated with complaints from people about the state of our forgotten estates so what I was looking for here was to find out who exactly we can go to to start getting some thing done for the residents of Tamworth

Answer

I would strongly suggest if you are receiving many complaints about various different assets in the first instance you take them to Street scene via myself if you do have issues with that if they have been reported they have probably been reported to various departments. If you have no luck with that absolutely bring those individual cases to me. I see a lot on social media with regards to certain different parts of the borough that people complain about and 9 times out of 10 when I chase them up they don't belong to TBC and it is someone else's responsibility. Yes I would love to see a service where we cut every single grass verge and assets but we don't not have a magic money tree to pay for our services. We are not going to be the council that run it like that. I will say Civic pride does not just extend to the Mayoral events that are put on it is also about taking civic pride in your surrounding areas. If there are major issues please raise them to the various processes that are in place, but we do have a lot of good processes put in place. I do feel that street scene come into for a bad rep but they do some fantastic work they do on a daily basis.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 11

Under Procedure Rule No 11, Councillor Rosey Claymore will ask the Portfolio Holder for Town Centre & Commercial Property, Councillor Paul Thompson, the following question:-

I had the pleasure of visiting the "We Love Tamworth" event over the weekend of 9th and 10th September.

A fantastic event showcasing our town and what we have to offer. You can imagine how extremely concerned and disappointed I was to see three of the public toilets were out of order. Can you explain why these facilities were out of service, when it was known they would be out of order, and why appropriate measures were not taken to ensure the facilities were in working order for such an important event?

Councillor P Thompson gave the following response

Unfortunately these toilets were taken out of use pending the completion of various repairs which were beyond our control, the closure was not planned and the repairs were completed as quickly as possible with the toilets being brought back into use as soon as the repairs had been completed.

I can add that in terms of the event an additional 8 toilets were provided as well as one toilet dedicated to caterers only and one toilet for backstage.

I can't tell you when they first went out I haven't got that information at this moment in time.

Supplementary

Can I have that information sent out please.

46 PETITION - TO SEE A FULLY FUNCTIONAL COUNCIL FRONT DESK SERVICE RETURNED TO THE TOWN CENTRE

PETITION – To see a fully functional Council front desk service returned the town centre

Councillor Richard Kingstone, petition organiser, presented the following petition

A petition was submitted to the Council to petition the Council to return a fully functional front desk service to the town centre.

When Covid hit, Tamworth Borough Council closed its customer service desk to all visitors. As the restrictions forced upon us by the pandemic eased, the ability for residents to access council services and advice in person did not return. The reason given being that to make operational savings, the home of council (Marmion House) should be sold and a new facility be provided. Several years on this has not materialised.

Assurances have been made that residents can access a face to face service at the Assembly Rooms. This is woefully impractical and does not allow residents to get support and advice when needed. Access to planning applications, confidential conversations and much more are no longer provided.

Those who are most vulnerable, disabled, do not have access or the skills to use the Internet, or simply want to discuss an issue in person are being disadvantaged. This is not right.

We are asking the Leader of Tamworth Borough Council and it's members to return to some sort of fully functional front desk service that allows residents to access council services and to do this immediately. We acknowledge that Marmion House needs to be sold off as quickly as possible but feel there are more than enough properties available within the town centre to restore these vital services immediately.

Following on from debate the following motion was moved

Resolved that Council

bring back to the final full council of the municipal year the investigation findings and options for this service for a decision.

(Moved by Councillor T Jay and seconded by Councillor A Cooper)

47 ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2022/23

Report of the Portfolio Holder for Operations and Finance on the Council's Treasury activity for 2022/23, and the actual Prudential Indicators for 2022/23.

RESOLVED That Council:

1. Approved the actual 2022/23 Prudential and Treasury Indicators within the report and shown at Appendix 1; and
2. Accepted the Annual Treasury Management Report for 2022/23.

(Moved by Councillor T Jay and seconded by Councillor D Cook)

The Mayor