



**MINUTES OF A MEETING OF THE
COUNCIL
HELD ON 25th JUNE 2013**

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

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

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Bates, J Faulkner and D Foster and Anthony Goodwin Chief Executive.

17 TO RECEIVE THE MINUTES OF THE MEETINGS HELD ON 14 MAY 2013 AND 16 MAY 2013

The minutes of the meetings held on 14 May 2013 and 16 May 2013 were approved and signed as a correct record.

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

18 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

None

20 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC

NO.1

Under Procedure Rule No 10, Mr K Forest, 64a Foxglove, Amington, Tamworth will ask the Leader of the Council, Councillor D Cook, the following question:-

"Should the Council continue to maintain and improve Tamworth town centre's future and viability in a flexible way that should vigorously resist any proposal that jeopardises those endeavours?"

The Leader of the Council, Councillor D Cook gave the following reply:

Thank you Mr Mayor.

Mr Forest, I simply have no idea what exactly your question is!

Supplementary Question:

"Whilst it is becoming clear that the town can no longer rely primarily on retailing I accept it needs to change and yet remain flexible to enable it to survive into the 21st century. Tamworth has much to offer in its history, heritage and in many other ways. Do you agree with this personal view?"

The Leader of the Council, Councillor D Cook gave the following reply:

Mr Forest, yes.

Ventura became the retail centre of Tamworth long before I even moved to this town. To continue to believe the town centre can compete with Ventura is madness. They must instead complement each other and work as a single offer to shoppers and visitors.

Tamworth must now look to use the Town Centre in better ways. Yes we must be flexible to allow us to grab the opportunities as they arise to improve Tamworth as a whole to make it a better experience.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.1

Under Procedure Rule No 11, Councillor C Cooke will ask the Leader of the Council, Councillor D Cook, the following question:-

"I'm quite sure I am not alone in being deeply concerned at the effect on Tamworth residents who claim benefits losing 25% of their Council tax benefit, alongside the possible double-whammy of losing housing benefit for surplus bedrooms in what has become known as the bedroom tax. Will you tell me as near as possible what has been the percentage increase (if any) in -

- A) Reminder letters for non-payments sent to residents and tenants.
- B) Court costs and fees charged to residents accounts as a result of non payments.

C) Notice of Possession/Eviction actions being taken against residents for non payments of rent.

- as a result of action by the Council's Revenues department and/or the Council's Housing Revenue Account, in the period April 2013 up to the latest date records are available, in comparison with the same period last year?"

The Leader of the Council, Councillor D Cook gave the following written reply after the meeting:

Thank you for your question Councillor Cooke. Of course, we are all concerned at the impact of the austerity measures on local people which is why Cabinet at it's meeting on 30th May considered and approved discretionary schemes to temporarily mitigate the impact of and support the transition for some vulnerable residents in implementing changes required by the Government's Welfare Benefit Reform programme – namely:

- *A Discretionary Award for Council Tax Scheme;*
- *A landlord hardship fund as a separate fund available to council tenants; and*
- *The Discretionary Housing Benefit Payments Scheme.*

However, it should be noted that both the Local Council Tax Support Scheme and the under occupancy surcharge are national central government policy – the Council has no choice in the matter without significant additional costs and associated service reductions.

It is important to note that any additional support provided does not undermine the intentions of Government policy in implementing the reforms but are measures which support the transition, particularly for the most vulnerable households.

The Council have put additional monthly monitoring arrangements in place for 2013/14 to monitor the impact of welfare benefit reform changes not only in financial terms (through the healthcheck report) but also in terms of the impact on the organisation (demands on staff time etc.) – thereby highlighting any issues & addressing them early on.

With regard to your specific questions the position is:

	As at	Last Year	This Year	Difference
A) <i>Reminder letters for non-payments sent to residents and tenants:</i>				
Council tax	17 June	5,470	7,312	+34%

<i>Housing Rents – This includes visits and interviews for all arrears related activity</i>	31 May	4,757	4,912	+155
<i>B) Court costs and fees charged to residents accounts as a result of non payments:</i>				
<i>Number of Council tax accounts (available only at period end) See note 1</i>	1 st June	1224	1450	18%
<i>Court costs & fees - Council tax (available only at period end) See note 2</i>	1 st June	£45,107	£71,040	£25,933
<i>Number of Housing Rent accounts in arrears</i>	31 May	1322	1489	+167
<i>Court costs & fees - noting that 0 court cases so far for the benefit subsidy this year</i>	31 May	£8750 50 cases	£7525 43 cases	-£1225 - 7 cases
<i>C) Notice of Possession/Eviction actions being taken against residents for non payments of rent.</i>	31 May	530	662	+132

In addition the Councils Landlord Service also presented a report to Cabinet on the 20th June setting out the current position and impact in relation to welfare reform on tenants'. Cabinet approved a detailed action plan which will see support continue for those tenants' affected. In relation to the reductions in housing benefit as a result of under-occupancy, known as the bedroom subsidy, 519 tenants were affected. At the end of May 72% were reportedly paying. Of those affected, 70 have a valid notice seeking possession and 28 already have a valid court order. Of the 98 households - 25% of legal action was a result of tenants' not paying the bedroom subsidy and involved notice seeking possessions only, there has not been any court action solely attributable to the bedroom subsidy at this stage, in fact court action is down when compared with this time last year.

Note 1

However please note this is the total number of residents in Tamworth. We cannot specify accurately for all those who were affected by the WBR reforms. It is estimated that approx. 80% of the increase is due to these such cases.

Of the approx. 2,500 additional council tax cases relating to WBR changes, we can see that many are paying us or entering into arrangements to pay us.

*In addition we are offering those effected by the above generous repayment arrangements. **In some cases we are cancelling costs if payment is made in full to us.***

Note 2

Costs for 2013/14 have increased by c.12% as approved by Cabinet on 17 October 2012 and Council on 13 December and are £60.00 summons and £35.00 liability order (previously £50.00 and £35.00 respectively).

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

Under Procedure Rule No 11, Councillor C Cooke will ask the Leader of the Council, Councillor D Cook, the following question:-

"In 2005 this Council employed consultants to examine Public Open Space standards for new developments in Tamworth. That consultant's report was extensive and later approved by Cabinet. This report was then required to go out to public consultation before it could be implemented. Yet for some inexplicable reason that consultation has never taken place. Which means we remain using standards that are 70 years old. This consultant's report could easily be put out for consultation with the latest Local Plan proposals. Will the leader of the Council ensure this Public Open Space report consultation now takes place?"

The Leader of the Council gave the following reply:

The 2005 Open Space study, was carried out in accordance with guidance set out in Planning Policy Guidance Note 17 (Planning for Open Space Sport and Recreation, July 2002) and its Companion Guide (September 2002). The study aimed to provide a clear picture of existing and future needs for open space, sport and recreation in Tamworth and the ability to meet those needs in terms of quality, quantity and accessibility. As part of the study, consultation through household questionnaires and neighbourhood 'drop-in' sessions were done to establish accessibility standards to open space.

The 2005 study was based on work carried out in 2004 and is now 9 years old. Local Plan policy should be based on robust and up-to-date evidence. The 2011 Recreational Open Space Review provided an update on the 2005 study. Sites were assessed in 2010 and the study published in 2011. The study updated all of the components of the 2005 study with the exception of the community consultation. It is envisaged that this will be carried out through developing the Green Space Strategy. A tender is currently being produced for this piece of work.

The purpose of technical documents such as this, which formulate part of the evidence base of the Local Plan, are to inform planning policy and technically do not require consultation. Through production of the Local Plan, consultation and engagement takes place on proposed planning policy which is informed by these technical documents (the evidence base).

We are currently using a standard of 2.43 ha per 1000 population which is the national recognised NPFA (National Playing Fields Association).

Supplementary question:

I am concerned that we did this back in 2005 at a cost for the consultation. How much were those costs?

The Leader of the Council provided the following written answer after the meeting as he did not have the information to hand.

Given the original order was nearly 10 years ago as you may imagine I have struggled to locate any detailed information. However, the order placed at the time was for £27,650.

From my understanding it was always intended that new standards would be set via the new local plan (formerly core strategy) and subsequent SPDs. However, given the length of time it had taken to move the Local Plan forward we have had to update the open space evidence base and this was published in 2011.

21 REVIEW OF THE CONSTITUTION AND SCHEME OF DELEGATION

The Report of the Leader and Solicitor to the Council and Monitoring Officer seeking consideration to the proposals put to the Audit and Governance Committee in respect of changes to the Constitution and Scheme of Delegation was considered.

A Motion was made:

1. The council adopts the revised constitution and scheme of delegation for an interim period up to the end of September
2. A member's seminar is arranged to enable detailed scrutiny of the new constitution.
3. Any changes from this seminar are integrated, taken to Audit and Governance and brought before council in September.

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

The Mayor