



## **MINUTES OF A MEETING OF THE CABINET HELD ON 3rd APRIL 2014**

**PRESENT:** Councillor D Cook (Chair), Councillors R Pritchard, S Claymore, S Doyle, M Greatorex and J Oates

The following officers were present: Anthony E Goodwin (Chief Executive), Andrew Barratt (Director - Assets and Environment), Stefan Garner (Director of Finance), Anica Goodwin (Director - Transformation and Corporate Performance), Jane Hackett (Solicitor to the Council and Monitoring Officer), Robert Mitchell (Director - Communities, Planning and Partnerships), Michael Buckland (Head of Revenues), John Day (Corporate Performance Officer), Tina Mustafa (Head of Landlord Services) and Steve Pointon (Housing Strategy Manager)

### **129 APOLOGIES FOR ABSENCE**

None.

### **130 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 13 March 2014 were approved and signed as a correct record.

*(Moved by Councillor R Pritchard and seconded by Councillor J Oates)*

### **131 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **132 QUESTION TIME:**

#### **QUESTIONS FROM MEMBERS OF THE PUBLIC**

#### **NO.1**

**Under Schedule 4, 13, Mr M Brookes asked the Portfolio Holder for Economy and Education, Councillor S Doyle, the following question:-**

"Reference the Golf Course: please confirm the volume (in tons) of authorised landfill placed on the council land at Tamworth Golf Club (Amington) by the company Jack Barker Ltd during the time of the company's lease of the land?"

**Councillor S Doyle gave the following reply:**

Thank you for the question Mr Brookes.

There was never any “landfill/Domestic waste” tipped at the site but the operator did secure planning consent and a license from the Environment Agency to tip “inert material” to reshape the site and create a driving range.

The Council was responsible for ensuring all works were carried out in accordance with the respective planning permissions granted to Tamworth Golf Centre. It undertook site monitoring to ensure the contouring and location of the tipping was in line with the approved plans.

The contractor was in possession of a waste management site licence for the works, which was issued and compliance with the licence overseen by the Environment Agency.

Tamworth Borough Council cannot issue a Waste Management Site Licence, only the Environment agency can.

Tamworth Council were not responsible for the quality or quantity brought onto the site; this is stated in the site license issued by the Environment Agency to Tamworth Golf Centre and their contractor (Jack Barker).

The EA will have received information from the contractor on the loads tipped; the EA will also have dockets of the type of material tipped and have the legal responsibility to ensure it was materials that would not be harmful to the local environment.

The original planning permission approved the tipping of 150,000 cubic meters\* of inert material.

There was Subsequent planning permission granted to extend the time allowed for tipping due to the Economic Recession.

The applications to extend the time also included a variation to reduce the overall amount of tipping. Planning permissions indicate that 101,000 cubic meters of insert material have been tipped forming the new landscaped fairways and incomplete driving range area.

During this time the site was monitored for the location and massing of the landscaping works to ensure compliance with the approved plans.

To achieve this 4000 cubic meters of fill was used and 1750 cubic meters of top soil. All the mounds have been grass seeded and are now incorporated into the golf course.”

**Supplementary question:**

If 101,000 cubic metres were tipped do you know the value obtained by Jack Barker Ltd?

**Councillor S Doyle gave the following reply:**

It was overseen by the Environment Agency and not information that the Council has. Jack Barker Ltd is now in liquidation so it is unlikely that the information is available.

\*the volume of inert fill has been roughly converted to a tonnage and equates to approximately 167,000 tonnes. It is not possible to give a definitive answer as the composition of the inert fill is unknown.

**133 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES**

None

**134 GOLF COURSE RE-DEVELOPMENT PROJECT**

The Report of the Portfolio Holder for Economy and Education seeking to revisit the deferred recommendations from the report dated 20<sup>th</sup> February was considered.

**RESOLVED:** That Cabinet:

1. Delegated authority to the Portfolio Holder Economic Development and Education and Engagement Strategy to agree a strategy with residents and other stakeholders and approve in the interim the implementation of a regular electronic newsletter and regular press releases to support communications on progress to residents, and;
2. Approved the recommended approach for disposal of the site through unconditional sale following outline planning consent being secured.

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

**135 LGA PEER ASSESSMENT - IMPROVEMENT PLAN**

The Report of the Leader of the Council seeking endorsement of the proposed high level Improvement Plan arising from the recommendations set out in the LGA Peer Assessment final report was considered.

**RESOLVED:** That Cabinet:

1. Endorsed the high level Improvement Plan;
2. Committed to supporting CMT colleagues in the delivery

of stated outcomes;

3. Endorsed the inclusion of Locality Working and Corporate Commissioning as services for inclusion in the Sustainability Strategy workstream, and;
4. Agreed to monitor progress against the plan as part of the Performance Management process.

*(Moved by Councillor D Cook and seconded by Councillor J Oates)*

### **136 ANNUAL REVIEW 2013/14 AND CORPORATE PLAN 2014/15**

The report of the Leader of the Council to inform Cabinet of the contents of the Annual Review and Corporate Plan was considered.

**RESOLVED:** That Cabinet:

1. Approved the Annual Review and Corporate Plan

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

### **137 TEMPORARY RESERVES, RETAINED FUNDS AND PROVISIONS**

The Report of the Portfolio Holder for Operations and Assets seeking Member approval for the establishment of retention of Temporary Reserves, Retained Funds and Provisions, to write back to balances those reserves that have been identified as no longer being required was considered.

**RESOLVED:** That Cabinet:

1. Approved in principle the creation/retention of Temporary Reserves as detailed in the report and considered whether a spending plan against each of the individual reserves will be required;
2. Approved that should the actual outturn level adversely vary from the predicted outturn adjustments will be made and Members may be asked to review the creation of these reserves;
3. Approved the write-back of reserves identified as no longer being required in the sum of £56,875 to General Fund Balances and £25,600 to the HRA, to support the Medium-Term Financial strategy.

*(Moved by Councillor R Pritchard and seconded by*

*Councillor D Cook)*

### **138 MANDATORY AND DISCRETIONARY RATE RELIEF POLICY**

The Report of the Portfolio Holder Operations and Assets seeking Cabinet approval of the proposed Mandatory and Discretionary Rate Relief Policy with effect from 1<sup>st</sup> April 2014 was considered.

**Resolved:** That Cabinet:

1. Approved the Mandatory and Discretionary Rate Relief Policy with effect from 1<sup>st</sup> April 2014.

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

### **139 FEES AND CHARGES POLICY**

The Report of the Portfolio Holder for Operations and Assets seeking approval from Cabinet to adopt Fees and Charges Policy as part of the Council's Financial Regulations was considered.

**Resolved:** That Cabinet:

1. Approved the Fees and Charges Policy for adoption within the Council's Financial regulations, and;
2. Approved the requests to Heads of Service to review the basis of the Fees and Charges within their service area as part of the Sustainability Strategy Service Review process and identify whether service provision is subsidised, part subsidised or full cost recovery and consider opportunities to revise fees and charges as appropriate.

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

### **140 TENANT DESIGNATED PANELS - LANDLORD SERVICES**

The Report of the Portfolio Holder for Public Housing and Vulnerable People seeking to set out powers within the Localism Act 2011 whereby Landlords have the option to establish a Designated Tenants Panel (DTP) under which to refer complaints about the Council's Landlord Service was considered.

**RESOLVED:** That Cabinet:

1. Endorsed the Tenant Consultative Groups

recommendation to not establish a Designated Tenants Panel (DTP), and;

2. Delegated authority to the Director of Transformation & Corporate Performance to include tenants in the overall review of the Council's 'Tell Us' Policy planned for 2014/15.

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

#### **141 ALLOCATIONS POLICY REVIEW**

The Report of the Portfolio Holder for Public Housing and Vulnerable People to agree the Council's Housing Allocations Policy and to agree for future reviews and changes to the policy was considered.

**Resolved:** That Cabinet

1. Approved the Council's Allocations Policy, and;
2. Approved the Portfolio Holder for Public Housing and Vulnerable People to authorise non material changes to the policy.

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

#### **142 HOSPITAL TO HOME PILOT PROJECT**

The Report of the Portfolio Holder for Public Housing and Vulnerable People to update Cabinet regarding the approach that has been developed to prevent delayed discharge from hospital that is related to housing issues. To seek Cabinet approval to further develop this approach in partnership with the South East Staffordshire and Seisdon Peninsular Clinical Commissioning Group (CCG) and other partnership organisations for a six month period was considered.

**RESOLVED:** That Cabinet:

1. Cabinet agreed to the further development of the 'Hospital to Home' project in order that a full assessment can be made as to its effectiveness, value for money and future potential to facilitate effective partnership working between housing, social care and health, and;
2. Approved to seek a waiver to financial regulations to deploy £25K of Homelessness Prevention Funding in order to continue joint working arrangements for the duration of the 6 month pilot of the 'Hospital to Home' project.

*(Moved by Councillor M Greatorex seconded by Councillor J Oates)*

### **143 REVIEW OF THE ORGANIC WASTE COLLECTION SERVICE**

The Report of the Portfolio Holder for Environment and Waste Management seeking Cabinet approval to amend Organic Waste Service was considered.

**RESOLVED:** That Cabinet

1. Approved the removal of all food waste form Organic (Garden) Waste Bin from 13<sup>th</sup> October 2014;
2. Granted authority to the Director of Assets & Environment to commence the procurement of a contract for the disposal of garden waste, including entering into suitable legal agreement with the preferred supplier, and;
3. Approved the commencement of negotiations with Biffa Waste, East Staffordshire Borough Council and South Derbyshire District Council with a view to securing either the early exit from the existing waste disposal contract for the treatment of co-mingled garden and food waste or a reduction in the minimum tonnage.

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

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Leader