



MINUTES OF A MEETING OF THE COUNCIL HELD ON 27th SEPTEMBER 2022

PRESENT: Councillor M J Greatorex (Mayor), Councillors D Cook, R Claymore, T Clements, M Cook, C Cooke, A Cooper, S Doyle, A Farrell, R Ford, S Goodall, J Harper, T Jay, J Jones, R Kingstone, D Maycock, J Oates, S Peaple, B Price, R Pritchard, R Rogers, S Smith, M Summers, P Thurgood, P Turner and J Wadrup

The following officers were present: Andrew Barratt (Chief Executive), Nicola Hesketh (Monitoring Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

30 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Bailey, D Box, S Daniels and John Wade

31 TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 19th July 2022 were approved and signed as a correct record.

(Moved by Councillor R Pritchard and seconded by Councillor R Claymore)

32 DECLARATIONS OF INTEREST

Councillor Kingstone declared an interest in the Netting of Hedges item as he originally bought the petition to Council. Councillor Kingstone will not take part in any debate and not vote on this item.

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

The Mayor, Councillor Moira Greatorex made the following announcements

I'd like to say as the Mayor that we were all saddened at the death of her Majesty and we have entered a new era now and I'm sure you would like to join me in wishing King Charles the third our very best wishes, 'God Save the King'.

Another announcement an ex councillor Steven Pritchard is getting married tomorrow and we would like to wish him all the best as he marries Kim tomorrow.

The Chief Executive Mr Andrew Barratt made the following announcement-

Thank you Madam Mayor, at the meeting of Tamworth Borough Council held on Tuesday, 19th July 2022 it was resolved that pursuant to section 249 sub section 5 of the Local Government Act 1972 this Council does hear by confer the title of Honorary Alderman of the Borough upon Mr Ken Norchi and Dr. Simon Peaple In recognition of their eminent service to the Borough of Tamworth whilst they were an elected members of the Borough Council, with that I would ask Mr Norchi and Mr Thomas Peaple, who is collecting the award on behalf of Simon to join the Mayor to receive their certificates.

The Leader of the Council, Councillor Jeremy Oates made the following announcement-

Thank you, Madam Mayor, I would like to raise this evening was the sad passing of our former Monarch Queen Elizabeth the second and would just like to say a big thank you to everybody during that time, the Councillors did themselves proud turning up at different events and really getting a sense of the importance of that time in our lives. And Madam Mayor I really want to praise yourself, you had a lot of weight on your shoulders, I was stood with you on the podium at the proclamation and there were many eyes watching us making sure we got the National Anthem correct. I think you should be congratulated on how you performed during that period. Also, to the officers involved, we spent many years planning for such an event only to see the plan change immediately and then regularly throughout the ten-day mourning period and the officers did well to keep up with that. Our Chief Executive was away for the first few days and Anica Goodwin stepped in I just wanted to record that she did a cracking job in deputising and looking after the whole first few days of that period. So, I just wanted to congratulate yourself and all involved and fellow Councillors for what was sad event but how well people stepped up and achieved what they needed to during that period.

Councillor Tina Clements gave the following announcement-

Thank you, Madam Mayor, it gives me great pleasure, to announce that tomorrow 28th September the Mercian Regiment will be marching through our town. The regiment were awarded Freedom of the Borough in 2007 and then along with the Tamworth Royal British Legion, the Regimental Association Navy and the Royal Airforce in 2013, this was done to thank service personnel and the veterans and families for their dedication and service to our former Majesty the Queen and now the King I hope to see a lot of Members out in the town tomorrow to enjoy the march and to thank to Sarah Mcgrandle and her team because again, it has all been pulled together at the last minute, it has been embargoed for so long and then the notices had to go up so the cat was out of bag.

34 TO ELECT A DEPUTY MAYOR

Following the resignation of Deputy Mayor Councillor Danny Cook, Councillor John Harper was elected as Deputy Mayor

(Moved by Councillor R Pritchard and seconded by Councillor T Jay)

35 REVISED COMMITTEE ALLOCATION DUE TO THE CHANGE IN POLITICAL BALANCE

Under rule 4.10.10 Councillor D Cook moved the following motion:

That Council thank all the Chairman of all Regulatory and Scrutiny Committees for their hard work.

(Moved by Councillor D Cook and seconded by Councillor M Cook)

This motion was carried unanimously.

Membership for the Committees due to political change from 27th September 2022 is as follows:

Appointments & Staffing

Councillors
S Doyle
J Oates
R Pritchard
M Summers
J Wadrup

Audit & Governance

Councillors
A Cooper
D Cook
S Daniels
R Kingstone
R Ford
J Jones
Paul Turner

Planning

Councillors
D Box
R Claymore
A Cooper

S Daniels
R Ford
S Goodall
J Harper
J Jones
D Maycock
B Price
S Smith
M Summers
P Thurgood

Licensing

Councillors
M Bailey
D Box
R Claymore
T Clements
C Cooke
A Cooper
S Doyle
M Greatorex
J Oates
B Price
S Smith
J Wade
J Wadrup

Nominations & Grants

Councillors

D Box
T Clements
M Greatorex
J Harper
S People
R Pritchard
P Thurgood

Infrastructure, Safety and Growth Scrutiny Committee

Councillors
M Cook
R Ford
S Goodall
J Harper
D Maycock
B Price
R Rogers

P Turner
S People

Corporate Scrutiny Committee

Councillors
D Cook
M Cook
C Cooke
A Cooper
S Goodall
J Harper
T Jay
S People
S Smith

Health and Wellbeing Scrutiny Committee

Councillors
R Claymore
C Cooke
M Greatorex
J Jones
R Kingstone
D Maycock
Roy Rogers
S Smith
J Wadrup

Homelessness Prevention & Social Housing Sub Committee

Councillors
M Cook
Alex Farrell
T Jay
S People
P Turner

Chief Officer Conduct Committee

Councillors
S Goodall
R Kingstone
D Maycock
R Rogers
P Thurgood

Statutory Officer Conduct Committee

Councillors
C Cooke

A Farrell
R Ford
S Peuple
J Wade

Councillor D Cook amended that the Independents Group will give their place on Appointments & Staffing Committee to Cllr J Wadrup.

(Moved by Councillor J Oates and second by Councillor D Cook)

36 QUESTION TIME:

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 1

Under Procedure Rule No 10, Mr Paul Sharman of Tamworth will ask the Portfolio Holder Voluntary Sector, Town Centre, Evening Economy and Community Safety Councillor Martin Summers, the following question: -

Question

How many CCTV cameras do we have in Tamworth and how many are currently not Working.

Councillor Summers provided the following answer

Presently in Tamworth we have a total 154 closed circuit CCTV cameras covering public open spaces.

One out of our 154 cameras have been decommissioned, which is located on the top of the old police station (Spinney School Lane, Tamworth) as this building is due to be demolished soon.

CCTV plays a key role in making Tamworth safer, helping to provide evidence where a crime has been committed and, reducing crime where cameras are operational.

CCTV monitoring aims to:

- Assist in the detection, reduction, and prevention of incidences of crime
- Provide evidential material to assist police investigations
- Deter those having criminal intent
- Reduce the fear of crime and give confidence to the public that they are in a secure environment
- Provide safer communities
- Reduce acts of vandalism
- Assist in the prevention and detection of antisocial behaviour
- Assist with traffic management

Supplementary

How much is the council saving by outsourcing the monitoring to Birmingham.

The shared service agreement with WMCA for the provision of CCTV monitoring and response, represents a potential saving of c£487k over a period of 5 years (2020 – 2025).

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 2

Under Procedure Rule No 10, Mr Peter Hill of Tamworth will ask the Leader of the Council, Councillor Jeremy Oates the following question:-

Question

What incentives or Persuasions are T.B.C applying to Barclays to keep the Bank in St. Editha's Square open?

Councillor Oates provided the following answer

The Council has not been formally told of this decision, however we do understand it is a commercial decision made by Barclays due the falling number of visitors to the bank and the increased use of digital access.

There are no incentives the council can offer.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 3

Under Procedure Rule No 10, Ms D Wilson, of Tamworth will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

The first section 20 letter stated residents could choose contractors to put forward. However, another resident had a letter stating they could not. Could the portfolio holder tell us which was the correct variation of the letter? "

Councillor Farrell gave the following answer

I assume that this question and the next 4 questions relate to leaseholder charges for context this only affects 20 leaseholders across the town but I understand for those people affected how serious this is as an issue. The section 20 process is carried out in three stages. The opportunity to nominate contractors for inclusion in the procurement process was at Stage 1 which was before tenders were invited; stage 1 was completed late in 2019. No contractors were nominated but it should be noted that the tenders were advertised nationally and as the UK was still a member of the EU at the time the contract would have been advertised in the EU Journal.

We are now at stage 3 of the process; contracts were awarded in line with the tender. Stage 3 of the process invites leaseholders to comment on the necessity of the works only and not the contractor.

Supplementary

Could you see how this could be viewed as misleading to residents because of having two letters to go out and there seems to be as far as letters are concerned some have received one and some have received a different one so where do we go and what should we do.

Answer

Yes, the letters were sent out in stages so the first was sent out quite a long way before the second one and another gap before the third one. I can understand it is a confusing and worrying situation for you. Very happy to have a further conversation with you further down the line. The problem is when you get to the third stage the contract has already been awarded, we have a ten year agreement with the contractor and we cannot change this as we would be in breach of contract with our current supplier who are Equans and Waites a combination of the two. I understand the three letters all said something different but its because of the stages of the consultation.

Councillor M Cook raised a Point of Order under rule 4.10.10 to move the following motion:

That the handling of communications to residents is brought to corporate scrutiny at the first available meeting and specifically how we handle communications to leaseholders. This should include looking at how leaseholders are made aware of their responsibility for payment for works required by Tamworth Borough Council as freeholder of their properties and their right to influence the Councils decisions, using the Gillway cases we've heard of tonight as our case study.

Cllr R Kingstone raised a Point of order that Under rule 4.10.10 to note that the motion should be voted on without further discussion.

Point of Order was raised by Councillor R Pritchard - I understood that motion 4.10.10 related to motions during debate and not questions to the public.

The Monitoring Officer confirmed that the motion could be moved under rule 4.10.10 under questions.

Motion without notice

RESOLVED: That Council

Agreed that the handling of communications to residents is brought to corporate scrutiny at the first available meeting and specifically how we handle communications to leaseholders. This should include looking at how leaseholders are made aware of their responsibility for payment for works required by Tamworth Borough Council as freeholder of their properties and their right to influence the Councils decisions, using the Gillway cases we've heard of tonight as our case study.

(Moved by Councillor M Cook and seconded by Councillor

R Kingstone)

The motion was carried.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 4

Under Procedure Rule No 10, Ms P Pallett, of Tamworth will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

In the terms of transparency could the portfolio holder provide us with a breakdown of costs for the roof replacement which was promised before by officers months ago.

Councillor A Farrell gave the following answer

The costs provided in the Stage 3 notice are an estimate based on the schedule of rates that we use for works of this nature and on the costs received for completed works of a similar nature. At the point at which the works are completed no work as yet been started and invoices are issued a breakdown of the costs will be provided on request.

Supplementary

I have asked for a breakdown on numerous occasions and not received any answers. I would like a breakdown of what is included in the £36,000

Answer

It's difficult to give you that answer now as it was an estimate and not a costing. But I am happy to get a breakdown and send it over to you after the meeting.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 5

Under Procedure Rule No 10, Mr J Pallett, of Tamworth will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

Can the portfolio holder explain why there have been so many inconsistencies with correspondence during this current process?

Councillor A Farrell gave the following answer

I'm very happy to take the communication to Corporate Scrutiny as voted on earlier in this meeting. But without additional information it's difficult to answer your question I not entirely sure of the inconsistencies you talk about. The council as followed the correct process, as far as I'm concerned in serving the notices and in procurement and award of the contract, its already been tested through the 1st tier tribunal. Stage 1 and Stage 2 notices were issued in advance

of the contract being awarded and stage 3 notices relate to specific elements of work and have been issued to the affected leaseholders.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 6

Under Procedure Rule No 10, Mr J Hadley, of Tamworth will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

" Can the council clarify for us that previous works have been completed to a satisfactory standard as expected?"

Councillor Farrell gave the following answer

It is difficult to respond to this question as it lacks specificity. We do however have Project Officers overseeing the works and if there are any issues or defects that need resolving they will be done at no cost to the Council or Leaseholders. We have a 10-year contract in place with our planned works contractors and part of the contract requires them to attend to any defects.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 7

Under Procedure Rule No 10, Ms H Hadley, of Tamworth will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

As you can see the previous questions have thrown up a lot of inconsistencies which has encouraged us to seek legal independent advice. Councillor Farrell are you willing to negotiate with officers of the council to reduce the cost of the project in question to a more realistic price and one that is within the price range of 3 independent quotes we have already obtained?

Answer

The Council believes that it has followed the correct process in relation to the serving of notices and the procurement of these contracts, this has been borne out by the outcome of a previous matter referred to the First Tier Tribunal.

The Council is obliged to recover those monies due under the terms of the lease, failure to collect these monies in full would ultimately mean that Council Tenants would be meeting the shortfall. This is unfortunately the nature of Leasehold property.

A detailed breakdown of the costs can be provided upon completion of the works and Leaseholders may challenge this through the First Tier Tribunal if they so wish. I would like to take this general issue to the Homelessness Prevention and Social Housing Committee and leaseholder charges should go there and they should go to Corporate Scrutiny so I will work out so there's no overlapping.

It is unclear as to what inconsistencies are being referenced as so far as the Council is concerned it has followed the correct procedure, has issued the correct section 20 notices and has procured and awarded the contracts in accordance with EU and UK (PCR2015) procurement regulations.

Supplementary

Just to clarify the inconsistencies that have been spoken about we have got proof of these and the inconsistencies have led us to seek legal advice. And you did mention its okay to charge leaseholders more, a £36,000 roof that the council have estimated we have got three estimates and the most expensive comes out at £12,000 and that's to remove the asbestos and the council's estimate was 3 times that amount. So how can you justify that that's okay to charge us that.

Councillor A Farrell gave the following answer

So, in terms of the costs, I will look into those costs and as I said we have instructed a surveyor to give his analysis. We have spoken over the phone about a solicitor when we had a chat its not for me to advise you what to do but it is around £100 to go to a tribunal and you can come together for that £100 so you can go as a Council block so that might be the best port of call. They will look at the consultation process, so they won't look at the costs. They will look at whether the work needs doing, and they will look at the process that the council as come to get to those costs. So, I would suggest that probably is the best way to go as solicitor costs can be quite high and for a solicitor to say the council as followed the right process will probably result in you spending a lot of money. It is a two way process there are three people that are affected by this roof issue that have approached the council to say they are struggling to sell and not necessarily in Gillway but recently they struggling to sell as the roof was an issue we want to ensure the property is of marketable value and safe to you as well so it does work both ways. Happy to come along to your meeting if I can make it and very happy to invite you to the Homelessness Prevention and social Housing committee where we talk about these issues as well.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 8

Under Procedure Rule No 10, Mr R Brown, of Tamworth will ask the Leader of the Council, Councillor J Oates, the following question:-

"Who is ultimately responsible for the authenticity and integrity of Entries posted on the Council's website ("tamworth.gov.uk")?"

Councillor J Oates gave the following answer:

Council Officers are responsible for disseminating fact and posting council activities on the website

Supplementary

When will the council remedy current practices so that residents and electors can know with certainty that each and every statement, they read there is attributed to a known author signed and dated

Answer

All communications from the Council are done on behalf of the council and done by relevant the relevant people within the council and they hold various different positions but ultimately that falls under the responsibility of the Chief Executive to manage and ensure they are correct so they all go out on behalf of Tamworth Borough Council as the local authority.

QUESTIONS FROM MEMBERS OF THE PUBLIC NO. 9

Under Procedure Rule No 10, Mr R Brown, of Tamworth will ask the Leader of the Council, Councillor J Oates, the following question:-

Who is ultimately responsible for the authenticity and integrity of Topics and "Tamworth Borough Council" Comments made on our Council's Facebook Page ("Tamworth Borough Council")?

Councillor J Oates gave the following answer:

In the same as the previous question Council officers are responsible for managing that media outlet

Supplementary

There is no TBC online and public dialouge forum anywhere else so why doesn't our council name it what it is (the face book) page rather than call it Tamworth Borough Council because that name and the use of the borough' Councils logo can easily induce that community to expect a dialogue.

Answer

I understand why some people may come to that conclusion. Facebook, social media websites, printed media are all out lets for information also mass media. Some people use them as forums and some people use them for advertising space some people use them to promote and sell their products through their business. It's entirely down to the individual users how they use that channel. In Tamworth Borough council's case it is there to disseminate fact and promote TBC events.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 1

Under Procedure Rule No 11, Councillor Richard Ford will ask the Portfolio Holder for Voluntary Sector, Town Centre, Evening Economy & Community Safety Councillor Martin Summers, the following question:-

'In recent weeks Travellers have gained access to Dosthill Park. Can the portfolio holder advise what is the Council's long-term strategy to deal with these recent unauthorised encampments at Dosthill Park?'

Councillor Summers gave the following answer

On the last 2 occasions travellers accessed Dosthill Park the travellers forced entry into the site by removing bollards, therefore to try and make access for travellers more difficult the intention is to ground scape the area behind the bollards,

An undulation would be created with a JCB large enough to make it difficult for travellers caravans get over, the ground scaping would then be reinstated and seeded, the intention would be to start these works within the next 4 weeks subject to the availability of the contractor,

Supplementary

Just for context I did submit that question on 12th August so when it says recent week's as this meeting was delayed, I would like to thank Councillor Summers for his detailed answer and I will leave the supplementary as its going to be answered in other question submitted by other councillors.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 2

Under Procedure Rule No 11, Councillor Chris Cooke will ask the Leader of the Council, Councillor Jeremy Oates, the following question:-

I've had many residents complain to me about cars ignoring the pedestrian zone in the town centre.

Will the leader of the council join me in congratulating Staffordshire County Council for enforcing the pedestrian zone, and will he encourage them to visit the zone more regularly going forward.

Councillor Oates gave the following answer

I welcome this progress would I congratulate the County Council, I wouldn't go that far but I welcome the progress and its time we had some enforcement. Only recently I got a copy of the traffic restriction order for the town centre and all I can say is its very old and very complicated it was drawn up in the 1980's and had some tweaks in 2001. As a result, there are many different elements that apply to different areas particularly around deliveries and vehicular access to Gerge Street and Market Street, its quite a complex document and it does allow

vehicles to go up and down that area at different times of the day for different purposes, but I do welcome the beginning of some enforcement down ther.

Supplementary

With the recent news about the bollards and the training of officers on the system could we have an estimated time an when the manual bollards will become operational,

Answer

The George Street bollards require a telephone number to be re-mapped to the CCTV control Centre I have been told this will take 48 hours, so hopefully should be done by the end of the week. That is the information I received, going forward vehicles will have to press the button and speak to CCTV who will then lower the bollards as necessary. The Colehill and George Street exit bollards are operational on exit. The one at the exit of Market Street are now operational the only part of the system that will not be operational will be the Colehill two way exit and entry bollards at the lower end and that's due to a problem with the loops in the road that need relaying. I am told at the end of the week that all the ones I have spoken about will be operational by the end of the week and I will drop an email to confirm that.

The Chief Executive announced that bollards in the town Centre are the responsibility of the county council, just for clarity for the public.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 3

Under Procedure Rule No 11, Councillor John Harper will ask the Portfolio Holder for Voluntary Sector, Town Centre, Evening Economy and Community Safety, Councillor Martin Summers, the following question:-

In the wake of recent incursions by travellers at Bolehall, Dosthill and Stonydelph – all of which caused much stress and anxiety to local residents - could the portfolio holder please update councillors on the full financial cost of dealing with the unauthorised encampments. This total outlay will of course exclude many hours spent by police officers and PCSOs on surveillance and other associated duties but should take into account costs associated with council officers dealing with the travellers (particularly if they were taken from other duties for surveillance or have been required to work out of normal working hours); installation of new security gates at Bolehall and other security measures at Dosthill and Stonydelph; costs incurred in the legal process of gaining Court Orders requiring the travellers to vacate the sites; costs of the clean-up operations; and expenditure for any proposed measures still to be implemented.

Councillor M Summers gave the following answer:

Obviously, breaking news as of today somebody as managed to hangle grind the gates so the costs I give today do not include what happened today

The cost for new barriers and locks at Rene Road came to £5,996, the cost of replacing bollards and new locks at Dosthill was £960, the cost for cleansing and clearing waste from all of the travellers visits this year was around £5,424, total cost to date £12,380

Supplementary

Would the Portfolio Holder agree with me that this is a serious problem in Tamworth and we have to find a way of dealing with this that is effective and will keep our citizens, our residents feeling safe and secure in their own homes and we will endeavour to take every possible step in our power to prevent these enormous costs from escalating in the future. This money could be better spent on other things.

Answer

Of course I would agree, The chief Inspector that I have spoken to about this on many occasions and was there at the eviction on Rene Road realised that there was more they need to do in terms of communication. I feel I must re-iterate that there does seem to be a misconception that we can direct the police in there actions, we can't as a council but I do believe they are trying they have recently changed to a new policing model in Tamworth which as given them a lot more freedom in response and it is changing the way they are thinking as well and they are going to be much more open and frequent in their communications to residents but which will hopefully go a long way to making them feeling safer. But of course, the steps we take to try and stop illegal incursions are going to come with a cost attached to them and maybe for many more years to come. we have found out today that someone can turn up in file and angle grind a gate off without anyone being any the wiser that it happened. We do need to do something, we are doing something and everything as been ramped in the process of trying to prevent this form happening. Everyone in this council as had contact from worried residents complaining when illegal incursions have happened and this associated anti-social behaviour as occurred and its not a nice thing to be dealing with as councillors, we don't want to know our residents are suffering its not something any of us enjoy but we as councillors have a responsibility to take a step back and look at the bigger picture understand and try and come up with solutions together and workable solutions at that. So yes I absolutely would agree with you and we are trying to come up with solutions as we have seen with the installation of gates at Rene Road.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 4

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

Would the Leader of the Council agree with me, when recommendations are moved / passed at Scrutiny committees that the Chairman or the Vice Chairman attend the next Cabinet meeting to present those Scrutiny Recommendations to Cabinet, that this is precisely what should happen especially if both Chairman and Vice Chairman are available?

Councillor J Oates gave the following answer

There is a standing item on the Cabinet agenda for Scrutiny Chairs and Vice Chairs to attend when they can, this offer is always there for Chairs and Vice Chairs to bring recommendations to either verbally or written to Cabinet.

Supplementary

The reason I ask there were two recommendations moved at Corporate Scrutiny to go to Cabinet and neither of them arrived. After speaking with the Chair of Scrutiny I understand that he was discussing them with the Leader certainly around working of bollards so my question is why did they not arrive at Scrutiny. The meat of one of those recommendations was that for the second time this year the Leader and Deputy were on holiday the same time, can I ask them to check their diaries in future.

Answer

Madam Mayor I am not aware of any recommendations that were proposed for the Cabinet meeting. As you are aware I do not put the Cabinet agenda together the Chief Executive does that and sends the summons out so I do not know why the Vice Chair was unable to get his recommendations on that agenda

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 5

Under Procedure Rule No 11, Councillor D Cook will ask the Deputy Leader of the Council, Councillor Robert Pritchard, the following question:-

“In the By-Election in Spital in January 2022 a promise was made to the residents of the Spital ward on Conservative leaflets and Facebook posts {I believe} that a new play area for local children would be built in Lakenheath. The very political promise went on to state the funding had already been found.

At the point, this promise was made can the Deputy Leader advise where he intended to take this funding from and what is the progress to date on this play area?”

Councillor R Pritchard gave the following answer:

The funding came from the council’s capital.

In terms of progress, a council’s press release dated 31st August, and available on the council’s website, updates the public on the progress of this play area.

Supplementary

It didn’t come from the Capital budget it came from the Capital contingencies budget this is emergency tax payers funds you were cashing in for political promises in a by-election you were going to win anyway. I was hoping you’d agree with me I was right to put a stop to you doing it

Answer

As the member will be aware he was lobbied by myself, former Councillor Chesworth and former Councillor Brindley for some years to get this particularly play area refurbished. The new Council Leader's priority is refurbishment of these play areas and the Lakenheath is the first of many that will be refurbished over the coming years and I as a ward Councillor am absolutely thrilled that this play area is getting the funding it deserves. The funding is part of the council's capital programme which was approved by the Member opposite.

QUESTIONS FROM MEMBERS OF THE COUNCIL No.6

Under Procedure Rule No 11, Councillor M Cook will ask the Leader of the Council, Councillor Jeremy Oates, the following question:-

I note that Tamworth Borough Council's progress towards Achieving Net Zero Carbon will be discussed at Cabinet this week. Can the Leader of the Council inform us when this Council will see the proposed action plan to set out our journey to achieve Net Zero?

Councillor J Oates gave the following answer

Thank you for the question. The NetZero report was discussed at the Infrastructure Safety and Growth Committee on Monday 26th September is on the Forward Plan for the next Cabinet. What the report did was present the end of step one of the road map that went through Cabinet in Feb 2021 and what that gave us was a carbon baseline of all the activities that we have control of and some that we don't have control within Tamworth Borough council. So relating to the question, phase 1 is now complete so we move to step 2 which is the creation of the action plan that Councillor Cook refers to in her question. That will begin as soon as Cabinet as agreed to accept the baseline and what will happen that will be done with external consultants and that will have to go out to tender be tendered and piece of work completed. The timeline suggested by Infrastructure, Safety & Growth is that should be done before the end of 2024

Supplementary

In November 2019 this Council declared a climate emergency and if you take the definition of emergency, it is a situation requiring immediate action. I don't know if you are already aware of this but since the declaration on 19th November 2019, 1043 days have passed in percentages that is 28% of the times 2030 or 9.4% of the times 2050. If you make us wait until the end of 2024 which was suggested last night, it means that by 2050 17% of the time available would have passed without significant delivery or 2030 that's 51% of the time. Therefore, does the Leader of the council agree with me that by delivering an action plan by Dec 2024 will mean too much time would have passed and if so can Cllr Oates confirm what additional resources he plans to put in place to ensure that this emergency declaration that was declared can be met sooner and our hard

working officer have the capacity to present a plan to us much sooner than 2024 as they said that they would only be capable of doing it assuming the plan was in place as was said last night.

Answer

Whilst that was one question, I think there were two significant points to come out of that. Time waits for no man and time is marching on and Cllr Cook is absolutely right we made that declaration in Nov 2019 a contingency was set up and that contingency was released by Cabinet on 18th February 2021 so we had already lost a considerable time before Cabinet released that contingency and started the work. But that work was done within the year it was planned for within the budget and what I can say in terms of the second part of the question we still have a healthy amount in the fund to begin that work and this year we are considering a policy change to get more resource to get that piece of work done as quickly as we can, so the contingency as a healthy amount in so we can get cracking and we will be considering as a whole council a policy change to increase that resource in the next cycle in February.

QUESTIONS FROM MEMBERS OF THE COUNCIL No. 7

Under Procedure Rule No 11, Councillor B Price will ask the Portfolio Holder for Voluntary Sector, Town Centre, Evening Economy and Community Safety, Councillor Martin Summers, the following question:-

“The Leader of the Opposition recently brought something to my attention that as Chairman of Licensing does make me a little nervous.

It was identified in the last Quarterly Performance report that as of 31st May 2022 - The Environmental Health team reviewed their templates in 2019 but no further work on making them Assure compliant has been undertaken. There is significantly more work in the EH workstream than in the planning workstream.

Does Cllr Summers have a plan for fixing this before the system is needed?”

Councillor M Summers gave the following answer

Thank you for the question. Please don't be nervous Cllr Price everything is in order and as been since I took over in January 2022. I do have a plan to ensure that the Assure project can move forwards. The Environmental Health team have just been able to increase the capacity of the licensing team by 0.4FTE with the appointment of a licensing officer. This post will deliver some of the taxi licensing work but also assist with streamlining some of the EH processes and procedures to make sure that workload is delivered efficiently. I foresee that this post would be the most appropriate resource to use to support Assure.

I think it is also worth pointing out that NEC (formerly Northgate) have indicated that they will continue to provide support for the M3 software, for the foreseeable future. With this essential additional resource progress can now be made on the project.

I would like to point out that although people would like to cut it from their minds in 2020 where we were all in lockdown the world changed environmental health officers were put to other tasks not something that could be prioritised at the time so its not really surprising that we had slower progress than we'd hoped.

Supplementary

Just to clarify Councillor Cook had your Portfolio Holder for 33 days. Good to hear the old system can be extended if needed whilst the new system comes on line. The way the quarterly performance report reads is that this is a serious issue that Scrutiny as picked up on. Can we ensure in future that issues from your portfolio are addressed in the performance report in a way that does not inflame a situation that does not needs inflaming. The performance report whilst not in your portfolio deals the results of your actions with actions in your portfolio please can I ask that you keep a closer eye in the future.

Answer

That would imply that I am not keeping a close eye right now which I can't admit to I'm very much keeping a close eye and its up to all Councillors to keep a close on performance reports instead of relying on others to do it for them.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 8

Under Procedure Rule No 11, Councillor S People will ask the Portfolio Holder for Voluntary Sector, Town Centre, Evening Economy and Community, Safety Councillor M Summers, the following question:-

As discussed at the last council meeting, residents across the Borough, including my ward, Bolehall, are very concerned at the potential for future disruption caused by travellers. Can the Portfolio Holder please update the council as to what has been done since the last meeting to achieve a robust permanent solution to this issue?

Councillor People was happy with the answers already given to other members of the council. Councillor People asked the following supplementary

Supplementary

My specific supplementary is with regard to the police and their actions during the times that we have been dealing with various incidents with the travellers. I know you have been liaising closely with the police. I've picked up from residents and businesses that there appears to be a mismatch between the public and businesses perception of the police presence and the police's perception of their presence. I wonder if you could comment on that and specifically as to whether

there as been incidents of no crimeing going on by the police if you are aware of that.

Answer

I can't speak for the police, but I can speak for meetings I've had with them and what they've told me. I understand the reasons why, it seems that when the police have enquiries or reports coming into them they go to follow them up and sadly they are not then backed up with statements from the public and then they can't go forth and investigate them as they would do normally. That's what they are telling us is happening and unfortunately its seems that social media as a massive part to play in riling people up and indeed spreading so much mis-information its untrue. When I went to the last eviction at Bolehall I spoke to residents only to find on social media people had put two things I'd said, well putting two and two together and making five and then spreading that around as if it were gospel truth so yes there is a mis match but we do need the public in those areas to do their part and in any areas where there is an illegal incursion we need people to l'm afraid to use the word set up and back up their reports of crime with a statement as this is the only way the police can work. We did ask the police to provide a continued police presence in the areas and I believe from feedback I got they did a good job in the area and when I spoke to residents they said the same and indeed they were out in force on the day I went there. But yes, there is a mis match in terms of what is really going on and what people think is going on. I absolutely hate and despise the mis information and the rats nest that can be facebook at times, it really doesn't help and it can make people feel at lot less safer than they really are because they think things are happening that really aren't and I would urge Tamworth residents' to get in touch with their local Councillor to get the facts on what's happening rather than rely on social media. I have been happy to answer queries from residents in your ward and any wards I've replied to all of them as far as I know. Always be careful of your sources when finding out what is actually happening on the ground.

Councillor S Peple did clarify that she had specifically asked about no crimeing and for clarity that is when a crime is reported to the police but not actually recorded.

Councillor Summers said from the very first incident when travellers incured at Bolehall the police did admit that the call handlers were initially adding information to the existing crime report rather than making individual reports and this was addressed at the second incursion and I understand they have addressed that now. I think all councillors have always been aware that any crime should be reported and you should get a crime number

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 9

Under Procedure Rule No 11, Councillor S Daniels will ask the Leader of the Council, Councillor J Oates, the following question:- (Councillor S Peple asked the Question on behalf of Councillor Daniels)

The flooding experienced by my Bolehall residents and indeed all the users of the Amington and Glascote roads is an annual concern that is only getting worse. During the last heavy rains, the roads under the arches were nearly impassable. Anyone trying to use the paths by the cinema would have not been able to do so. Residents have made their concerns clear to borough and county councillors for a long time and as our climate changes, the situation will only get worse.

Whilst I am aware that this is a matter for the County Council to deal with, can the Leader of the Council please explain to Tamworth's residents what he is doing to facilitate appropriate liaison between officers of the two councils and between concerned councillors of both authorities to ensure these roads and paths are safe to use.

Councillor J Oates gave the following answer

In terms of the liaison between the two authorities we have an reverse agency agreement which forms the conduit for joint working and in terms of making the paths and roads useable part of that includes agreement of the clean up following an episode of flooding in the area and I've had many residents complaining to me after having to walk through the mud and detritus that's left after the drains have topped over. So that reverse agency agreement is an officer conduit for communication between the two. In terms of members, we do have County Councillors who are twin hatters on this authority and as a result we are able to get our points across through the division highways plans. I was going to explain a number of other items as to what sort of things have been happening over the last few months in relation of mitigating the problem. A number of things have been suggested and a number of things have been found there as been some survey work which as identified another third outlet into the river which the County and Borough council were not aware of. It unfortunately sits with the environment agency and not ourselves to maintain so we are putting pressure on them to clear that additional third channel. We have also been looking at doing a proper Survey

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 10

Under Procedure Rule No 11, Councillor T Jay will ask the Portfolio Holder for Finance, Risk and Customer Services, Councillor M Bailey, the following question:-

There has been some excellent work done across the Town to renovate garage sites to bring them up to standard for use, or to create additional parking spaces. In Belgrave we have a localised parking issue in Medway where there is enough space available to create additional parking spaces. Can the portfolio holder assign some officer time to review possible options for the residents of Medway?

Councillor Farell answered on behalf of Councillor Bailey

More than happy to speak with yourself and support you in preparing a budget bid. We have also done some more work recently in Medway on garage sites

and that resulted in 9 garages under properties that are fit to let so there are 9 available these were renovated in 2018 and also created another 7 spaces available from the recent demolition works to a stand alone site, its an area we take very seriously and thank you for raising it on behalf of the Belgrave residents.

Supplementary

Will you get some officers time to review this.

Answer

Very happy to do this

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 11

Under Procedure Rule No 11, Councillor C Cooke will ask the Portfolio Holder for Homelessness Prevention and Social Housing, Councillor A Farrell, the following question:-

Given the current issues going on in Gillway regarding the roofing replacement. A lot of residents have outlined issues with communication (Either via letters being addressed to the occupier) or no letters being received at all.

Would the portfolio holder support me in bringing this process to scrutiny ensure the communication successfully reaches the residents when works such as this are going on.

Councillor Farrell gave the following answer

Thanks for all your hard work for the residents. On the first part of your question its worth noting that the approach taken differs between council tenants and leaseholders, so for council tenants any letters will be sent to their property informing them of any proposed works, the timetables and potential disruptions the works might cause this is part of our normal tenant communication process for planned works but with respect to our leaseholders we are required to serve formal notices at set stages setting out our proposals. Not all leaseholders occupy the property that they own the lease hold of where we have an address where they want notices to be served we will always try to use that address.

We will also try and cross reference for any billing address we hold for that property. This would usually be done when they formally notify us of is being let to a third party but in absence of any formal notification from the leaseholder then notices will be served at the property.

So the letter makes it clear that if the occupant is not the leaseholder they should pass onto the landlord or to the lease holder and a notice is considered to have been served if its posted to the leaseholder address, a record of the notices sent out as this would be requires as evidence in any tribunal case, copy of the merge template the , mail merge data base and the external postal company receipt as previously been accepted by the tribunal as evidence that the notice was served. All letters in any given block would have been issued at the same time so its

unlikely that one letter would have been delivered and not all however, where the flat is let to a third party it is possible that the occupant as not passed on the letter so in essence anyone affected will have a letter of some kind and it will say if you are not the owner of the property please pass on to your landlord.

QUESTIONS FROM MEMBERS OF THE COUNCIL NO. 12

Under Procedure Rule No 11, Councillor D Maycock will ask the Portfolio Holder for Environment, Entertainment and Leisure, Councillor R Pritchard, the following question:-

Will the cabinet member update me on progress being made to cleanse and tidy the town's HRA estates?

Councillor R Pritchard gave the following answer

The condition of the HRA estates was not a priority for the previous Portfolio Holder and I am seeking to fix that with the current portfolio holder councillor Farrell we are making this a political priority of this authority

The council is in year 2 of a 5 year programmes to deliver real environmental improvements to housing areas across the Borough, during the winter and spring of 2021-22 the team focused on tidying alleyways garage sites and drying areas.

I have seen the work the teams have done, and it has made a real different to the look and feel of these areas. Previously neglected areas are now looking like nice places.

During the summer the team focused their attention on weed control programmes on hardstanding areas within the estates, The HMO's are currently now focusing again on tidying alleyways garage sites and drying areas.

The teams will spend time focusing during the winter period on localised re-landscaping projects across, targeting rundown tired greenspaces within the estates, to improve environmental quality and improve customer satisfaction.

I would very much welcome the public feedback to this work, as well as works they would like to see in their estate.

Can I just add my thanks to the staff involved in this ongoing project.

Supplementary

Echo the thanks of the Cabinet holder and just say as we have all seen through lock down open spaces are quite important and I for one felt that through lock down they were neglected a little bit but its good to see now that our HRA estates are looking as good as our Borough's open areas.

Answer

I would like to thank the member for his kind comments and will pass onto to the staff

37 TO CONSIDER A MOTION REGARDING BANNING THE GIVING OF LIVE ANIMALS AS PRIZES NOTICE OF WHICH HAS BEEN DULY GIVEN IN ACCORDANCE WITH PROCEDURE RULE NO. 4.12.1 BY COUNCILLORS R PRITCHARD, P TURNER, T CLEMENTS, J HARPER AND D MAYCOCK

The Council considered the motion of Banning the giving of live animals as prizes.

RESOLVED: That council

1. Agreed to update its policy and conditions of land use to outright ban the giving of live animals as prizes, in any form, on Tamworth Borough Council land and;
2. Agreed to write to the Government, urging them to consider an outright ban on the giving of live animals as prizes on both public and private land.

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

38 SCRUTINY RECOMMENDATIONS TO COUNCIL IN RESPONSE TO THE PETITION TO STOP THE NETTING OF HEDGES IN TAMWORTH

Councillor Richard Kingstone as petition organiser did not debate or vote on this item.

Report of the **Error! Unknown document property name.**the Infrastructure Safety & Growth Scrutiny Committee to report back to Council following consideration by the Infrastructure Safety & Growth Scrutiny Committee (the "Committee") of the matters referred to it by Council following Council's receipt on 15th March 2022 of the Petition to Stop the Netting of Hedges in Tamworth.

RESOLVED: That Council

Agreed that within the Planning Validation Criteria an additional criteria relating to the netting of hedges/trees is included and reference is made to include the RSPB Guidance on hedges and netting in consultation with the County ecologist and;

The Assistant Director has agreed to await the recommendation of

Full Council prior to closing the consultation on the validation criteria.

(Moved by Councillor S Goodall and seconded by Councillor R Ford)

39 ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2021/22

Report of the Portfolio Holder for Finance, Risk and Customer Services report is a requirement of the Council's reporting procedures

It covers the Treasury activity for 2021/22, and the actual Prudential Indicators for 2021/22.

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both Codes in accordance with Regulations issued under the Local Government Act 2003. It also provides an opportunity to review the approved Treasury Management Strategy for the current year and enables Members to consider and approve any issues identified that require amendment.

REOLVED That Council

1. approved the actual 2021/22 Prudential and Treasury Indicators within the report and shown at Appendix 1; and
2. Accepted the Annual Treasury Management Report for 2021/22.

(Moved by Councillor R Pritchard and seconded by Councillor R Kingstone)

The Mayor

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