



MINUTES OF A MEETING OF THE COUNCIL HELD ON 17th JULY 2018

PRESENT: Councillor P Thurgood (Chair), Councillors R Kingstone, M Bailey, J Chesworth, R Bilcliff, A Bishop, R Claymore, S Claymore, T Clements, D Cook, C Cooke, S Doyle, J Faulkner, R Ford, M Gant, A James, J Oates, M Oates, S Peple, Dr S Peple, R Pritchard, R Rogers and M Thurgood

The following officers were present: Andrew Barratt (Chief Executive), Matthew Bowers (Assistant Director Growth & Regeneration), Sushil Birdi (Senior Policy and Delivery Officer), Stefan Garner (Executive Director Finance), Ryan Keyte (Head of Legal & Democratic Services) and Angela Struthers (Head of Audit & Governance)

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor S Goodall, Councillor M Greatorex, Councillor T Jay, Councillor K Norchi, Councillor B Price, Councillor P Standen and Councillor M Summers.

29 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

From the minutes of the meeting held on 6th June 2018 it was noted by Councillor Dr S Peple that a written response on Question from Member of the Council number 1 is still outstanding. Councillor S Claymore confirmed a response would be received within 7 days.

30 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

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

Councillor D Cook made the following the announcement,

“Thank you Mr Mayor, Just that time of year to present the Chamber with the outside bodies, Copies have been given to Democratic services, and the Chief Executive and here is a copy for yourself and the leader of the Labour Group and leader of the other opposition party I will give them out at the end, they have been circulated and amended as per conversation we had last week. Thank you”

Councillor Dr S People made the following announcement

“Thank you Mr Mayor first of all in writing can I ask the council to note for the minutes that the sad parting of Councillor Turner who was a member of this authority, he is somebody who I can remember when I first came to Tamworth in 1989 he was generally described in political circles as an old warhorse he knew everything there was to know about Labour Party and continued to serve and the people of Tamworth for a long time, not only on the Borough Council, previously been a Birmingham Councillor but also in running trips for the members of high rise residents for many years and was some discussion amongst us as to who was the greatest negotiator because the deals he got for the coach trips down to Torquay and places like that made them very affordable outings for a large number of people over the years and obviously we want to extend our Condolences to Joan and his great extended family and I know they would be appreciative that it was noted today.

Then Secondly Mr Mayor I’ve had a conversation with the leader following the delayed election, The leader has given me the courtesy of the allocation up to our discretion therefore to say I am pleased that Councillor Standen will step down from ISG Committee and will be replaced by Councillor Faulkner and Councillor Faulkner will be replaced on Health by Councillor Bishop and that leaves Councillor Sheree People who is not on a Scrutiny due to work commitments but she will continue to be our specialist on regulatory committees, may god love her because somebody needs to when you’re on those committees.

Thank you very much Mr Mayor I will circulate that in detail but Councillor Standen was bringing it with him but hasn’t been able to”

32 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1

Under Procedure Rule No 10, Vivien Shaw of Tamworth will ask the Portfolio Holder Heritage and Growth, Councillor Steven Claymore, the following question:-

“With the decline of Tamworth's town centre so far as its retail shops are concerned and the Borough Council's much publicised ambition to convert to more of a cultural centre for visitors and residents, WHY then is the provision of adequate toilet facilities NOT seen as a priority ? I would ask, therefore what the council's plans are, if any, to rectify this shortfall”

Councillor S Claymore gave the following reply:-

“Within the 2018/19 budget setting process, and in recognition of the need to improve toilet facilities serving the Town Centre, proposals were put forward to undertake refurbishment work within the existing public conveniences located in the Castle Grounds.

These proposals will see the existing Male, Female, Disabled and Baby Change rooms being converted into a series of individual general use toilets that will also provide additional wheelchair accessibility, aides for disabled users, baby change facilities and will include one ‘changing places’ toilet. The toilets will be designed to be easy clean and low maintenance, which will mean we will be able keep one or more of the toilets open at all times and all year round.

Already a work in progress is the refurbishment of the Assembly Rooms, included within this refurbishment will be a new café complete with toilet facilities which will be open to and accessible by the general public. It was always envisaged that these facilities would go some way to replacing the old Aldergate toilets that were demolished to enable the Creative Quarter regeneration scheme”

Vivien Shaw asked the following supplementary question:-

“What is the timeline for the Assembly Rooms? Will the toilet facilities be open to everyone for the Assembly Rooms or just the people using the Café and will they be signposted because at the moment there are no signposts”

Councillor S Claymore gave the following reply:-

“Yes they will be signposted and the facilities will be open to everyone not just people using the Café. The Timeline for the Assembly Rooms is still on plan for Christmas time this year or early next year”

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2 Under Procedure Rule No 10, Vivien Shaw of Tamworth will ask the Portfolio Holder Heritage and Growth, Councillor Steven Claymore, the following question:-

“Bearing in mind the Council's clear ambition to turn Tamworth's town centre into a more of a tourist attraction than a 'shopping experience' , would it not be advantageous to prospective visitors to have a larger and more impressive "Visitor Centre" where they could obtain information on events available? Rather than the small, barely visible, corner within the council offices reserved for this purpose?”

Councillor S Claymore gave the following reply:-

“The Tamworth Information Centre is currently based in Marmion House, purely as a temporary measure following the building works taking place in the Enterprise Quarter to the Philip Dix, Carnegie and Assembly Rooms.

The Council is currently investigating town centre opportunities for the future location of the TIC. It is also considering whether we can provide in addition, a mobile TIC offer and a satellite offer at other locations in and around the town.

We will also be considering what services should be provided for both residents and visitors.

This will be as part of our wider work on our developing town centre strategy to ensure we have a comprehensive and joined up service.
Any TICs will also have Toilets”

Vivien Shaw asked the following supplementary question:-

“There are several empty properties at the moment in Tamworth Town Centre by the Town Hall why are they not been used?”

Councillor S Claymore gave the following reply:-

You may be referring to a couple we are valuating at the moment so I cannot go in to too much detail but we are hoping to look at those in the near future.”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor Dr S People will ask the Portfolio Holder for Assets and Finance, Councillor R Pritchard, the following question:-

“How much money received under 106 agreements (or equivalent) has the Council received and not yet spent, and what is the breakdown by ward in which it is due to be spent and how much is being retained for overall town-wide projects?”

Councillor R Pritchard gave the following reply:-

“As this item is on the Scrutiny work plan and I’ve already had enquiries from the committee chairman so I will provide a written response”

Councillor Dr S People objected to the response

“Mr Mayor I object that is bad manners I asked this question in good faith and it should have required an answer and I think Councillor Pritchard is falling below the standards of his duties in saying he is going to submit a written answer to a question that he’s had in due notice”

Councillor R Pritchard gave the following reply:-

“The member has had my response Mr Mayor”

Councillor Dr S People asked the following supplementary question:-

“My Supplementary then Mr Mayor is to note that clearly Councillor Pritchard knows he’s falling below standards else he would have offered a defence”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.2

Under Procedure Rule No 11, Councillor Dr S People will ask the Portfolio Holder for Heritage and Growth, Councillor S Claymore, the following question:-

“Would he join me in congratulating Tamworth Together CiC in winning a contract funded by the WMCA to carry out work in Glascote to address the needs of those furthest from securing employment?”

Councillor S Claymore gave the following reply:-

“Thank you Councillor People,

Yes, absolutely

I'm delighted that Tamworth was able to initially secure this £190,000 of funding through the WMCA, and equally delighted to hear that our partners at Tamworth Together will be delivering this three year pilot project within the Glascote community.

Glascote will be one of nine areas across the west midlands region that will share £4million, allowing each to deliver an employment Support Pilot Schemes.

As well as helping people find work, this scheme also aims to equip low paid workers with the skills needed to secure better paid jobs.

Overall, the programme is targeting around 4,500 people across the nine areas, and with a particular focus on young people, disabled people and other vulnerable groups.

I know that the scheme is due to start around this time and that Tamworth Together has a brilliant track record of delivering locality support, I therefore wish the scheme and those who receive support, every success and look forward to seeing how many people this reaches and how the project performs in the near future.”

Councillor Dr S People asked the following supplementary question:-

“Can I ask Councillor Claymore therefore please and thank you for the contents of that answer and also the fact that I join too with the group concerned that we have identified for a long period that Glascote contains a large number of people

who have got lower education attainment and are therefore furthest from employment to use the language of this scheme. Therefore can I ask him to urge on all the Council departments every support for this programme because if we are going to lift Glascote out of the problems it has, then these are the schemes we need and I would hope to see that we find the Council behind them in their work”

Councillor S Claymore gave the following reply:-

“Absolutely Councillor People I think it’s a fantastic scheme and I really do hope it works and I will be pressuring and pushing to make sure it does and as much as I possibly can”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.3

Under Procedure Rule No 11, Councillor S People will ask the Portfolio Holder for Housing Services and Neighbourhoods, Councillor M Thurgood, the following question:-

“What number of Council properties are currently void and what is the average turnaround time, once a property is void, for it being re-let?”

Councillor M Thurgood gave the following reply:-

“As of today Friday 13th July there are 18 void properties.

At the end of year 2017/18 average void turnaround time (from tenancy end date to new tenancy start date) for standard void properties was 17.75 days”

Councillor S People asked the following supplementary question:-

“Would Councillor Thurgood therefore be surprised and no doubt dismayed to find that on a matter I was dealing with for a resident I was advised that the property concerned had been void for 8 months.

What measures would Councillor Thurgood put in place to ensure that doesn’t happen in future?”

Councillor M Thurgood gave the following reply:-

“Thank you for the supplementary I’m not going to talk about a particular instance that I have no knowledge of at this particular point, I would like to remind Councillor People that she can contact me at any point to raise these issues she doesn’t have to wait for full Council.

I will look into that specific case if you send me the details”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.4

Under Procedure Rule No 11, Councillor S People will ask the Portfolio Holder for Housing Services and Neighbourhoods, Councillor M Thurgood, the following question:-

“How many council owned properties have been sold in the last five years under the Right to buy and similar schemes?”

Councillor M Thurgood gave the following reply:-

“Councillor People thank you for your question.

The total number of properties sold in last five financial years due to Right to buy was 199.

The breakdown of the properties sold were as follows per year:

Financial Year 2013/2014	-	42
Financial Year 2014/2015	-	36
Financial Year 2015/2016	-	36
Financial Year 2016/2017	-	40
Financial Year 2017/2018	-	45

During that period we have added 75 from acquisitions and 1:1 receipts.

In 2017/18, we added an additional 62 properties to our stock from acquisitions - including 43 new builds / garage sites and 19 using 1:1 receipts

So a net loss of 124 over the 5 year period”

Councillor S People asked the following supplementary question:-

“As a matter of pure policy would the Portfolio Holder join with me in condemning the fact that we still have a right to buy scheme and would ask her what she would be prepared to do, to lobby the government to get the law changed”

Councillor M Thurgood gave the following reply:-

“I think everyone knows my views on the right to buy, obviously national government has set the policy I would like the opportunity to influence and ask the questions but on my own I don't have much chance. I am more than happy to say my views but the policy is there”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO.5

Under Procedure Rule No 11, Councillor Dr S People on behalf of Councillor P Standen will ask the Leader of the Council, Councillor D Cook, the following question:-

“Could the Leader of the Council provide an update on the responses if any to the letters sent to our neighbouring authorities regarding potential developments on Tamworth's borders?”

Councillor D Cook gave the following reply:-

“Thank you Mr Mayor. I can confirm we have had positive responses from all Councils we wrote too expressing their understanding of the issues we raise. Myself and Cllr Claymore have met with the Leadership of NWBC and are meeting with LDC next Monday. Both have been receptive this far. I have sat down with the Leader of SCC earlier this year and agreed the start of a process of an overarching study which we may contribute too. They are liaising with WCC.

We have also liaised with the WMCA and the Metro Mayor. I also have a conversation booked with a Minister tomorrow 18th July to begin I hope discussions with government around the greater impact on our infrastructure due to Planning app's judged 'On their own merits'. I hope to brief all members after this point on our progress. Thank you Mr Mayor”

Councillor Dr S People asked the following supplementary question:-

“Can I just say on Councillor Standen's behalf that's exactly the kind of update we were hoping for and I will pass that on to him. Thank you”

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 6

Under Procedure Rule No 11, Councillor R Bilcliff will ask the portfolio holder for culture and operational services, Councillor J Chesworth the following question:-

“How many Licenses have been sold to Tamworth residents in regards the Green Bin Tax to date?”

Councillor J Chesworth gave the following reply:-

41% of Tamworth Households have signed up to the scheme and 49% across the partnership.

Councillor R Bilcliff asked the following supplementary question:-

Staffordshire County Council have recently announced it will reduce recycling credits over a 4 year period, given the total lost amount to Tamworth Council was reportedly £223,000 originally if this deduction is taken as a 25% loss per year this would mean Tamworth Council only loses £56, 250 in the first year and that

doesn't start till 2019, can these savings be passed on to the gardeners of Tamworth who have paid the green bin tax"

Councillor J Chesworth gave the following reply:-

"As you are all aware the charge for the green waste recycling scheme was introduced to protect services for vulnerable residents of Tamworth, that is how the scheme is intended to work.

We can't at the moment make any further decisions we do anticipate further changes to dry plastic recycling which we will keep reviewing as we go"

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 7

Under Procedure Rule No 11, Councillor J Faulkner will ask the Portfolio Holder for Communities and Partnerships, Councillor S Doyle the following question:-

"I would like to thank the Council for the recent repairs and extension to the Boardwalk at Warwickshire Moor Local Nature Reserve. This has been much appreciated by local residents.

Unfortunately, due to the actions of one or more malefactors, significant damage has been caused to this local resource.

Can the portfolio holder advise me what actions will be taken to repair this damage and what measures are proposed to diminish a recurrence of this vandalism?"

Councillor S Doyle gave the following reply:-

"Councillor Faulkner thank you for your question, I would like to point out before I answer the question that for information Councillor Chesworth heads up the Nature Reserves and liaises with the groups looking after the Nature Reserves.

I'd like to state that I and Colleagues condemn this act and also previous acts of mindless vandalism that have been carried out.

From information provided after an inspection by Officers that approximately 35 slats have been damaged in the recent incident and repairs are currently underway by TBC to address the damage and restore the walkway to its previous condition.

In terms of deterring future acts we are working with our Partners including the Police and Fire Services through the daily Partnership meetings, all the appropriate measures will be taken and ensure the regular patrols by Police Officers are supplemented by additional Special Constable Patrols as well and raising public awareness.

I would also encourage any member of the public who knows who the perpetrator(s) are to come forward and inform the Police or ourselves, this is a community asset that needs everyone's protection.

In addition I welcome the involvement of the local Cllrs in the area in promoting co-operation with the Police and ourselves in identifying those responsible for the incident.

It is unfortunate that areas such as this attract the attention of the more destructive members of the Community the closer we approach the Summer time, I would also add that in the extremely dry spell we are incurring extra vigilance is a must.

From January to May this year there has been an increase on incidents of crime reported to Police for the area in question, based on Police figures, from a total of 3 crimes in the immediate area to a total of 12 for a number of different types of crime"

Councillor J Faulkner asked the following supplementary question:-

"Thank you for your very comprehensive reply in addition to what you've said would it be appropriate if the Warwickshire Moor including the area between the river Anker and the railway line to Glasgow from London was included as a public space protection order which would give the police additional resources"

Councillor S Doyle gave the following reply:-

"This is something to consider I need to work with officers to understand the full impact but at this point in time I have no objection and I dare say nobody in this room has any objection in to something like this"

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 8

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

"Presently, the Council's vision reads:

"One Tamworth, Perfectly Placed – Open for business since the 7th century AD"

Given that this is supposedly the starting point of all the Council's strategies, what proposals has the Leader of the Council to replace this meaningless balderdash with something more apposite to our aspirations?"

Councillor D Cook gave the following reply:-

“Thank you Mr Mayor. I am deeply sorry Councillor Faulkner fails to understand or support the Councils vision statement. However. I am sure if he reflects on the corporate priorities that fall from it and guide our budgets and policies he would be supportive. They reflect this Councils desire to support vulnerable residents and raise aspirations. We will achieve this through sustained Economic growth providing resources to the public sector in Tamworth. That said. One Tamworth - to ensure equal opportunities and access to all residents to all our great town has to offer now and in years to come. Perfectly placed - to take advantage of our great connectivity and its location to the second city. Perfectly placed to grab the opportunities that lay ahead. Open for business since the 7th century AD. - this reflects on the fact that we can trace commerce and markets in Tamworth back to Saxon days in the 7th century. Tamworth is a place you can do business. Grow your business. See you family flourish. It always has been and under this group always will be. That is the vision. Sorry your aspirations do not match this statement
Councillor Faulkner”

Councillor J Faulkner asked the following supplementary question:-

“I’m sorry that the leader of the Council takes that particular view its very much a backwards looking view you could argue at the historical aspects but quite frankly its irrelevant what we should be looking at is something for the future and we should be looking at something that is clear to all the people of Tamworth and those who have dealings with Tamworth, whether is visitors or in some other capacity. Does the leader of the Council not agree with me?”

Councillor D Cook gave the following reply:-

“Mr Mayor I do not agree however I will put on record I cannot remember the terminology exactly I’m more than happy to look it up but on the day I was elected on the 10th June 2004 taking control from the Labour group opposite this Councils visions was along the line “to be the best retail experience” not perfect wording but along those lines. I have got to give the Labour group real credit that is aspiration to compete with New York, Milan, and Paris that was going for it, Unrealistic but going for it”

33 COMMUNITY INFRASTRUCTURE LEVY

Report of the Portfolio Holder for Heritage and Growth to; consider the outcome of public consultation on the Regulation 123 List, Infrastructure Delivery Plan and Planning Obligations Supplementary Planning Document and to approve the Tamworth Borough Council Community Infrastructure Levy (CIL) Charging Schedule arising from the Planning Inspectorate’s report of the examination for adoption and implementation. The Infrastructure Delivery Plan and Regulation 123 List that sit alongside the Charging Schedule to be published and a new Planning Obligations Supplementary Planning Document to be adopted

RESOLVED

That Council;

1. Resolved to adopt and publish the Tamworth Borough Council Community Infrastructure Levy Charging Schedule and Local Policies contained in Appendix 1 and that the Charging Schedule and Local Policies be implemented from 1st August 2018, in line with the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended).
2. Resolved to publish the Infrastructure Delivery Plan contained in Appendix 2 alongside the CIL Charging Schedule and that arrangements for the approval of subsequent revisions to the Infrastructure Delivery Plan be considered by Cabinet
3. Resolved to publish the Regulation 123 List, in accordance with the Community Infrastructure Levy Regulations 2010, contained in Appendix 3, alongside the CIL Charging Schedule and that arrangements for the approval of subsequent revisions to the Regulation 123 List be considered by Cabinet
4. Resolved to adopt the Planning Obligations Supplementary Planning Document (2018), contained in Appendix 4 and it will be a material consideration in future decision making on planning applications
5. Resolved to revoke the existing Planning Obligations Supplementary Planning Document (2007) and the Open Space for New Development Supplementary Planning Document (2007)
6. Resolved that a report will be submitted to a future Cabinet meeting to consider governance arrangements for the distribution of CIL funding
7. Noted Appendix 6 CIL notice of adoption (required under the CIL regulations 2010); Appendix 7 notice of revocation of existing SPD's (Planning Obligations July 2007 and Open Space for New Residential Development SPD July 2007); and Appendix 8 Obligation SPD Adoption Statement (Planning Obligations 2018). The notices in Appendix 7 and Appendix 8 are required under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and will be published following the decision of Council.

(Moved by Councillor S Claymore and Seconded by Councillor Dr S Peuple)

34 APPOINTMENT OF A DEPUTY ELECTORAL REGISTRATION OFFICER

Report of the Chief Executive to; seek Council approval to appoint a Deputy Electoral Registration Officer, with the same duties as the Electoral Registration Officer (ERO) to provide resilience and business continuity in this role.

RESOLVED That Council;

Approved the appointment of the Head of Audit & Governance, Mrs Angela Struthers, to the role of Deputy Electoral Registration Officer, under section 52(2) of the Representation of People Act 1983, having the same duties as the Electoral Registration Officer

(Moved by Councillor R Pritchard and Seconded by Councillor Dr S Peale)

35 EXCLUSION OF THE PRESS AND PUBLIC

Councillor R Bilcliff Spoke against the motion of Exclusion of the Press and Public and stated that if the Agenda item is held in private he would take no further part in the meeting.

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 3 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)

Councillor R Bilcliff left the Council Chamber.

36 LOCAL AUTHORITY TRADING COMPANY

Report of the Chief Executive to invite the Council to consider the enclosed approach to the set up and governance of a Local Authority Trading Company (LATC), which will result in an operating Company with distinct separation of powers from the Council and at the same time furthering the Council's vision and priorities in terms of its Commercial Investment Strategy (CIS).

RESOLVED

The Council Approved;

1. That authority be delegated to the Chief Executive in conjunction with the Executive Director Finance and Leader of the Council proceed as a working party to set up a Local Authority Trading Company including finalisation of the legal agreements. The Council being the sole shareholder. For clarity the Company shall be wholly owned by the Council.
2. The working party being authorised to carry out all functions necessary for the setting up of the Company including Council approval for the appointment of the initial Directors/Non Executive Director of the Company as identified in the draft business case and to continue to operate the new company thereafter
3. The alteration of the Constitution to include (i) in part 4 a new paragraph 4.2.29 "consider annual reports from the Council's Company; (ii) in Article 6 Corporate Scrutiny under Primary scope "The Committee shall bi-annually review and scrutinise matters relating to the Company's activities and performance (iii) in Article 9 a new paragraph 2.9.3 (a)(vi) consider on an annual basis the Company's Code of Practice and Governance Statement.
4. Creation of a capital budget in the sum of £4m financed from capital receipts from the sale of the land at the former golf course to provide a part loan to the LATC as per the draft Loan Agreement at Appendix C giving the LATC working capital and an ability to purchase land for housing development estimated at 48% of the capital, 52% of which is equity investment.
5. Disposal at market value of the land at Solway Close to the LATC for housing development purposes
6. Officers have been using the name "Solway (Tamworth) Limited" as the project name for the company, Council endorsed this

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

The Mayor

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