



## **MINUTES OF A MEETING OF THE COUNCIL HELD ON 13th DECEMBER 2016**

**PRESENT:** Councillors K Norchi (Chair), J Chesworth (Vice-Chair) , R Bilcliff, S Claymore, T Clements, D Cook, C Cooke, A Couchman, S Doyle, J Faulkner, R Ford, M Gant, J Goodall, S Goodall, M Greatorex, R Kingstone, A Lunn, A James, T Madge, J Oates, M Oates, S Peale, T Peale, R Pritchard, R Rogers, P Seekings, P Standen, M Summers and P Thurgood

The following officers were present: 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)

### **25 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M Thurgood

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

The minutes of the meeting held on 13 September 2016 were approved and signed as a correct record.

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

### **27 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

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

The following Announcements were made:-

The Deputy Mayor Councillor J Chesworth:-

As you may already be aware last Thursday former Councillor and Mayor and importantly to me my father Peter Chesworth passed away at the age of 82 after a short illness. He hadn't been in great health for some time and spent the last few months living happily in Standen House Nursing Home. The only times that he went out was to appointments but he was delighted to take part in the photographs for former Mayors organised by Richard Kingstone and more recently the Alderman presentation. He took great pleasure in showing the certificate to the staff in Standen House and I know that he was very proud of the award. At this point and as it is customary in these circumstances I would like you to stand for a minute's silence.

Councillor S Peaple:-

At the meeting of the Labour Group last night we wanted to present this to you Councillor Chesworth sending our condolences. It was an enormous pleasure in seconding his nomination as Alderman. It was obvious how much it meant to him and the recognition of that service. As I said in my e-mail to the Deputy Mayor how he was very proud of the service and just wanted to thank him on behalf of the Labour Group.

The Mayor Councillor K Norchi:-

Tony Hill was asked to come forward to receive his certificate as Alderman.

Councillor R Pritchard:-

Unfortunately you missed the main ceremony where we confirmed the other Alderman. You missed our eloquent and beautiful speeches that we made. The Council wanted to thank you for your support and service on giving up your time and energies for helping to improve Tamworth. The Council very much appreciated that so on behalf of everyone we would very much like to thank you. I'm sure Councillor Peaple would like to say something a bit more personal.

Councillor S Peaple:-

As on the previous occasions it gives me pleasure to say something about the recipient. In the case of Councillor Hill my immediate predecessor as shared the Leisure Committee and was a man who had great success as Chair of Leisure in terms of Britain in Bloom. He was a man who showed us a lot. You helped young Councillors coming along at that point like Councillor Standen. They learnt a lot from Councillor Hill. What we also realised was the juggling of a full time job being a distinguished member of the fire service and now a publican. With that public service you have set a standard for the rest of us to follow. I wish you well and that this will mean something to you because part of your life that you have given up for this service. Thank you for everything and the example that you have shown for us to follow.

Alderman Tony Hill:-

Thank you very much for the nomination and the honour.

Simon was speaking about predecessors and various bits and pieces and I would just like to mention, forgive me for saying this, but two people spring to mind who are no longer with us Ian Trenfield and Mick Johnson who would no doubt have qualified, with their background, for this had they still been with us, but unfortunately they are no longer with us.

Thank you very much it is an honour.

The Mayor Councillor K Norchi:-

I know that Alderman John Garner would have liked to have said a few words tonight. I am sure John is a very proud man sitting here. He wanted to speak for the entire new Alderman who has been nominated this year and I also know that he passed a few comments to John Chesworth about the passing of his father.

The Leader of the Council Councillor D Cook:-

A confession and a motion made from me this evening. I wish to move a motion under Paragraph 4.13 (f) of the Constitution to clarify a minute of the Council on 13 September 2016 namely minute number 24 relating to the Chief Executive's pay. It should have stated, however I delivered it incorrectly, £112,000.00. As Councillor Peuple will remember that was the motion passed from Appointments and Staffing Committee. As I did not explain this properly in the meeting it resulted in the minute actually stating £111,338.00 which basically means we are not giving the Chief Executive the pay increase which was actually promised. Accordingly my motion to actually rectify this and set the Chief Executive's pay to £112,000.00 from 13 September 2016 plus on costs.

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

## 29 QUESTION TIME:

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

**Under Procedure Rule No 10, Margaret Clarke of Tamworth will ask the Leader of the Council, Councillor D Cook, the following question:-**

“At the recent Conversation Staffordshire meeting in Tamworth, representatives of the governing bodies of Burton Foundation Trust, South Staffs and Seisdon Peninsula CCG, and Staffordshire County Council were soundly informed by Tamworth residents and senior nursing staff, that Patient Choice does not exist in

Tamworth as our GP Surgeries do not refer patients to the Sir Robert Peel Hospital. For their part these representatives quickly agreed to inform all GPs to include our hospital in all future Patient Choice situations.

Within your remit as a Local Authority, what are Tamworth's Borough Councillors and Council Officers willing and able to do to assist in promoting the expanded use of our hospital, please?"

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

This is actually quite complex. I think the first thing to reflect on is that the NHS Choice agenda relates to a large extent on which Trust patients choose to be referred to. The provider trust will then offer an appointment at an appropriate venue depending on the service the patient is being referred into.

For this reason patients in Tamworth will be referred to either Burton or Heft. The other reason is that often the community hospitals will not have access to the full suite of diagnostic machinery and equipment that might be expected from a DGH, and therefore the community hospitals are often used for follow-up appointments following diagnostics undertaken elsewhere.

I don't think there is any distortion relating to use of the hospitals. All the information and intelligence suggests that we have the wrong services in those hospitals, which mean that patients have to go elsewhere- at least initially. The plan is to review how we use the hospitals and what services we have in them, the CCG, GP's and Trust are working together to develop a credible plan.

Personally I think the NHS as a whole needs to use its buildings better. But evidence and need must support this long term.

**Margaret Clarke asked the following supplementary question:-**

"This Council has adopted a strong Safeguarding Policy to protect Vulnerable People. At the present time all of Tamworth residents are vulnerable; no 24-hour treatment available; no easy public transport to our hospital; not enough staffed services at our hospital.

It takes the same number of doctors to treat a patient: if you reduce the one, the other increases.

When asked by residents what further services and facilities are ready and available at the Sir Robert Peel Hospital, the Matron Mr Philip Hards gave an enormous list of what our hospital could do for Tamworth residents, given the staff to man all the available services.

Can we afford to look this 'Gift Horse' in the Mouth?

Will this Council communicate to the Foundation Trust, the CCG and our County Council the need for these services by all Tamworth residents, and strive to persuade them to effect provision of the manpower sorely needed, please?"

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

As I have of course confessed in this Council Chamber many times before I am not actually an expert on the NHS or Trust or CCG's. I know quite a lot of things on public services but the NHS has never been one of my expertise. I would be happy to meet with Margaret at a time and place of our mutual choosing to discuss this through.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1****Under Procedure Rule No 11, Councillor S Peple will ask the Leader of the Council, Councillor D Cook, the following question:-**

"Following his references to Disabled Facilities Grants at the Budget Seminar, would the Leader confirm that Tamworth Borough Council has accepted Staffordshire County Council's scheme to top slice the grant by 15%?"

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

Stop, pause and remove all foul languages from what I am about to say. A simple answer Councillor Peple no we have not!

**Councillor S Peple asked the following supplementary question:-**

"Can you tell me whether the Leader of Cannock Chase Council is incorrect in claiming to be the only Council that has not accepted the scheme?"

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

I can confirm that practically every District Council is not too happy with the scheme and I can also confirm that the Chief Executive of this Council has been having conversations with the Department of Communities and Local Government on that matter who were quite surprised to hear about the top slicings of the DFG's. The matter is not finished yet.

**QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2****Under Procedure Rule No 11, Councillor T Madge will ask the Leader of the Council, Councillor D Cook, the following question:-**

"The CCG have issued a 12-month contract termination notice to Burton Hospitals Foundation Trust over the future of services at the Sir Robert Peel Hospital. I fear Tamworth is in danger of losing not only more services but quite possibly the hospital itself. I recently emailed every councillor asking that we all come together as one and inform the CCG we strongly oppose this. To date I have had just three responses. I would be interested to hear your thoughts as leader of the Council on the potential threat to our local hospital?"

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

Firstly, as I have been away for the past week in Barcelona can I thank Councillor Pritchard for helping research the answers I have tonight.

I have been a Councillor for many years and over those many years I have heard people saying the Sir Robert Peel hospital may close. All were proved wrong and the hospital is still here.

The NHS is going through huge changes and reforms aimed at improving patient care. The Sustainability & Transformation Programme or STP represents a fundamental review of everything that the NHS does on an area by area basis. The policy of reviewing ACUTE services with a view to transferring resources to COMMUNITY based care.

In short the focus is getting the hospital to the patients, not the patients to the hospital.

Which is something I assume everyone would support?

What we are seeing here is the CCG being open and transparent about their intentions to review the services of a local provider based on data/evidence; professional opinion, future policy and inevitably, financial sustainability.

The proposals contained in the draft STP submitted in October to the NHS will form the basis of the programme which will be released this week.

These will be converted into an Action Plan supported by a robust Communications and Consultation Plan.

So for now, we know that changes to how NHS services are provided and sustained are inevitable; what we don't know are any of the details of what those changes are, who they affect or when.

Any changes will be subject to full scrutiny and public input.

However before people again say the hospital is closing, let us wait for the details to be released because we may find that the services to local residents improve and, as often been the case, our hospital remains open.

We all support the Sir Robert peel hospital and want to see it offer the best services to local residents and the hospital used to its fullest capacity.

In short, let's fully see what the intentions and targeted outcomes will be.

**Councillor T Madge asked the following supplementary question:-**

"I noticed that long list you said that actually financial is at the top of that list and patient care is unfortunately well down that list. All I am asking is that you help support any moves to close this hospital?"

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

I have been in public service four terms so I have been around a while. One thing I know is writing constant letters to the Herald and hurling abuse at people does not get the answers you want. Myself and Councillor Doyle approached this from a different angle. We are actually going to meet all of the relevant people over the coming month to discuss what is happening in a calm, polite and private manner then I will report back to this Council what exactly is happening. I will give Councillor Doyle a lot of credit as he has been all over this agenda. He has been doing it in a way where we can approach people.

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

**Under Procedure Rule No 11, Councillor T Madge will ask the Portfolio Holder for Housing Services, Councillor M Thurgood, the following question:-**

“The housing bond scheme is not working with landlords reluctant to take part. What alternative can you offer the people who would have benefited from the housing bond scheme?”

**Councillor D Cook gave the following reply as Councillor M Thurgood was not at the meeting:-**

With high demand for private rented accommodation in Tamworth it is the case that households reliant on housing benefit are finding it increasingly difficult to access this accommodation. Landlords, able to pick and choose tenants favour those who are not reliant on housing benefits.

The Council is working hard to work positively with local landlords through our landlords forum, challenging negative assumptions often made regarding those claiming benefits. In addition the Council's housing benefits team ensure that benefits are paid quickly and efficiently.

The Council has also taken on management of a number of Private Sector Properties through its Private Sector Leasing scheme. These properties are managed on the behalf of landlords and are used as temporary accommodation for homeless households.

In addition the Council is increasing the supply of new rented housing through its acquisitions programme and new affordable housing building programme.

We are currently reviewing the range of tools used to reduce homelessness, including the bond scheme and will be considering all options to ensure these have the greatest effectiveness in supporting households to meet their housing needs.

Many Members have come across the difficulty in regards the Bond Scheme that is why Councillor Thurgood is making it an important part of the review.

**Councillor T Madge asked the following supplementary question:-**

“It is interesting to hear that we are going to get improvement. The main things are what short term plans do we have in place to house people that are homeless?”

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

There is one fundamentally reality that this Council does not have the money to build another 3,000 houses and it doesn't have the land. What we do have is the opportunity of land through private developers to ensure the houses are built and to push as hard as we can to ensure that they are affordable and private rented units on there. However I know that UKIP has opposed every single planning application in Tamworth from what I can see so why do they sit here and bleat about homelessness. Maybe they should realise the solution is to build houses.

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

**Under Procedure Rule No 11, Councillor R Bilcliff will ask the Leader of the Council, Councillor D Cook, the following question:-**

“Can the Leader please inform Council what the controlling groups stance is regarding North Warwickshire's proposed plan to allow a development of some 1,300 houses to be built directly upon our border at Robey's Lane, making a total of some 2,500 NEW houses in that area?”

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

I would like to quote North Warwickshire Borough Council Leader, Councillor David Humphreys. He made these comments after the council recently lost an appeal where they had rejected developments on Tamworth's borders near Dordon.

“It has been a long standing aim in North Warwickshire to avoid us appearing to merge into the larger urban area of Tamworth. We've had planning policies on this since at least 1989 and have always been supported by local people.”

So you can see that they don't support building to our borders.

This position was reaffirmed to myself and the deputy leader, Cllr Robert Pritchard, when we met the council's chief executive earlier this year.

In terms of our own position as Cllr Stephen Doyle said in a letter delivered to residents in Stonydelph this weekend. We are very concerned by this proposal and we have a long record of opposing development on our borders that offers no infrastructure benefit to Tamworth.

I can't see our position changing on this specific proposal either. We will oppose any development that is bad for Tamworth or brings the town no benefits.

It is worth noting that we must also consider another possibility. What if a planning application is submitted In North Warwickshire and somehow it actually offers infrastructure benefits / relief to Tamworth. It is possible, unlikely, but possible.



Then we all may view it differently. But at present I believe as an Authority we are opposed.

I recall speaking with a previous Leader of NWBC, he stated the objective they would like to see with the 500 units built for Tamworth is a few placed on the border of several villages in NW, thus not changing the character of NW as a rural district. This I always agreed with.

**Councillor R Bilcliff asked the following supplementary question:-**

“Potentially this development if it goes ahead, will add a further 2,000 plus vehicles to the 1,800 plus already envisaged from the Golf course development? Can the Leader please confirm that no agreement will be made by TBC to allow North Warwickshire any access to the internal roads within the Golf course development?”

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

I could say that it is a matter for the planning committee as a regulatory body rather than myself. However as it is Christmas I will do my very best to answer it. I share Councillor Bilcliff's concerns same as with Brown's Lane which was a dump and run of 165 houses on a road off Tamworth with no benefit to Tamworth hence I in front of Lichfield District Council's planning committee myself and opposed it. Planning must come with some benefits to this Borough. If we are talking about Robey's Lane possibly the easiest way to access it should be through the new estate on the golf course. But for some unknown reason that I can't quite remember maybe Councillor Claymore can remind me that the Council still owns 1 metre around the golf course and can control those roads. I wonder how that was allowed to happen.

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

**Under Procedure Rule No 11, Councillor R Bilcliff will ask the Leader of the Council, Councillor D Cook, the following question:-**

“Can the leader inform the council when the Community Infrastructure Levy (CIL) will be placed before council for adoption?”

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

On the 29<sup>th</sup> September Cabinet gave approval for the CIL charging schedule to be submitted for an independent examination. In preparing the documents for submission officers have identified some areas where some further work is required.

Depending on the outcome of this work this may need a further round of consultation and consideration by Cabinet. If this is the case we expect to be in a position to adopt CIL in Autumn 2017.

If no further consultation is required we expect to adopt in summer 2017.

It should be noted that there are suggestions that the Government may be looking to change the CIL regime. Officers expect an announcement in the New Year and depending on this announcement it may delay the submission and subsequent examination and adoption.

**Councillor R Bilcliff asked the following supplementary question:-**

“Newark & Sherwood council was the first council to adopt the CIL regulation way back in December 2011. Can the Leader explain why it has taken Tamworth council so long to adopt the CIL regulation, which was made law on 6<sup>th</sup> April 2010?”

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

I'm not sure I can fully answer that question to be honest. The Leader of the Council in the main is there to connect the dots. It's overview, it's putting the jigsaw together. Next to me is sat the expert. However I would guess why they have taken so long is that we want to get it right. It's a complicated minefield and we really do want to get it right. There were real concerns with the Anker Valley development. If I remember rightly if you charge CIL on Anker Valley the infrastructure needs would put over £30,000 on the cost of each house to purchase it. It is a complicated minefield. What I would say is if Councillor Bilcliff does have those concerns then please speak to Councillor Claymore as he really is the expert.

**30 APPOINTMENT OF EXTERNAL AUDITORS 2018/19**

The Portfolio Holder for Assets and Finance advised Members of the options process and legislative requirement to appoint External Auditors for the Accounting Period 2018/19 and to seek Council approval of the recommended option.

**RESOLVED:**

- That Members agreed that
- 1 the Authority opts into the appointing person arrangements made by the Public Sector Audit Appointments (PSAA) for the appointment of External Auditors, and
  - 2 the Executive Director Corporate Services confirms our interest in undertaking the opt in appointing process following ratification by Council and has delegated powers in relation to the appointment process.

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

**31 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW REPORT 2016/17**

The Portfolio Holder for Assets and Finance presented to Members the Mid-year Review of the Treasury Management Strategy Statement and Annual Investment Strategy.

**RESOLVED:** That Members accepted the Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2016/17.

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

**32 LOCAL COUNCIL TAX REDUCTION SCHEME 2017/18 ONWARDS**

The Portfolio Holder for Assets and Finance advised Members of the results and feedback from the recently undertaken consultation on the proposed Local Council Tax Reduction Scheme from 2017 onwards and to review the consultation feedback when considering potential changes to be applied in the 2017/18 onwards Local Council Tax Reduction Scheme. Members were also advised that the Local Council Tax Reduction Scheme for working age customers for 2017/18 should include continued alignment to Applicable Amounts with those of Housing Benefit and that Members should endorse the proposed change, moderately supported by the consultation results, to restrict Council Tax Reduction awards to a maximum of 4 weeks only where the claimant(s) are abroad.

**RESOLVED:** That Members

- 1 considered the results of the public consultation on the current scheme, carried out 15 August to 14 October 2016, and endorsed the proposed recommended change detailed below:
- 2 agreed that the base scheme goes forward with the following;
  - a) That the Local Council Tax Reduction Scheme for working age customers for 2017/18 will continue to be aligned to Applicable Amounts with those of Housing Benefit, and
  - b) that Council Tax Reduction awards will be restricted to a maximum of 4 weeks *only* where the claimant(s) are abroad.

*(Moved by Councillor R Pritchard and seconded by*

*Councillor T Clements)*

### **33 AMENDMENT TO POLLING STATION SCHEME**

The Solicitor to the Council on behalf of The Chief Executive informed Members of the need to relocate two polling stations for the Parliamentary Constituency that fall within the Borough of Tamworth.

**RESOLVED:**

- That Members
- 1 endorsed the officer recommendations together with reasons for said proposals for the new locations as detailed below:
    - a) CA3 Castle Ward – move from The Phillip Dix Centre to the Community Meeting Room at St John’s RC Church and;
    - b) ME1 Mercian Ward – move from the Mercian Ward Community Centre to St Andrew’s Methodist Church Hall;
  - 2 agreed for the publication of such information as prescribed in compliance with the legislation; and
  - 3 agreed that where required appropriate recommendations be made for consideration by Cabinet in the Budget Setting Process 2017/18.

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

### **34 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:**

That Members of the press and public be now excluded from the meeting on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

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

### **35 APPOINTMENT OF INDEPENDENT PERSONS**

The Audit and Governance Committee seeking approval of the selection by three members of Audit and Governance Committee which sat as a panel for the

appointment of two Independent Persons in terms of the Localism Act 2011. The appointments require endorsement from Council.

**RESOLVED:** That the Members endorsed the recommendations as contained in the report

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

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The Mayor

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