



## **MINUTES OF A MEETING OF THE COUNCIL HELD ON 9th JULY 2024**

**PRESENT:** Councillor G Coates (Mayor), Councillors C Bain, C Adams, B Clarke, M Clarke, R Claymore, T Clements, M Couchman, S Daniels, C Dean, D Foster, H Hadley, T Jay, K Norchi, J Oates, P Pallett, L Smith, S Smith, N Statham, M Summers, P Turner, L Wood and A Wells

The following officers were present: Stephen Gabriel (Chief Executive), Nicola Hesketh (Monitoring Officer) and Leanne Costello (Senior Scrutiny and Democratic Services Officer)

### **21 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors N Arkney, M Bailey, S Doyle, R Kingstone, B Price and J Wadrup.

### **22 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 21<sup>st</sup> May 2024 were approved and signed as a correct record.

*(Moved by Councillor Cllr L Wood and seconded by Councillor C Dean)*

### **23 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **24 TO RECEIVE ANY ANNOUNCEMENTS FROM THE MAYOR, LEADER, MEMBERS OF THE CABINET OR THE CHIEF EXECUTIVE**

**The Leader of the Councillor, Councillor C Dean made the following announcement:**

I just thought it would be a good point to thank our Chief Executive, Stephen Gabriel and all the Officers for the work that they did in the past few weeks to secure an effective and successful election process. I know this has taken so much time out of everybody's day and we're grateful that it worked so well in Tamworth and that there no incidents so thank you for that. And of course, I'm more than pleased with the result and would like to record my congratulations to

our re-elected MP, Sarah Edwards and we look forward to working with her and a new Labour Government of course to the benefit of all the people of Tamworth and all our businesses of course.

**The Leader of the Opposition, Councillor T Jay made the following announcement:**

I would just like to echo the congratulations and we hope that she does a good job for all of us in Tamworth.

**25 QUESTION TIME:**

**QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1**

**Under Procedure Rule No 10, P Sharman, will ask the Portfolio Holder for Housing, Homelessness and Planning Councillor B Clarke, the following question:-**

**In the absence of Mr Sharman the Mayor asked the following question on their behalf:**

With the work on the bandstand now running passed it's initial timeframe when will the work be completed and what will the total cost of the refurbishment be?

**Answer:-**

Our contractors are in the final stages of the project, and it is anticipated that all works will now be completed by mid-August. As is often the case with structures of this nature additional elements that required repair and renewal were identified as the structure was opened up exposing parts of the structure that were not previously accessible. These additional elements of repair have resulted in the original programme being extended and the total cost of the building works is expected to be £107,000.

I would just like to add that this is an iconic landmark for Tamworth and want to get it right first time, hence the increased timeframe and I commend that work was started from the opposition on this important restoration.

**QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2**

**Under Procedure Rule No 10, P Sharman, will ask the Portfolio Holder for Housing, Homelessness and Planning Councillor B Clarke, the following question:-**

**In the absence of Mr Sharman the Mayor asked the following question on their behalf:**

With the ongoing work on this bandstand and the Initial cost rising was the job put out to tender in the first place?

**Answer:-**

Given the location of the bandstand and with it being a heritage asset it requires the attention of contractor who specialises in heritage works. The contract was not formally tendered as a separate piece of work, it was instead awarded to the contractor currently undertaking works at Tamworth Castle; this is a contractor who specialises in heritage type works and who has demonstrated their ability to deliver value for money on projects through a competitive procurement approach.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1**

**Under Procedure Rule No 11, Councillor T Jay will ask the Leader or the Council, Councillor C Dean, the following question:-**

In your recent campaign you regularly mentioned 'forgotten estates', even though you were already elected to most of them. The answer seemed to be 'well we're not in control'. Whilst I disagree with the premise that these estates were ever 'forgotten', I would like to now ask that, now that you are in control, what exactly have you done to improve these areas?

**Answer:-**

in preparation for this meeting I took a ride around Belgrave ward this morning, taking pictures of the kind of problems that we've been talking about, unfortunately I can't download them to wave them about sorry.

As most of you will be aware we are already working on our new corporate plan which will incorporate a focused environmental strategic priority around this area and as we go forward with the corporate plan, we will we want to acknowledge that we will work in collaboration and cooperation on enhancements and maintenance to the public realm with many partners including Staffordshire County Council and a wider stakeholder group. But, as you have three leaders on your group you well understand the pace of change that goes within the Council so be assured, we are already working on things, we are looking at our plans and how we can achieve some of this, but plans do take more than six weeks to put in place.

I would like to acknowledge that there are some innovations already in place, working on improving some of those sites. There was a lot of work that has already been done by the opposition and very recently in one of our meetings there was more resource put into Street Scene and we would like to think that that's partly to do with us highlighting that this was needed to be done.

There are all sorts of systems that are in place; a new neighbourhood impact team launched in 23/24 to support the community resilience; we have assisted living schemes to support OAP's, so where we were told that people needed to take responsibility for their own things, it's nice to see that we have schemes in place that will help the vulnerable. We have a team focused on maintaining alleyways garage sites and dying areas, but unfortunately that was one of the pictures that I took today was a gully way so we do need to be doing more talking and looking at where these areas are focused on what we can do about

them. Our Chief Executive Stephen Gabriel is making appointments with all Councillors to do ward walks, for us to better understand our wards and for us to explain to Steven what we see and the various issues that are local to us and I understand councillor Turner is already taken advantage of this so the system is already started.

As we go forward and we look at the things that we want to do, we do have to look at any changes that we wish to make in context of the budget pressures, and although it's true to say that the previous Conservative administration has set a balanced budget and the funding is in place for the next three years, there is a big problem because this budget requires the council to dip into its reserves (it's savings) to the tune of £1 million this year, 3.2 million next year and 4.7 the year after and we all know that that's clearly unsustainable we can't run a council running that deficit and we have to act now.

**Supplementary:**

You were elected on a ticket for change apparently, well it only seems to be change for the worse at the moment it's getting worse, the electorate probably wanted positive change so where is it?

**Answer:-**

I would say you are all still Councillors, so if you are seeing those things, everybody needs to know about it, and it needs to be sent in in the normal way. Our Councillors on this side are out and about in their wards all the time and raising issues.

It is, as I said six weeks but that space with the General Election did seem to suck all the air out of everything so there has been little time mainly for our officers. We've had to keep working but we've been conscious of the effort that the officers have had to put in for the election, but as I say there are all sorts of plans in place. The corporate plan is taking shape and that will show our priorities, it will show where we need to do the work but we do need to be mindful of the budget so these things can't be done quickly, we've got to think about how we're going to fund things and what in that context we're not going to fund. We are hoping that the opposition will be coming forward and taking part in all those conversations because as I say again and again and again we want cooperation, we want collaboration, we want this to be done as a whole Council. We don't want to be seen as we're doing it, and you're opposing it, as we said this time last year, we're not going to oppose for the sake of it and I hope that that will come back the other way

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2**

**Under Procedure Rule No 11, Councillor T Clements will ask the Portfolio Holder for People Services, Leisure & Engagement, Councillor L Smith, the following question:-**

Can the cabinet member for events please tell me why on the 6<sup>th</sup> of June when the town came out to celebrate and remember D DAY there was not one single piece of bunting around the town?

**Answer:-**

To support the D Day celebration a range of events were hosted over the D-Day anniversary to commemorate it's anniversary.

The events included:

Over the DD anniversary weekend to commemorate the 80th Anniversary of the D-Day Landings, visitors were invited to send and receive messages via morse keys, use cypher wheels for a coding, guess the aircraft silhouette, and see if they have what it takes to pass an army medical.

In addition, at the Castle the Tamworth Wargames Club held a reenactment of some of the battles that followed the D Day Landings.

The Castle was also lit up over the weekend in red, white and blue to mark this important occasion too.

Further the D-Day Darlings performed two shows at the Tamworth Assembly Rooms as well as in the Market Square in Tamworth.

In terms of the use of bunting, unfortunately, this had not been discussed and in all honesty as a number of other large events were running was overlooked. I am sure members will appreciate Officers do work hard to offer a wide and varied range of events and we try to accommodate as many requests as we can. We are pleased to say the events mentioned earlier were well received, attended and appreciated.

**Supplementary:**

Without the veterans who fought and died for our country, we would have no heritage to celebrate and given that the town was decorated with other Athlestan banners at the time of D-Day, decorations could have been could have been done. Does the Cabinet Member feel that remembering our fallen is less worth it then remembering our heritage?

**Answer:-**

No of course not, however, as I've said the officers did put many events in place to commemorate our fallen during the D-Day anniversary. I understand and I do apologise for the fact that the bunting wasn't necessarily D-Day relevant however there was many things that were put on around the town to commemorate this event.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3**

**Under Procedure Rule No 11, Councillor T Clements will ask the Leader of the Council, Councillor C Dean, the following question:-**

Can the cabinet member for finance please answer why when the budget process for the ensuing year was done a line was added for Armed Forces Day commemorations of £1k yet the Royal British Legion will be invoiced for the hire of the lower lawn? Surely this is exactly what the budget is for.

**Answer:-**

Officers worked to support the Royal British Legion who made an external hire request for the Lower Lawns in the Castle Grounds and this event also had the associated Event Management Plans and Safety Advisory Group in advance of the event taking place.

It would appear upon further investigation that the £1k discussed during last year's budget process was not recorded and therefore included in the policy changes for the budget and as such, a further policy change will be submitted for further consideration. As you know we work very well with the Royal British Legion and you as their representative will hopefully make sure that this is kept highlighted and can be sorted out. Please keep on to us to make sure that this is sorted for next time.

**Supplementary:-**

Can the Cabinet Member give Members the assurance Veterans will continue to get the unwavering support that they have always had from the Council?

**Answer:-**

Yes Councillor Clements. I think everyone in this rooms knows this debt that we owe to our Veterans and we really, really support the work of the Royal British Legion does and want to be in as many things as we can because it really needs to be a whole town approach to these events.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4**

**Under Procedure Rule No 11, Councillor M Summers will ask the Portfolio Holder for Housing, Homelessness & Planning, Councillor B Clarke, the following question:-**

Further to the land on the Broom in Dosthill being taken up by school development. What is the council going to do to ensure other cherished public spaces in Trinity Ward and the wider town are not encroached upon by development.

**Answer:-**

Thank you for your question. An open space assessment is being carried out, by external consultants, as part of the evidence base to support the new local plan. The assessment will assess the quality and value of the open spaces around the

borough and help to determine which ones need to be protected/enhanced, and which ones might be suitable for alternative uses to meet the wider needs of Tamworth up to 2043. Open spaces in the Trinity Ward will also form part of the assessment.

I would also like to add that we do have the Local Plan Working Group and your input and ideas would be absolutely welcome if you would like to join that.

**Supplementary:-**

What specifically will we do to ensure that the County Council can't take bits of our parks and open spaces?

**Answer:-**

I think this is an issue that is going to take collaboration between different organisations, between the county and between the borough and collaboration across party. I don't have all of the answers so if we can together, we can properly work to protect our spaces and work out what use they are needed for. I get your point that we absolutely need to work together to make sure that our spaces are properly used and protected where necessary.

## **QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5**

**Under Procedure Rule No 11, Councillor M Summers will ask the Portfolio Holder for Environmental, Sustainability, Recycling and Waste, Councillor D Foster, the following question:-**

Further to recent traveller visits. What are the controlling group doing to ensure a robust response to illegal incursions on to land in the borough? Bearing in mind that during my tenure in charge of this, I instructed use of PSPOs and injunctions, is this still happening? What is your strategy?

**Answer:-**

Thank you for your question. The process and protocols from an eviction perspective remain the same. The Environmental Health team continue to monitor unauthorised encampments on Borough Council land, undertake welfare checks, and if necessary, when encampments are not moving on quickly, attain a court order through legal processes. This work is undertaken with support from Tamworth police and, during the eviction process, bailiffs. Officers ensure that all times members are kept informed with daily updates.

The use of Public Space Protection Orders to prevent unauthorised encampments is a power that the Council can consider but must be proportionate in its use. PSPOs cannot be used as a means to evict people, but may afford some deterrent, nor can be used to target the traveller way of life.

A full Council workshop on this matter has been arranged through recommendation from the Travellers Working Group and will take place in September.

In light of a legal challenge by representative of the travelling community around Police powers of eviction, we will take further legal advice and provide an update at the meeting.

**Supplementary:-**

Are PSPO's and injunctions, which are the only legal means that we can take to prevent travellers encamping on land going to be pursued as an option?

**Answer:-**

If and when appropriate those powers will be used by this Council and we are actively looking at how and when those orders might be appropriate.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 6**

**Under Procedure Rule No 11, Councillor T Jay will ask the Leader of the Council, Councillor C Dean, the following question: -**

Having recently tried to report an issue via the myStaffs app, it redirected to the Borough Council website. It seems that since the pages on the new site have completely changed, I got a page not found error rather than the information I needed. What co-ordination has been done between anyone such as other authorities or government, who linked to our site to ensure that the links remain valid. Is anyone monitoring the missing page errors to ensure these are easily picked up and dealt with?

**Response:-**

Thank you for your question Cllr Jay

I can confirm that for all Tamworth Borough Council website, officers run a broken links checker on a weekly basis, so they are immediately(weekly) aware of when partners such as Staffordshire County Council and Lichfield District Council change links and any issues are corrected right away.

Tamworth Borough Council officers were not aware of any issue between mystaffs app and TBC websites, however they have made contact with relevant County Council officers to discuss and rectify any issues with links.

**Supplementary:-**

If they check it weekly, why was this one not found?

**Answer:-**



I will have to go back and check that as I don't know what the dates of these are, so I would have to ask the officers to look into that and ensure that the weekly check is being done.

## **QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 7**

**Under Procedure Rule No 11, Councillor J Oates will ask the Portfolio Holder for People Services, Leisure & Engagement, Councillor L Smith, the following question:-**

Before the election, this Conservative group was working on plans to hold a celebration for Tamworth Football Club. Their recent double promotion will draw visitors to our town and should be celebrated. To date, in almost two months, we have not heard any more on this. Can the cabinet member please confirm their commitment to supporting what we started?

### **Response:-**

Thank you, Cllr Oates, for your question and I can confirm that I am committed to continuing what you started. There has been initial talks with Tamworth FC regarding the possibility of the council supporting a formal celebration of the clubs double promotion however, we are yet to hear back from the club in terms of suitable dates for the event. I would like to use this moment to congratulate Tamworth Football Club.

## **26 CONFER THE TITLE OF HONORARY ALDERMAN ON MICHAEL OATES**

On Tuesday 21st May 2024 it was resolved that, pursuant to section 249 (5) of the Local Government Act 1972 this Council did hereby confer the Title of Honorary Alderman of the Borough upon Mr Michael Oates in recognition of his eminent services to The Borough of Tamworth whilst he was a member of Tamworth Borough Council.

## **27 NOMINATION OF HONORARY ALDERMAN - DANIEL COOK**

**Resolved:** Pursuant to Section 249(5) of the Local Government Act 1972, in recognition of his services admit the title of Honorary Alderman of the Borough to Daniel Cook

*(Moved by Councillor T Jay and seconded by Councillor R Claymore)*

## **28 NOMINATION OF HONORARY ALDERMAN - ROBERT PRITCHARD**

**Resolved:** Pursuant to Section 249(5) of the Local Government Act

1972, in recognition of his services admit the title of Honorary Alderman of the Borough to Robert Pritchard.

*(Moved by Councillor J Oates and seconded by Councillor P Turner)*

## **29 CONSTITUTION & SCHEME OF DELEGATION REVIEW**

Report of the Leader of the Council / Monitoring Officer to obtain the Council's approval to the refreshed Constitution (including the Scheme of Delegation).

The Committee Considered the recommendation to approve and adopt the Council's refreshed Constitution (including the Scheme of Delegation) at Appendix 1.

A motion to amend the recommendation was proposed by Councillor M Summers.

### **Resolved that Council:**

1. Approved and adopted the Council's refreshed Constitution (including the Scheme of Delegation) at Appendix 1 and introduce a postage allowance and budget for nonpolitical mailings, such as advertisement of Councillors surgeries, to residents in our wards, controlled by democratic services. The Amount of which to be determined as appropriate.

*(Moved by Councillor M Summers and seconded by Councillor R Claymore)*

## **30 CODE OF CONDUCT REVIEW**

Report of the Leader of the Council / Monitoring Officer to obtain the Council's approval to the revised code of conduct procedures.

### **Resolved that Council:**

1. That the Council approve and adopt the Council's revised code of conduct procedures at Appendix 1.
2. That the Council approve and adopt the Council's revised documentation at Appendix 2 and associated code of conduct form at Appendix 3.
3. That the Council approve the revised code of conduct to be applied to new complaints received after 9th July 2024.
4. That the Council delegates responsibility to the Monitoring Officer for the updating of the Councils Constitution to reflect the recommendations contained within the report.

*(Moved by Councillor C Dean and seconded by Councillor L Wood)*

**31 EXCLUSION OF THE PRESS AND PUBLIC**

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

“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1&2 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”

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

*(Moved by Councillor M Summers and seconded by Councillor C Dean)*

**32 HONORARY FREEMAN OF THE BOROUGH (INDIVIDUAL)**

Report of the Chairman of the Nominations and Grants Committee to consider the Nomination received, considered and supported by the Nominations and Grants Committee.

**Resolved that Council:**

1. Considered the recommendation from the Nominations and Grants Committee;
2. Agreed that the Nomination is worthy of an award under S249 of the Local Government Act 1972.

*(Moved by Councillor D Foster and seconded by Councillor T Clements)*

---

The Mayor