



## **MINUTES OF A MEETING OF THE CABINET HELD ON 20th FEBRUARY 2014**

**PRESENT:** Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, S Doyle, M Greatorex and J Oates

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Rob Barnes (Director - Housing and Health), Andrew Barratt (Director - Assets and Environment), Stefan Garner (Director of Finance), Jane Hackett (Solicitor to the Council and Monitoring Officer), Robert Mitchell (Director - Communities, Planning and Partnerships), Steve Pointon (Housing Strategy Manager), Christie Tims (Head of Organisational Development) and Jane Eason (Communications and PR Manager)

### **100 APOLOGIES FOR ABSENCE**

None

### **101 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 23 January 2014 were approved and signed as a correct record.

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

### **102 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

The order of business was changed to deal with the Golf Course Re-Development Project report first.

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

### **103 QUESTION TIME:**

**QUESTIONS FROM MEMBERS OF THE PUBLIC**

**NO.1**

**Under Schedule 4, 13, Mr K Dolman, 7 Saint Andrews, Amington, Tamworth asked the Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-**

"Given that the Local Plan was withdrawn following serious concerns made by the Plan Inspector David Vickary with regard to proposed changes and a lack of consultation (Letter to Mr A Roberts, Development Plan Manager from Inspector David Vickery 15th February 2013) is it not the case that as the Council works towards a new plan they are still in disarray and that decisions regarding potential housing developments are being rushed in order to include them into the Local Plan?"

**Councillor S Claymore gave the following response:**

When the work was being carried out on the original core strategy of the then LDF (Local development framework) the guidelines at that time allowed for a much more flexible approach to producing LDF documents, the two main documents that could be produced were a core strategy and a site allocations document. However, towards the later part of our work, changes to national planning policy came into force which at the time were not clear and relatively untested in terms of external examination by the planning inspector. The submission draft of our core strategy / local plan was passed through full council where it was agreed to submit our plan in its then current format.

During the subsequent exploratory meeting and within the letter you refer to from David Vickery, the Planning Inspector, we were informed that we should specifically allocate more housing land to meet our housing needs. Our suggested modifications to allow for these changes in policy and to address the inspectors concerns would, in his words (I am concerned that these modifications might open the local plan to legal challenge.) he also went on to state that (the local plan would be very substantially and significantly different to the plan publicly consulted upon and then submitted for examination).

At no point in his letter does he refer to any lack of consultation to date. He did suggest that the most appropriate action is for the Council to withdraw the Tamworth local plan allowing us to make the modifications and to republish it for public consultation.

A report then went to full council in March last year recommending we do exactly that and this was unanimously supported. Council also established a cross party working group to oversee the revisions to the Local plan.

Our officers set out a clear work programme of what work was needed to be done and this has been kept to.

Since May last year work has been continuing to assess the potential of housing sites, which involves a technical and sustainability appraisal of each site and these sites have been sent to some 34 separate bodies for technical appraisal, including the Environment Agency, Staffordshire County Council, Severn Trent and Natural England.

In order to inform the long list of options for the future of the golf course and as agreed by Cabinet at its meeting on the 30th May last year, we included the golf course in the proposed sites for assessment. In order to include development within any of the subsequent options for the golf course, we had to assess the site for suitability for allocation.

So, based on all the open and transparent information that's been available since we took back the operation of the course in March last year and even under local Government timescales I don't consider 9 months to be rushing things and neither do I consider at any time that this Council was in disarray.

As far as the new local plan is concerned, we have looked at all the sites in the Borough and are only proposing allocating sites where there is a willing landowner and where any constraints can be overcome. Out of the 64 sites that were assessed we are proposing to take forward 4 Greenfield extensions and 19 Brownfield sites in the urban area, All other sites were either unsuitable having insurmountable constraints or not supported by a developer.

Following a decision by Cabinet, scheduled for the 13th March we expect the draft local plan consultation will start on the 31st March and will run for 6 weeks. At that consultation you can make your comments on specific policies or sites. The next consultation will then take place during the summer when the plan will be available for comments on its legal compliance and tests of soundness.

Following that the plan will go to full Council for approval and then be submitted to the Secretary of State for examination by the Planning Inspectorate, which will allow for further testing of the plan.

### **Supplementary question**

After a short discourse Mr Dolman was asked to put his supplementary question. He said that the question is: Will you give us some hope, a vision better than we fear? An assurance that the Golf Course will be excluded from sale, which will become very valuable public space?

### **Councillor S Claymore gave the following response:**

Do not want urban sprawl. Will work with the residents to mitigate against the loss of the Golf Course. There will be part parkland on as much as we can and there will be houses on there. As long as I'm here you have my assurance.

### **QUESTIONS FROM MEMBERS OF THE PUBLIC**

### **NO.2**

**Under Schedule 4, 13, Mr C Stokes, 120 Tamworth Road, Amington, Tamworth asked the Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-**

"Could you quantify and provide a full breakdown of figures to support your statement, which you made recently on local radio, that the Tamworth Council were in receipt of £1,000,000 from Jack Barker during the time they ran the Tamworth Golf Course?"

**Councillor D Cook gave the following reply:**

Mr Stokes, the point I was making is that in the 5 years Jack Barker / Tamworth Golf centre ran the course the tax-payer in Tamworth benefited by over £1million.

The course operations cost £212,585 in 3 years between 2004/2007 as per the out-turns that every single Councillor of every single party have agreed when all voted every year for the statement of Accounts. If we assumed this loss would not have worsened, even though I suspect it would, that's an average loss of £71,000 per year. Over the 5 years from 2002/2007 this equates to £412,848, however, these figures are for the Golf Course operations only – they exclude the cost of Grounds Maintenance of the course as, from 2003/04, the management & costs of Grounds Maintenance for the Golf Course was transferred to Public Spaces (& no longer shown separately). The annual cost of £135,910 was identified during 2006/07 as part of the Leisure Futures review - and approved by Council on 26 February 2007 as a saving as part of the transfer of the Golf Course to Tamworth Golf Centre. Once this is added in the average deficit is £207k p.a. which means over 5 years the deficit is in excess of £1m (£1.090m from 2002/03 to 2006/07).

The Council also received rents between 2007 and 2012 totalling £289,944 which also need to be taken into account.

There was also the £150,000 the Council believed in 2006 that was required in Capital works on the drainage needed, certainly on the first fairway. Jack Barkers resolved this.

If we then include further pension contributions to staff that the Council has not had to budget for, then we are well in excess of £1million Mr Stokes.

**Supplementary Question:**

The figures are made up and not realistic at all. Initial rent of £50,000 increased up to £10,000 each year. Jack Barker was incapable of paying the rent and in fact did not pay it. In March 2013 renegotiated to reduce rent to £16,000. Is that good business?

**Councillor S Claymore gave the following response:**

I have a breakdown here to clarify the rent Jack Barker paid

| Year    | Budget (rent due lease) | Rent received | %      |
|---------|-------------------------|---------------|--------|
| 2007/8  | £ 50,283.02             | £ 50,283.02   | 100.0% |
| 2008/9  | £ 60,000.00             | £ 60,000.00   | 100.0% |
| 2009/10 | £ 70,000.00             | £ 69,999.96   | 100.0% |
| 2010/11 | £ 75,000.00             | £ 75,833.33   | 100.0% |
| 2011/12 | £ 85,000.00             | £ 33,827.35   | 47.2%  |
|         |                         |               | 88.46% |

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

As Mr Bird was not in the Chamber due to the number of public in attendance the question was read out by Councillor Claymore.

**Under Schedule 4, 13, Mr K Bird, 18 St Andrews, Amington, Tamworth asked the Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-**

"Why was there no consultation with the local residents over the closure of the golf course by the councilors?"

**Councillor S Claymore gave the following response:**

The golf course has been a very public topic of conversation since 2005 when we first began the process of leasing out the golf course. Since then there has been a very open and transparent process of reporting to Cabinet and to the public via various media channels. In March 2013 the Cabinet decided to re-open the course for a maximum of two years rather than close the course at that point. At the same time a project was begun to review the future options including golf provision through various means but also disposal for re-development. As part of this project the Council undertook specific consultation with customers and residents. The consultation did include a proportion of residents from the local area. This process provided the Council with a clear steer from customers and residents showing that they preferred options that did not involve redevelopment. However as reported to Cabinet on the 23<sup>rd</sup> January 2014 the financial and wider strategic issues outweighed the public view and the Council selected to close the course in March 2015 and to move forward a project to dispose of the land for re-development.

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

As Mrs Bird was not in the Chamber due to the number of public in attendance the question was read out by Councillor Claymore

**Under Schedule 4, 13, Mrs C Bird, 18 St Andrews, Amington, Tamworth asked the Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-**

"Have you looked at other options regarding the running of the golf course by other leisure companies?"

**Councillor S Claymore gave the following response:**

Yes the Council undertook a long process to review its options in relation to the Golf Course and this was reported many times in the local press, and to Cabinet and Scrutiny.

The options appraisal looked at a range of options to sustain golf but concluded that retaining the golf course even under an external leisure company was not feasible.

The Council has previously leased the course to a private company but the Company failed and went into liquidation

#### **104 GOLF COURSE RE-DEVELOPMENT PROJECT**

The Report of the Portfolio Holder for Economy and Education updating members on matters relating to the implementation of the preferred future option for Tamworth Golf Course (minute 91; 23<sup>rd</sup> January 2014) and seeking approval of recommendations relating to the implementation of the preferred option was considered.

- RESOLVED:** That:
- 1 The proposed engagement strategy be postponed for one month, and;
  - 2 The recommended approach for disposal of the site through an unconditional sale following outline planning consent being secured be postponed for one month, and;
  - 3 As part of the budget process, the creation of a new Transformation Reserve (revenue) of £300k, financed from the current earmarked capital reserve, to fund the survey costs outlined within the report be approved, and;
  - 4 The procurement of the relevant technical and legal support, including authorising the Director of Planning, Partnerships, and Communities and the Director of Assets & Environment to enter into contract with the most advantageous providers of Assets & Environment to enter into contract with the most advantageous providers of these services be approved, and;
  - 5 A waiver of financial regulations to allow for the commissioning of the NHBC Land Quality Endorsement Service be approved.
- (Moved by Councillor D Cook and seconded by Councillor R Pritchard)*

#### **105 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES**

None.

#### **106 CORPORATE VISION, PRIORITIES PLAN, BUDGET & MEDIUM TERM FINANCIAL STRATEGY 2014/15**

The Report of the Leader of the Council seeking approval for the Single Corporate Vision and Strategic Priorities for 2014/15, the recommended package of budget proposals and to comply with the requirement of the Council's Treasury Management Policy in reporting to Council the proposed strategy for the forthcoming year and the Local Government Act 2003 with the reporting of the Prudential Indicators was considered.

**RESOLVED:** That all 26 recommendations as contained in the report be approved.  
*(Moved by Councillor D Cook and seconded by Councillor R Pritchard)*

#### **107 QUARTER THREE 2013/14 PERFORMANCE REPORT**

The Report of the Leader of the Council providing Cabinet with a performance health-check was considered.

**RESOLVED:** That following a review of the HRA capital programme the predicted outturn be noted and the revised project budgets be approved.

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

#### **108 CABINET REPORT FOR WRITE OFFS 01/04/13 - 31/12/13**

The Report of the Portfolio Holder for Operations and Assets providing members with details of write offs from 1 April 2013 to 31 December 2013 was considered.

**RESOLVED:** That the amount of debt written off be endorsed.

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

#### **109 CONSERVATION GRANT APPLICATIONS**

The Report of the Portfolio Holder for Economy and Education seeking approval for two grant applications was considered.

**RESOLVED:** That:

- 1 A grant of £7,649 is made in respect of 110 Lichfield Street, Tamworth, and;
- 2 A grant of £7,777 is made in respect of 14 Aldergate, Tamworth subject to the additional condition that it is dependent upon the grant of the appropriate planning consents.

*(Moved by Councillor S Claymore and seconded by Councillor R Pritchard)*

**110 REFRESH OF THE JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY FOR STAFFORDSHIRE AND STOKE ON TRENT**

The Report of the Portfolio Holder for Environment and Waste Management seeking Cabinet endorsement of the refreshed Staffordshire and Stoke on Trent municipal waste strategy was considered.

**RESOLVED:** That the refreshed Joint Municipal Waste Management Strategy for Staffordshire and Stoke on Trent be adopted.

*(Moved by Councillor S Doyle and seconded by Councillor D Cook)*

**111 THE COUNCIL'S APPROACH TO GREEN DEAL AND ECO**

The Report of the Portfolio Holder for Public Housing and Vulnerable People seeking agreement to the Councils approach to the delivery of Green Deal and the Energy Company Obligation was considered.

**RESOLVED:** . That:

- 1 A local agency model approach to deliver energy efficiency schemes for residents in Tamworth be adopted, and;
- 2 Authority to procure an appropriately qualified organisation to undertake the local agency role on behalf of the Council is delegated to the Portfolio Holder for Public Housing and Vulnerable People and the Director of Housing and Health.

*(Moved by Councillor M Greatorex and seconded by Councillor R Pritchard)*

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1 and 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

**112 RE-DESIGNATION OF COUNCIL OWNED PROPERTIES - LANDLORD SERVICES**



The Report of the Portfolio Holder for Public Housing and Vulnerable People setting out the arrangements for re-designating council owned properties that have been identified as a result of implementing the Welfare Reform Act 2012 was considered.

**RESOLVED:** That the recommendations as contained in the report be approved.

*(Moved by Councillor M Greatorex and seconded by Councillor R Pritchard)*

### **113 PAY POLICY 2014**

The Report of the Leader of the Council detailing Tamworth Borough Council's reviewed Pay Policy Statement so that statutory guidance as set out in Part 1 of Schedule 12A of the Local Government Act 1972 was considered.

**RESOLVED:** That the recommendations as contained in the report be approved.

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

---

Leader