



MINUTES OF A MEETING OF THE COUNCIL HELD ON 10th SEPTEMBER 2013

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

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

25 ANNOUNCEMENT BY THE MAYOR

The meeting commenced with a minutes silence as a mark of respect following the death of Brian Leake, former Chief Executive.

26 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors L Bates, K Gant and R Kingstone.

27 TO RECEIVE THE MINUTES OF THE MEETINGS HELD ON 25 JUNE 2013 AND 23 JULY 2013

The minutes of the meetings held on 25 June 2013 and 23 July 2013 were approved and signed as a correct record.

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

28 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

None.

30 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 Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-

"Could you please supply the housing completion figures for the 6 months up to 1st April 2013?"

The Portfolio Holder for Economy and Education, Councillor S Claymore gave the following reply:

The Council estimates that for quarter 3 and quarter 4 of the monitoring year 2012 to 2013 there were 47 completed units. This gives an estimated total net completions for the year of 135.

As the question was asked by the Mayor in the absence of Mr K Forest, there was no supplementary question.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO.2

Under Procedure Rule No 10, Mr K Forest, 64a Foxglove, Amington, Tamworth will ask the Portfolio Holder for Economy and Education, Councillor S Claymore, the following question:-

"There is compelling evidence that housing occupiers are seeking to downsize for both market and social housing. Based on the latest information could you please supply the percentages of anticipated housing needs for 1, 2, 3, and 4 bedroomed properties for both the market and social housing?"

The Portfolio Holder for Economy and Education, Councillor S Claymore gave the following reply:

The Southern Staffordshire Districts Housing Needs Study and SHMA Update 2012, which is available on our website, says the following:

Based on the quantitative need modelling against residents' aspirations, viability and the characteristics of the existing stock, the following market housing sizes are required in Tamworth: 4% 1 bed flat; 42% 2 bed flat/house/bungalow; 39% 3 bed house/bungalow; 15% 4 bed house.

For affordable dwellings, the comparable figures are 9% 1-bedroom; 50% 2-bedroom; 32% 3-bedroom and 9% 4-bedroom +.

As the question was asked by the Mayor in the absence of Mr K Forest, there was no supplementary question.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.1

Under Procedure Rule No 11, Councillor J Jenkins will ask the Portfolio Holder for Operations and Assets, Councillor R Pritchard, the following question:-

"In view of the absence of Talkback deliveries in Wilnecote and other areas could the people of Tamworth be informed of the cost of this Summer's edition, the procedures to monitor its delivery, the results of those procedures and how these results fit in with the Council's policy on access to information by its taxpayers?"

The Portfolio Holder for Operations and Assets, Councillor R Pritchard gave the following:

Thank you Mr Mayor,

Thank you for your question but as you already know the answer I'm not in a position to provide you with new information at this time.

As per the information already sent to you, officers routinely ask delivery companies to provide evidence of the areas it was delivered to. No issues have been identified as per the information provided and the council is satisfied it has been delivered in this instance.

The delivery company has agreed to carry out additional checks and in future, will be providing a breakdown of streets the publication has been delivered to at the end of each week. We could deliver via Royal Mail or a similar service but this could increase delivery costs alone up to £5,000.

I am aware of missed deliveries before, and mistakes do happen, in the case of my example it was an administrative error, but I left the issue with officer to resolve, which they did accordingly.

In terms of costs for this issue, as you are already aware, the cost of printing 32,000 copies is in the region of £2,400, delivery costs are around £1,800 for the whole borough.

The council can use a variety of methods for delivery, such as doubling up with other council publications or delivering with poll cards, so this is just a price for this particular issue.

You ask if the public can have access to this information. They already do have access to this information.

These costs are published on the council website. All invoices over £500 are made public to ensure openness and transparency.

There is no requirement for the council to publish a magazine, indeed the only legislation on council publications limits the number we can publish at four a year.

Supplementary Question:

At least half of Wilnecote have not received a copy and I can back this up with examples of roads and any survey will show that not everyone is IT literate or has access to a computer. Is there any way you can recompense those residents who have not received a copy of Talkback?

The Portfolio Holder for Operations and Assets, Councillor R Pritchard gave the following:

No we cannot provide any form of recompense. Talkback is available on line and anyone who has not received a copy can phone up and request one but we won't deliver as the cost would be prohibitive.

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:-

"What benefits for Tamworth people would the Leader of the Council cite in support of his party colleague, Mr Christopher Pincher, Tamworth's representative in Parliament, who voted for British military action in Syria."

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

Cllr Cooke, thank you for your question. I note your, through no-one's fault, question has altered slightly from its original point. I will try to answer both as fully as I can.

Firstly, let us understand what exactly we are talking about here. The Syrian military and its government has admitted to the world that it was conducting a major military operation in the area at that time that chemicals weapons were used against a population center killing innocent civilians. The regime refused calls for immediate and unrestricted access for UN weapons inspectors, while artillery and rocket fire in the area reached a level about four times higher than in the preceding 2 weeks. The cynic in me would say someone was trying to obliterate any evidence. There is also evidence that Syrian armed forces took precautions associated with chemical weapons use. Not one MP disputes these facts.

It is fair to say this has shocked the world. I am deeply appalled. Whatever political rankles there are over the complex situation in Syria and the Middle East as a whole, I believe that there should be no denying that the use of chemical weapons in any way is wrong. We must recall our history, almost a century ago the world came together to agree the 1925 Geneva treaty and to outlaw the use of chemical weapons, of which Britain is a principle signatory and international law since that time has reflected a determination that the events of the First World War should never be repeated. It put a line in the sand; it said that, whatever happens, these weapons must not be used. President Assad has quite simply crossed that line and there should now be consequences. This was the first significant use of chemical weapons this century and, taken together with the

previous 14 small-scale attacks that have been proven, it is the only instance of the regular and indiscriminate use of chemical weapons by a state against its own people for at least 100 years. This must have consequences or international law is not worth the principles it was founded on by great men who wanted us globally to be better.

I believe interfering in another country's affairs should not be taken except in the most exceptional circumstances. There must be a humanitarian catastrophe, and the action must be a last resort. Well currently there are at the last count over 4 million refugees fleeing or have fled Syria, most have gone to Lebanon. Are you aware Cllr Cooke that most are children; in fact it is estimated over 2 million children. These children will now not be able to have the childhood we wish for our own children, nor any kind of education, they are now a generation that is lost, any potential is gone. By any standards, this is a humanitarian catastrophe and if there are no consequences for it, there will be nothing to stop Syria or other dictators using these weapons again and again. Doing nothing was not the vision when international law in these matters were formulated.

On August 29th 2013 MPs voted against possible military action against Syria, (or did they?), the defeat of a government motion by 285-272, ruling out joining US-led strikes. Mr Cameron must "find other ways" to put pressure on Mr Assad.

You have pointed out Tamworth's MP Christopher Pincher, a Conservative like myself, voted for the motion put to the House of Commons. You have asked me if I agree with my colleague. Yes, I do but not out of any party loyalty. Let me explain, first we must understand the motion put to Parliament in regards to the Syrian Crisis.

The motion read and can be found on Hansard, column 1426.

That this government - Notes that the use of chemical weapons is a war crime under customary law and a crime against humanity, and that the principle of humanitarian intervention provides a sound legal basis for taking action;

Notes the wide international support for such a response, including the statement from the Arab League on 27 August which calls on the international community, represented in the United Nations Security Council, to "overcome internal disagreements and take action against those who committed this crime, for which the Syrian regime is responsible";

Believes, in spite of the difficulties at the United Nations, that a United Nations process must be followed as far as possible to ensure the maximum legitimacy for any such action;

Therefore welcomes the work of the United Nations investigating team currently in Damascus, and, whilst noting that the team's mandate is to confirm whether chemical weapons were used and not to apportion blame, agrees that the United Nations Secretary General should ensure a briefing to the United Nations Security Council immediately upon the completion of the team's initial mission;

Believes that the United Nations Security Council must have the opportunity immediately to consider that briefing and that every effort should be made to secure a Security Council Resolution backing military action before any such action is taken, and notes that before any direct British involvement in such action a further vote of the House of Commons will take place; and

Notes that this Resolution relates solely to efforts to alleviate humanitarian suffering by deterring use of chemical weapons and does not sanction any action in Syria with wider objectives.

Let me sum up what Mr. Pincher voted for. That the government supports the UN in discovering the whole truth of the matter and supports any UN mandate. That until the UN has reached a position that NO military action can be undertaken until another vote is taken in Parliament at a later stage. Cllr Cooke, at no point has anyone in parliament voted for military action. I agree with this motion, it is right. In fact those that opposed it have in my opinion played to the gallery and all they have achieved is saying that our government has no interest in what the UN discovers.

So yes I agree with Mr. Pincher's stand on the matter.

As to your question in regards to what benefits are there to the people of Tamworth in regards to any military action in Syria. I think we both accept that is a complicated question, but I will give you my opinion. I could give us all a lecture on oil production in the Middle East and that petrol prices are cheaper and more stable when peace exists, but I will not. What would Tamworth benefit, Pride, pure and simple, thus we have to decide what kind of nation we want to be. Are we a nation that turns it back on Children's suffering or a nation that s prepared to stand behind the most simple parental principle there is?

I believe lessons have to be learned from the Iraq conflict in 2003. However, this situation is not like Iraq, Syria is fundamentally different. We are not occupying Syria, there is no sexed up dossier about potential WMD's, I think we all know there are WMD / chemical weapons in Syria, we all saw it with our own eyes on the news. The fact that the Syrian Government used chemical weapons against the public is not in doubt, they are bang to rights. The evidence that the Syrian regime has used these weapons, in the early hours of 21 August, is right in front of our eyes.

In 2003 the Arab world opposed action in Iraq. In regards to Syria they are demanding action. Yes we got stuck on the ground in Iraq, but we did not in Libya. We need as a Western Liberal State to be known as a nation that stands by our principles; the fact that children were gassed and we intend to do nothing is shameful. Please recall In Afghanistan and Iraq that our European partners opposed our actions. On Syria they all agree action is required.

It's at times like these I have pity for Tony Blair, a rarity I accept. After the Twin Towers fell in 2001 he stood up and asked the British people did we want a war on terror. If we are honest with ourselves over 80% of us said yes. There was no actual public vote, but we all know support was there. So off we went to the rogue evil terrorist supporting states of Afghanistan and Iraq. There are lessons to learn

certainly, but yet now there are those who call Mr Blair a criminal; well sorry he gave us what we asked for if we are honest. Hindsight is a wonderful tool.

I don't know how many Councillors are avid listeners to a British Band called James. They have a song released a few years ago called 'Hey Ma' and it is about the Iraq war. The opening lines are very powerful – "now the towers have fallen, so much dust in the air, it affected your vision, couldn't see yourself clear, please don't preach me forgiveness, you're hard wired for revenge".

This time there is no hint of revenge, it is about a humanitarian disaster caused by an evil government who murder their own people, especially Children. I want Britain to a nation that stands up with all its resources and says NO. We will act and we will defend those who cannot defend themselves. Those are the actions of a proud and just nation and one Tamworth could take pride in, but I accept others may disagree.

Britain have clearly decided that isolationism is the way forward, well how did that work for the USA between 1918 and 1941 when they ignored the world's problems?

Do I support boots on the ground, not entirely sure at this point. But I do think I have the information, so yes I support Mr Pinchers vote and his belief there should always have been a second vote for direct military action. But it was not to be.

Many years from now my grandchildren may be studying history and may ask me why my generation did nothing to oppose the slaughter and displacement of Children in Syria. I will answer that on the 29th August 2013 I was ashamed to be British. We were once a shining light of morality in the world, on August 29th that light was shamefully turned off.

Supplementary question

I'm surprised the answer was so long. Although I would agree with much of what Cllr Cook has said, I would dispute much too. But to get it back to more local concerns, in view of the fact that 9 out of 10 people in Tamworth are against using military force in Syria would the Leader consider asking Mr Pincher to join the Council's Tamworth Listens campaign? Or do you think he would still listen more to his Westminster leaders and bureaucrats than to Tamworth people?

The Leader of the Council gave the following reply:

It's not for me to comment. I suggest you write to Christopher Pincer direct.

QUESTIONS FROM MEMBERS OF THE COUNCIL

NO.3

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

"I am very grateful for the full, frank and helpful written answers to my two previous questions from the June Council. Clearly there is a developing and serious situation regarding people not being able to meet council tax and rent liabilities and I ask that this be kept under review. Can the Leader understand how such people, unable to meet these Council bills, might be very unsympathetic to your answer to my other question last time on Open Space Standards? That this Council had spent a lot of time and effort throwing away £26,650 on consultants whose work was ignored and is now in the council's rubbish bin."

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

Cllr Cooke, I can assure you that Council Tax and rents in all forms are key forms of income for this Council and as such are constantly reviewed. The income pays for key services that support our residents and tenants. We bring quarterly performance reports to Cabinet, we have an audit department and each director monitors the income streams constantly with portfolio holders.

We are aware that Welfare reforms will hit some residents hard and as such have additional budgets in place to provide help and support for those who seek it. This Council takes its safeguarding responsibilities very seriously and monitors those who need this protection with our public sector partners.

On the issue of the open space strategy, it is required by legislation and informs the Local Plan, it was key. I suggest you arrange a meeting with Matt Bowers and fully discuss the matter and then come and see me with the key concerns in regards to this matter.

Supplementary question:

The Open Space standards recommended by that Consultants Report - which was approved by Cabinet at the time, but never got put out to public consultation, which is the reason why it failed - would have given a much greater degree of protection against the inappropriate development of what's left of Tamworth's green and open spaces. Does the leader agree that by not implementing those Open Space standards Tamworth Council has effectively given the green light to developers and has badly let down the people who live here - as well as wasting the £26,650?

The Leader of the Council gave the following reply:

No

31 ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2012/13

The Report of the Cabinet and the Portfolio Holder for Operations and Assets seeking approval for the Annual Report on the Treasury Management Service and Actual Prudential Indicators 2012/13 was considered.

RESOLVED: That:

- 1 The actual 2012/13 Prudential Indicators within the report and shown at appendix 1 be approved, and;
- 2 The treasury Management stewardship report for 2012/13 be accepted.

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

32 TO CONSIDER THE FOLLOWING MOTION, NOTICE OF WHICH HAS BEEN GIVEN IN ACCORDANCE WITH PROCEDURE RULE NO. 12.1 BY COUNCILLORS R MCDERMID, M MCDERMID, P STANDEN, K NORCHI AND M CLARKE:-

The motion put forward to amend Article 6 of the Constitution to add "That the chairs of scrutiny committees be selected from members of the opposition groups, to further the goals of holding the Executive to account and supporting the work of the Executive" was moved by Councillor R McDermid and seconded by Councillor P Standen.

The motion was rejected.

33 REVIEW OF THE CONSTITUTION AND SCHEME OF DELEGATION

The Report of the Leader of the Council and Solicitor to the Council and Monitoring Officer regarding the proposed changes to the Constitution and Scheme of Delegation was considered.

RESOLVED:

That:

- 1 The Constitution and changes as presented and agreed be accepted, and a small working party be formed to continue the review and present a report to Annual Council, and;
- 2 The revised Constitution and Scheme of Delegation as presented in the appendix to the report be adopted.

(Moved by Councillor R Pritchard and seconded by Councillor J Faulkner)

34 OUTSIDE BODIES LIST 2013/2014

RESOLVED: That the revised list of Outside Bodies following the annual review was received.

(Moved by Councillor J Faulkner and seconded by Councillor D Cook)

The Mayor

