



MINUTES OF A MEETING OF THE COUNCIL HELD ON 24th FEBRUARY 2015

PRESENT: Councillor R Kingstone (Chair), Councillors M Gant, J Chesworth, M Clarke, S Claymore, T Clements, D Cook, C Cooke, M Couchman, S Doyle, J Faulkner, D Foster, J Goodall, M Greatorex, G Hirons, A James, J Jenkins, A Lunn, T Madge, M McDermid, K Norchi, J Oates, M Oates, S Peale, T Peale, R 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), Stefan Garner (Director of Finance), Jane Hackett (Solicitor to the Council and Monitoring Officer), Natalie Missenden (Public Relations Officer) and Janice Clift (Democratic and Elections Officer)

47 APOLOGIES FOR ABSENCE

None

48 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 16th January 2015 were approved and signed as a correct record.

(Moved by Councillor D Cook and seconded by Councillor S Peale)

49 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

Tributes were paid to the late Chippy Lees

Councillor M Oates

Looking around the room I think I've known Chippy longer than anybody else. I first met him in 1952 when we moved to Tamworth. He lived two doors away. He was playing his drums then in the back garden on a Sunday afternoon. He was a great bloke. He had a wonderful outlook on life. He didn't like injustice he wanted fairness. I had a younger sister at the time in the fifties and he and his wife used to very often take her to the pictures because they liked to. It was a nice thing to do. As I say he was a nice chap. He liked to defend the innocent. One story really sticks in my mind. One of his hobbies was judo. He was a judo instructor. He used to walk regularly from Fazeley where he lived into Tamworth through the Castle grounds. One summer when I think he was in his sixties he crossed the river bridge by the Jolly Sailor and there was a woman with some little children approaching us. There were some yobbos with a ghetto blaster. "I've asked him to turn it down" she said. Can you ask him? So Chippy went over to these four lads and asked them to turn it down. The one yob said "are you going to make me"? Chippy said "I can do it if you like"? Go on then? So Chippy picks the ghetto blaster up and threw it in the river. At this point the yob lounged at Chippy so he picked him up and threw him in the river and the other three ran off. That was Chippy he was very much like that. I loved him and I shall miss him. At least now he is no longer suffering I expect he will be in a better place. Thank you

Councillor M Gant

I would like to make a tribute to Chippy because Ken and I have known him a long, long time. Ken has known him about thirty years. So on behalf of Ken I think I should say something. I feel as though his heart and soul was in Tamworth and he was a real Tamworthian and he spoke as he saw things. He spoke his mind completely and honestly and he really did care for the people of Tamworth. So I would like to pay a real tribute to a gentleman of Tamworth and our feelings go out to his wife and hopefully we should be seeing her within the next few days anyway. Thank you.

Councillor D Cook

One piece of information Councillor Oates missed out to start with was Chippy throwing this yob in the river and he was in his seventies at the time. Nothing stops that man. Just to echo what's been said Mr Mayor. Chippy was a true character of this town and a true gentleman. It was a mistake if you ever agreed to walk through the town centre with him because you never got more than three paces without someone stopping him to say hello. Everybody knew him, everybody spoke to him and everybody respected him. He always had a story for everybody as well. If the members would indulge me I will give you my personal favourite. As you know Chippy served in the British army in the nineteen fifties. He had the British Empire medal. After he came back to the UK years and years later he retired and decided to take a trip back to the Far East. Over there he met his current or should I say now widow. While he got to know her every morning he woke up in the Far East to the smell of breakfast cooking. No matter what time he woke up she had breakfast cooking. They got married and several months later moved back to the UK. The first morning that they woke up together there was no smell of breakfast cooking she was asleep next to him. He said "where's breakfast"? She said "make your own"! They were happily married for many,

many years and if you were to see them together they were genuinely happy. Those are the sort of stories that always bring a smile and are always a good tale.

Councillor S Claymore

I just pretty much want to repeat what has already been said. I think that anybody that got to know Chippy personally knew what a proud man he was and I think sometimes that was slightly detrimental to him I have to say. How passionately he felt for the welfare of this town and the people in it especially in Castle Ward and one thing I know Chippy would do if anyone was in need he would literally give them his last penny and I know he has done so on many, many occasions. I can't say much more Mr Mayor we have lost a dear friend and I've lost a dear friend and I think this town has lost one of its great characters. He is going to be very sadly missed.

51 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1

Under Procedure Rule No 10, Mr R Bilcliff will ask the Leader of the Council Councillor D Cook, the following question:-

"Can the Leader of the Council inform me what date outline planning permission will be granted for the Golf Course development"?

Councillor D Cook gave the following reply:

The honest answer is I have absolutely no idea when it will be granted. Your question requests I confirm when outline planning permission will be granted that is difficult for me to say for 2 reasons. A) I am not a member of the planning committee that will take the decision. B) For the Leader of this Council to pre-determine the outcome or to pressure the committee in any way I suspect, in fact I know, is illegal. The Council is aiming to take an application sometime around April/May and until we finalise all the infrastructure and environmental reports I cannot give a confirmed date.

Supplementary Question:-

"Could the Leader please inform me why in fact there are three Amington Ward Councillors for this on planning committee? Does this not disadvantage the Amington residents from any support with the Council and in particular planning issued"?

Councillor D Cook gave the following reply:

No I don't know why and I do not think it disadvantages any member. They need to be careful what may be said about pre-determination around planning permission.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2

Under Procedure Rule No 10, Mr R Bilcliff will ask the Leader of the Council Councillor D Cook, the following question:-

“Can the Leader of the Council inform me what is Tamworth Council’s reaction to the 4100 houses being proposed by North Warwickshire Council, which they are planning to build up to our boundary”?

Councillor D Cook gave the following reply:

Shock I think would cover it. When this Council began down a path of potentially building homes for the next generation on the old golf site on North Warwickshire’s border, Councillor S Claymore and I arranged a meeting with the leader and planning chairman of North Warwickshire Borough Council to discuss our plans.

The first I heard of these North Warwickshire District Council’s plans was when a consultation document was sent to Councillor S Doyle as a Stonydelph Councillor.

I have already had a brief chat with Councillor Ray Sweet, Mayor of North Warwickshire Borough Council as their Leader Mick Stanley is still recovering from being hit by a car before Christmas. We have agreed to arrange a meeting to discuss their plans over the next 2 weeks.

I have no issue with making the outcomes of these discussions public afterwards.

Supplementary Question:-

“North Warwickshire meaningful gap the assessment document clearly states that this policy would constitute additional presumption against developers but unfortunately under section 9.6 of that document they are recommending that areas 5 and 7 which are directly on the borders of Amington and Stonydelph are excluded from the finding of being a designation therefore not being in sight of the meaningful gap. Should you withhold sale of any land until we know what North Warwickshire Borough Council’s intentions are”?

Councillor D Cook gave the following reply:

Yes I think the answer is the same as the previous question. I will be meeting with North Warwickshire Borough Council when we know exactly their intention I will be able to answer the questions better.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor C Cooke will ask the Portfolio Holder for Economy and Education Councillor S Claymore, the following question:-

“The General Fund Capital Programme for the period 2015 to 2020 has a budgeted forecast spend of £100,000 for the Assembly Rooms development. We had otherwise been informed that the project would cost the Council an estimated £450,000. Now I read in the Tamworth Herald that Tamworth Council will have to find double that, £900,000 as a result of match funding for grants the Council has received. Can you tell me where this extra £450,000 or £800,000 depending which way you look at it, is going to be found within Tamworth’s Capital programme and which projects will lose that money?”

Councillor S Claymore gave the following reply:-

At the Joint Scrutiny Committee (Budget) a question was asked regarding the costs associated with Assembly Rooms development as the provisional capital programme at that stage only contained a scheme cost of £100,000 in 2015/16. As outlined within the Draft MTFs report and explained at the meeting, the scheme business case had not been revised to reflect the bids for funding from the single local growth fund (SLGF), Heritage Lottery Fund (HLF), Staffordshire County Council (SCC) etc. An update on the Cultural Quarter was due to be presented to Cabinet (subsequently considered by Cabinet on 19th February 2015) following notification of the results of the bids. As a substantial element of the 2014/15 budget will not be spent by March 2015 it will be forecast to under spend. The updated figures were being prepared for inclusion within the final MTFs report – on the agenda for discussion today.

As you will see, the capital scheme proposals now include a budget over 3 years of £4.4m for the Cultural Quarter works, including the planned improvements to the Assembly Rooms – funded through a combination of HLF, SCC, SLGF and donations/small grants resulting in a balance of £994k to be funded by the Council (£320k from the original £400k allocated for the scheme from capital funds and £674k from the anticipated capital receipt from the former Golf Course).

Supplementary Question:-

“In the General Fund Capital Programme I notice a borrowing requirement of £1 million which might just as easily be regarded as financing the assembly rooms project. I also notice the amount of Golf Club subsidy was roughly the same as this additional amount of Assembly Rooms investment. Can you tell me why putting money into the Golf Course should be called a “subsidy” whilst putting money into the Assembly Rooms we must instead regard as an “investment”?

Councillor S Claymore gave the following reply:-

I would honestly say that over many years we have seen a lot of money ploughed into the Golf Course. That money used over many years and over a period of time and dragging up all of the old questions as to why we are selling the Golf Course. We all know the answers to that and why we can't continue to run it is that it's just something we can't offer to do with austerity measures and it's questionable whether we still we want to do that and whether it will be right even if it hadn't gone to these measures we have had to go through. Not only that it is a very limited amount of people that the golf course affects when you are talking about putting money into the assembly rooms. That money will affect everyone and it will secure the Assembly Rooms for the future and not just for a few people that line by the golf course.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor C Cooke will ask the Chair of the Aspire and Prosper Scrutiny Committee Councillor T Clements, the following question:-

“At the last Full Council I put a motion, which was passed, for the subject of Tamworth’s projected housing needs requirement to be scrutinised in committee. This was tagged in with Local Plan Scrutiny set for 20th January with the words “Including Tamworth’s Housing Needs Figures” attached to the title, although there was nothing regarding Tamworth’s Housing Needs in the scoping document for that item nor any report from officers. You refused to allow me to speak at that meeting. If I had spoken I would have drawn the committee’s attention to Nathaniel Lichfield and Partners Past Trends figures that show a dramatic population loss of 2262 between 2012 and 2013. That is clearly nonsense. So much so that officers agreed not to take account of these past trend figures tables because they produced such nonsense. This despite the fact that the National Planning Policy Framework expressly requires such past trends to be taken into account. Would you please comment on this situation”?

Councillor T Clements gave the following reply:

At the start of the municipal year you declared yourself in a political group with UKIP, as an independent group. You are the group leader I believe. As a group you are allocated places on committee’s and your group has a position / seat on Aspire and Prosper Scrutiny. I was sure a member of your group could cover the reasons your group raised this issue as I am aware both yourself and Cllr Madge share your stance on housing numbers. I have yet to see Cllr Danny Cook or Cllr Simon Peale swapping themselves between committees, they use the members they allocated, trusting in their colleagues.

You were refused the chance to speak as your motion didn’t ask for it. You as a member voted for the minutes as a true record never once did you ask for it to be changed to allow you to speak. All committee members had access to the Nathaniel Lichfield and Partner’s document way before the committee was held. At that meeting everyone on the committee had a chance to speak and ask questions some more than others and the decision was made by a majority vote of 7-1 that we as a committee were happy with how the figures were reached and that the officers had worked above and beyond on this subject providing members with a lot more documents so that all information could be scrutinised and having meetings with individual members before the meetings.

As to myself commenting on housing figures as the chairman, I am comfortable, as were Labour members and all of my Conservative Colleagues on the committee that the correct formula as expected by the National Planning Inspector was used to arrive at 6,250 over the life of the local plan.

If you require more technical information, I suggest an appointment with Matt Bowers or Rob Mitchell is made.

Supplementary Question:-

“Those Trends figures were clear computer garbage-out nonsense. Pity we were not allowed to see what garbage was put in. Also very suspect were the household occupation figures which were projected, and manipulated down, across the whole of Tamworth, which artificially jacked up 20% the Local Plan’s Housing Needs figures. And then there were other irregularities. As you know, I

was at your scrutiny meeting. Cllr's Danny Cook and Steven Claymore were somehow allowed to speak to your committee. Don't you think, under the circumstances, that it would have been simple courtesy too both myself and your committee, instead of finding excuses as to why you would not let me speak, that you instead should have asked your committee if they would allow me, as an obviously interested and informed member of this Council, that simple opportunity to address them on this narrow issue of Housing Needs"?

Councillor T Clements gave the following reply:

Councillor D Cook was there as the Leader of the Council when taking the local plan through with the Chief Executive. Councillor S Claymore is the cabinet member for on the agenda and was therefore invited to. I invited him.

Councillor Cooke you have been a Councillor on this Council for over twelve years. You should know the procedures better than anyone else. You have been offered the opportunity to sit with councillors and cabinet members which you haven't done. You have been offered the opportunity to go to Manchester and see the system in putted and the data received. One again you haven't done this. I hope before you stand down in May that you take the opportunity to speak to the officers who will give you the technical answers you require.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor M Couchman will ask the Deputy Leader of the Council Councillor R Pritchard, the following question:-

"Will the Deputy Leader ensure that the consultation on the Council Tax Reduction Scheme, with specific regard to the exclusion of Maintenance Payments for single parents be commenced so that it can be removed in 2016"?

Councillor R Pritchard gave the following reply:

Yes

Supplementary Question:-

"Can I ask when you will be able to update that this has happened"?

Councillor R Pritchard gave the following reply:

A report will be taken to Cabinet in June as per the usual procedure.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

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

"Would you not agree that in the best effort to show transparency it would be a better policy to advertise land that the Council consider selling that could be used for development, at present only open land is advertised?

By adopting this method the public will be made aware of any potential land sales in their area rather than find out when a developer has bought it"

Councillor D Cook gave the following reply:

As Councillor Madge may be aware, when an asset is identified to be surplus to requirements it will be generally be disposed of in accordance with our disposals policy (which covers most planned disposals).

The need to advertise the disposal of some assets is implicit in legislation; Public Open Space has to be advertised, whereas land held for investment purposes does not. Generally when surplus land is being disposed of, suitable outline planning permission will be obtained prior to sale, which of course is subject to resident's feedback as part of the planning process. Large disposals are considered by Cabinet in every case.

When a planned disposal such as above is undertaken, it is usual to use either a formal or informal "tender" process, which will always include an element of advertising proportionate to the value and desirability of the asset to be disposed of. This may not always be in a local paper, and quite often may be in specialist trade press (such as the Estates Gazette) to ensure the right market is informed of the disposal. For example may be we didn't advertise the old cinema in a local paper, that was advertised in specialist property papers to ensure good coverage. This ensures good competition between prospective purchasers, and enables us to demonstrate best consideration for the asset.

On occasion a spontaneous offer will be received, and this will be assessed against independent valuation to ensure best consideration, and any decision to dispose will be taken by the Executive who will balance the financial value, contribution to Council objectives, certainty of transaction, against the long term need to retain the asset for other purposes.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5

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

"With the recent pre election news that Tamworth is now booming with low unemployment and higher wages can you explain to the chamber why we at TBC still employ people on temporary contracts despite being employed here for some time? Surely this is not suitable or desirable as trying to get a mortgage etc is nigh on impossible when you have little job security beyond a six month contract"?

Councillor D Cook gave the following reply:

Thank you Cllr Madge for your question. However, as before with your question to me on Zero Hours contracts, I have no intention of discussing individual staff member's rights or contract details in a public forum. The staff have rights under law and I will not undermine this in any way.

Please keep in mind for the future that as a Council body, i.e. the 30 of us elected members, we only employ one member of staff, the CEO. The CEO is then employed to hire / fire / manage the staff. Appoints and Staffing do have a role in

monitoring structures and department staffing budgets, but the CEO is the one employed to handle the staff of this authority.

If you are uncomfortable with a staffing issue, I suggest your avenue of question is away from this chamber.

Supplementary Question:-

“We have 8 directors where other councils of similar size have 5 by removing three posts we would save over £200,000 in wages and that’s before you start talking about national insurance cost etc etc, Surely we can also look at the multi layer management systems we have to save costs rather than taking out people on the front line who are providing necessary visible services to the residents of Tamworth.

Why is it we pick on the little person when it comes to employment, when we have some big wage earners, are they too hard to tackle or do you not have the heart for that task”?

Councillor D Cook gave the following reply:

Councillor Madge is aware of the sum of £200,000 because of the policy written into the budget documents. I will say no more about what exactly this means at this time.

There are many who make comments, especially on facebook, about what exactly our senior officers do. If you spend quality time with them you realise exactly what they deliver, in a very dedicated way. Rather than making comments, it is surely easier to actually understand the outcomes delivered by our officers. Low unemployment, wages raising in Tamworth and so much more.

I fail to see in this budget where any front line staff are leaving this Council, we continue to protect front line services.

52 CORPORATE VISION, PRIORITIES PLAN, BUDGET & MEDIUM TERM FINANCIAL STRATEGY 2015/16

The Report of the Leader of the Council and Cabinet to approve the Single Corporate Vision & Strategic Priorities 2015/16 and to approve the recommended package of budget proposals was considered

- RESOLVED** That Council approved
- 1 the Single Corporate Vision & Strategic Priorities for 2015/16;
 - 2 the proposed revisions to Service Revenue Budgets;
 - 3 the sum of £81,670 be applied from Council Tax Collection Fund surpluses in reducing the Council Tax demand in 2015/16;

- 4 the sum of £728,023 be applied from Business Rates Collection Fund surpluses in 2015/16;
- 5 that on 27th November 2014, the Cabinet calculated the Council Tax Base 2015/16 for the whole Council area as 20,628 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")];
- 6 the Council Tax requirement for the Council's own purposes for 2015/16 is £3,271,601;
- 7 the following amounts as calculated for the year 2015/16 in accordance with Sections 31 to 36 of the Act:
 - a. £54,565,489 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act (Outgoings excluding internal GF Recharges);
 - b. £51,293,888 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (Income excluding internal GF Recharges);
 - c. £3,271,601 being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31A(4) of the Act);
 - d. £158.60 being the amount at 6(c) above (Item R), all divided by Item T (at 4 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year;
- 8 the Council Tax level for the Borough Council for 2015/16 of £158.60 (an increase of £3.10 (1.99%) on the 2014/15 level of £155.50) at Band D;
- 9 an aggregate Council Tax (comprising the respective demands of the Borough Council, Staffordshire County Council, Office of the Police and Crime Commissioner Staffordshire and Stoke-on-Trent and Staffordshire Fire and Rescue Authority) of £1,452.45 at Band D for 2015/16 be noted;
- 10 the Council Tax levels at each band for 2015/16;
- 11 the sum of £145,682 be transferred from General Fund Revenue Balances in 2015/16;
- 12 the Summary General Fund Revenue Budget for 2015/16;
- 13 the Provisional Budgets for 2016/17 to 2017/18, summarised at Appendix G, as the basis for future planning;
- 14 the minimum level for balances of £500k to be held for each of the General Fund, Housing Revenue Account, General Capital

Fund and Housing Capital Fund;

- 15 that Cabinet be authorised to release funding from the General Contingency budget and that the release of funding for Specific Contingency items be delegated to the Corporate Management Team in consultation with the Leader of the Council; the proposed HRA Expenditure level of £15,388,430 for 2015/16;
- 16 the proposed HRA Expenditure level of £15,388,430 for 2015/16;
- 17 rents for Council House Tenants in 2015/16 be increased by an average of £1.70 per week (1.96%) to £88.30 (2014/15 £86.60), over a 48 week rent year;
- 18 rents for Council House Tenants due for 52 weeks in 2015/16 be collected over 48 weeks;
- 19 the HRA deficit of £3,072,360 be financed through a transfer from Housing Revenue Account Balances in 2015/16;
- 20 the proposed 3 year General Fund Capital Programme of £6.9m, as detailed in Appendix I to the report;
- 21 the proposed 5 year Housing Capital Programme of £54.1m, as detailed in Appendix J to the report;
- 22 to delegate authority to Cabinet to approve/add new capital schemes to the capital programme where grant funding is received or there is no net additional cost to the Council;
- 23 the Treasury Management Strategy Statement, the Treasury Management Policy Statement, Minimum Revenue Provision Strategy and Annual Investment Statement 2015/16 (as detailed at Appendix N);
- 24 the Prudential and Treasury Indicators and Limits for 2015/16 to 2017/18 contained within Appendix N;
- 25 the adoption of the Treasury Management Practices contained within ANNEX 7; and
- 26 the detailed criteria of the Investment Strategy 2015/16 contained in the Treasury Management Strategy within ANNEX 3.

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

The Mayor
