

MINUTES OF COUNCIL

20 SEPTEMBER 2023

PRESENT:

The Mayor (Councillor Mrs O'Rourke), Councillors Mrs A'Barrow, Barnett, Mrs Brown, Daly, Douglas, Miss Dumbleton, Edwards, Gillias, Harrington, Mrs Hassell, Karadiar, D Keeling, Lawrence, Lewis, Ms Livesey, Mrs Maoudis, Mrs McKenzie, Mistry, Moran, Mrs New, Picker, Poole, Rabin, Mrs Robinson, Roodhouse, Mrs Roodhouse, Russell, Sandison, Mrs Sayani, Slinger, Srivastava, Mrs Timms, Ward, Ms Watson-Merret and Willis.

33. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors J Keeling, Roberts, Mrs Roberts, Ms Robbins, Roodhouse and Mrs Roodhouse.

34. MINUTES

The minutes of the meeting held on 12 July 2023 were approved and signed by the Mayor.

35. DECLARATIONS OF INTEREST

There were no declarations of interest.

36. MAYOR'S ANNOUNCEMENTS

The Mayor informed Council that 21 September was is Dementia Awareness Day. This is an international campaign aimed at raising awareness and challenge the common stigma that surrounds Alzheimer related dementia. Alzheimer's is a progressive disease that impairs memory and other mental functions. The theme for this year's World Alzheimer's Day is 'Never too early, never too late.' The Mayor encouraged everyone to go onto the Alzheimer's Association website to raise their own awareness about this debilitating condition.

The Mayor provided a few updates about her charity:

- Everyone present at the meeting was reminded that the Mayor's charity bingo night was on Friday 13 October. Tickets were now on sale and could be purchased from Rugby Railway Club or from the Mayoral and Civic Officer. The Mayor looked forward to seeing as many people there as possible.

- The Myton Parachute jump fundraiser was taking place on 30 September. The Mayor wished good luck to Daksha and the Deputy Mayor and congratulated them on raising nearly £2,000.
- Mike Connell and Tom Kittendorf, two of the Council's Chief Officers, would be doing a bungee jump in December and the Mayor looked forward to more details to share with everyone.
- The children's chill out room at Rugby Myton Hospice had been funded by the Rugby Benevolent Fund, and Rugby School Arts department would be painting a rainbow mural on the main wall with 3D butterflies. The Mayor thanked the Rugby Benevolent Fund and Rugby School for their support.
- Rugby Rokeby Lions had donated another £500 making their total donations £750.

September had been a busy month for mayoral engagements:

- The Mayor's special appreciation award was given to the Friends of the Hospital of St Cross Hospital in recognition of the outstanding work they do in fundraising for equipment and management of all the volunteers.
- The Mayor attended the opening of the Hill Street HIVE and officially opened the new Griffen school along with the care home at Butlers Mews.
- The local heritage tours were delightful and the Mayor had really enjoyed touring on the red bus and the visits to St John's the Baptist Church, Houston, the Percival Guildhouse, St Marie's Church and the Rugby Distillery.

On Saturday 23 September, the Rugby food and drinks festival would be taking place in the town and the winners of this year's annual Calendar competition, which is currently on show at the Rugby Art Gallery and Museum, would be announced. The calendars would be on sale for £8. The photos submitted were of a very high standard and feature well known sites in the Borough.

37. QUESTIONS PURSUANT TO STANDING ORDER 10

Councillor Sandison asked the Leader of the Council, Councillor Poole:

"This Council was recently approached by the Rugby Rail Users Group regarding the proposed loss of ticketing facilities at Rugby Station for the 2 million passengers who regularly use the station. Not everyone is digitally literate or enabled. They may require additional support from the ticket office because of age or infirmity. This would be a significant loss of service. Has the Leader of the Council made representations on behalf of Rugbeians as requested?"

Councillor Poole, Leader of the Council, provided the following response:

“Whilst recognising that for some rail users the prospect of ordering tickets online and through self-service machines may not pose a problem, for many sections of our community the ticket office staff provide much-valued assistance and expertise which is not otherwise available.

In particular, our more vulnerable residents and those who are digitally excluded rely on ticket office support and it is essential that they are still able to use Rugby station fully into the future.

A great many Rugby residents have expressed their concerns to me about the current proposals, and having considered the proposals, I do not believe that they are in the best interests of the Borough’s residents.

Therefore, I have both completed the consultation and written directly to Avanti West Coast urging reconsideration of these proposals. I am happy to share a copy of this letter with Councillor colleagues.

I would like to take this opportunity to thank the Rugby Rail User Group for the work that they do to support the users of rail service from Rugby Train Station.”

Councillor Sandison asked the Leader of the Council, Councillor Poole:

“I appreciate services cannot stand still or be frozen in time but, with such a large number of passengers either travelling by train or transferring to coach travel to complete a journey, should we, as a Council, be making representations for a permanent travel information centre at the railway station?”

Councillor Poole, Leader of the Council, provided the following response:

“I can understand the benefits of a permanent travel information centre at the railway station however before we make representations, I recommend that Scrutiny Committee undertakes a review to support, or otherwise, the introduction of such a facility.”

Councillor Sandison then asked the Leader of the Council if, in light of the heavy workload of Scrutiny Committee, it would be more timely to refer this matter to the Town Centre Regeneration Working Group and include as part of the town centre masterplan. The Leader of the Council agreed to consider this option and let Councillor Sandison know the outcome.

Councillor Rabin asked the Growth and Investment Portfolio Holder, Councillor Picker:

“Every prosperous high street has a distinct identity, a personal service and the convenience and flexibility of neighbourhood shopping. Research has shown that the visual appearance of shops and the quality of the retail offer directly impacts a shoppers’ decision to shop local.

The shop front is the identity of the shop - irrespective of the line of trade it pursues. It is also the single most effective marketing tool for most high street business. A well-ordered, tidy, contextual and cared-for appearance will almost always result in better business.

Every shop front is also part of a wider urban context. It impacts on the way the host building is read and it contributes to the look and feel of the high street as a whole - even when a shop is closed and at night.

Like many town centres throughout the country, Rugby has faced its challenges, losing some national and international retail chains. Despite this, Ordnance Survey data has shown a significant increase in independent service businesses. Since 2020 19% increase in fast food outlets, 12% increase in pubs and bars, 39% increase in restaurants, 12% increase in beauty and personal services. This trend appears to be continuing as many of the premises currently vacant are under offer.

Every town centre high street has a distinct identity, defined by the character of the existing architecture. Our town centre has distinctive architecture – some of historical importance. This must be protected.

Any new businesses undergoing shop front improvements need to strike a careful balance between business needs, the building they sit within and the appearance and coherence of the street as a whole. In recent years this has not been addressed. One such example is the new mini-market on the corner of Market Place and Chapel Street.

In the absence of a Supplementary Planning document this business has been able to install intentionally obtrusively bright and compelling shop front advertising displays that has shown absolutely no coherence with the architectural style of the building or other shop fronts along the high street. This is not the only example.

Could Councillor Picker please confirm that our Town Centre Regeneration Working Group is actively working on the introduction of a Supplementary Planning document enabling Planning Committee the power to define the visual style of any future shop front designs – and that this forms part of the planned Development Strategy Service Plan?”

Councillor Picker, Growth and Investment Portfolio Holder, provided the following response:

“The Council is actively working on a Shop Front Supplementary Planning Document (SPD) and it is an identified task within the Growth and Investment Service Plan for 23/24. It will also appear in revisions to the Local Development Scheme when decisions about the review are Local Plan Review are made this Autumn. It is anticipated that the SPD will be ready for adoption, following the statutory consultation, process in Spring 2024.

Shop Front Improvements is also a workstream within the Action Plan for Town Centre Regeneration. In addition to the SPD other planning tools such as Areas of Special Advertisement Control and Regulation 7 Directions are currently being considered and options will be reported to both the Town Centre Regeneration Working Group and Planning Services Working Group.”

Councillor Edwards asked the Leader of the Council, Councillor Poole:

“Community pharmacies in Rugby play a vital part in our local health economy. Community pharmacies can improve people’s health and reduce pressure on NHS hospitals and GPs. With many local residents finding it more difficult to get face to face GP appointments, and other health services stretched beyond breaking point, it is more important than ever that we support community pharmacies to ensure medicines, clinical services and medical advice can be accessed locally.

Would the Leader agree to write a joint letter from all political groups to the Secretary of State and the MP for Rugby and Bulkington outlining our concerns and

1. request urgent emergency funding to keep pharmacies in Rugby open, and reverse closures where they are needed;
2. empower local fully qualified pharmacists with greater prescribing rights and public health advisory responsibilities, to prevent costly and avoidable hospital admissions and free up GP time to focus on more urgent requests; and
3. develop a long-term plan for pharmacy services to put them on a sustainable financial footing.

Councillor Poole, Leader of the Council, provided the following response:

“We recognise the important role of pharmacies throughout our communities in Rugby and I share the concerns of residents that although the Pharmaceutical Needs Assessment in October 2022 found sufficient numbers of pharmacies, subsequently there have been closures of some national pharmacy chains. This has resulted in additional pressure on many of our community pharmacies.

I would be more than happy to write, alongside other political groups, to those who are able to take the steps to keep pharmacies in Rugby open. However, this responsibility lies not with politicians as the question suggests, but with the NHS commissioning services and the Coventry and Warwickshire Integrated Care Service who make decisions about the need for, and resourcing of, pharmacies in our community.

In addition, the “Delivery plan for Recovering Access to Primary Care,” published in May 2023 by NHS England, contained proposals for Pharmacy First which will enable pharmacies to prescribe to patients. Pharmacy First will launch before the end of 2023, learning from areas that have implemented similar models, subject to a DHSC-led consultation with the Pharmaceutical Services Negotiating Committee. This service will enable pharmacists to supply prescription-only medicines, including antibiotics and antivirals where clinically appropriate, to treat seven common health conditions (sinusitis, sore throat, earache, infected insect bite, impetigo, shingles, and uncomplicated urinary tract infections in women) without the need to visit a GP. NHS England will also support research to ensure a consistent approach to antibiotic and antiviral use between general practice and community pharmacy. Further information about the Delivery Plan and Pharmacy First can be found at: <https://www.england.nhs.uk/long-read/delivery-plan-for-recovering-access-to-primary-care-2/>

I will, therefore, write a letter to the Chair of the NHS Coventry and Warwickshire Integrated Care System to express the concerns of this Council regarding access to pharmacy services within our community, and urging them to take steps to ensure that our residents have access to this service. I am happy to co-sign this letter with all Group Leaders, to convey the united strength of feeling that exists on this vital matter.

I will also ensure that a copy of this letter is provided to Mark Pawsey MP, and to the Minister for Primary Care and Public Health, to further support the work our MP has done and continues to do on providing additional health services in Rugby.”

Councillor Edwards then asked the Leader of the Council if he could confirm if the Integrated Care Service had sufficient resources to cope with the increase in the volume of telephone calls it now received in relation to prescriptions due to the demand on local GP surgeries. The Leader of the Council agreed to provide a written response to Councillor Edwards.

Councillor Sandison asked the Leader of the Council, Councillor Poole:

“The RSPB and Wildlife Trust are incredibly worried that Michael Gove MP is relaxing pollution legislation regarding new development as it pertains to English rivers. Currently 14% of English rivers meet the good ecological condition standard and this figure could fall to as low as 6% by 2027 according to the Environment Agency.

Will the Council be involved in any consultation or new planning guidance regarding this important matter which could impact upon our blue and green infrastructure and any policy considerations affecting future local plans?"

Councillor Poole, Leader of the Council, provided the following response:

"At present, before granting a planning permission which might have a significant effect of a European site (a protected, valuable habitat which is designated as either a Special Protection Area or a Special Area of Conservation) a local planning authority must consider the project's implications on the site's conservation objectives. This is called 'appropriate assessment'. Permission can then only be granted if the appropriate assessment determines that the development will not adversely affect the integrity of the European site.

Across many parts of the country, but not Warwickshire, there is an issue with excessive nitrates leading to eutrophication (algal blooms) undermining the integrity of rivers that are designated as European sites. This led Natural England to advise that planning permissions for new houses in the catchment areas of those rivers should not be granted unless it can be demonstrated that the development is 'nutrient neutral'. In other words, that it wouldn't release nutrient pollution into the river catchments through sewage.

This has caused housebuilding to stop in some parts of the country because nutrient neutrality is difficult to achieve. In response, the government's amendment to the Bill would remove consideration of the impacts of nutrient pollution from the appropriate assessment process for most planning applications. Alongside this amendment, the government has tabled other amendments seeking to tighten the rules for permitted levels of nutrients in waste water by 2030 and tackle nutrients in agricultural run-off.

As the Government's amendments are to a proposed act of parliament, Rugby Borough Council will not be consulted on them. As noted above, Rugby Borough does not lie within the catchment area of any of the protected rivers which are subject to nutrient pollution issues. Therefore, the proposed amendment, if enacted would not alter our consideration of planning applications.

Notwithstanding that, the ecological health of our rivers is being considered through the ongoing Water Cycle Study which has been jointly commissioned with other Warwickshire authorities as local plan evidence."

Councillor Sandison then asked the Leader of the Council if all Members would receive a copy of the study of all of the borough's water courses. Councillor Poole suggested that this would form part of the upcoming Local Plan.

Councillor Mrs Robinson asked the Leader of the Council, Councillor Poole:

“Could the Leader of the Council please provide data on the proportion of taxi drivers operating in Rugby with a local license, compared to those operating through a license with the City of Wolverhampton Council?”

Councillor Poole, Leader of the Council, provided the following response:

“The Council is a licensing authority for hackneys and private hire. At the moment, the Council has 112 licensed hackney carriages, 59 licensed private hire vehicles, 212 dual licensed taxi drivers (able to drive hackneys or private hire vehicles) and 22 operators (must hold a licence to operate private hire vehicles). However, I am unable to advise on the number of private hire vehicles operating in Rugby licensed by the City of Wolverhampton.

There are two types of taxi. The first is the hackney carriage, which can operate from ranks and can be flagged down, and to do that they must be licensed by the authority they are working in. The second is the private hire vehicle which has to be prebooked, commonly now using an app. While private hire vehicles and their drivers used to be licensed by the authority they mainly work in, the government stopped this in the Deregulation Act 2015. Now any private hire operator can licence their vehicles and drivers in one area and then operate in another, while the local authority whose area they are operating has no control over the numbers, their behaviour or the quality of their vehicles. This was an obvious risk which resulted in letters being sent to the then Secretary of State by the Council, but this practice is now well established, with Wolverhampton being the largest authority issuing private hire licences.

While the Government has indicated it plans to review taxi legislation, some dating back to 1847, no timescale has been set and it is not a priority. Wolverhampton has confirmed they have 89 private hire drivers and 59 private hire vehicles licensed to addresses in Rugby, however, that does not mean they operate in Rugby, as there are no restrictions on where private hire vehicles operate once licensed. We believe that the majority that operate in Rugby licensed by Wolverhampton belong to a single app based operator, but they are not required to advise us of how many of their vehicles operate in our area and as they are likely to operate in more than one area, direct comparison would be difficult.”

38. REPORT OF CABINET – 18 SEPTEMBER 2023

RESOLVED THAT – the report of Cabinet be approved.

39. REPORT OF AUDIT AND ETHICS COMMITTEE – 29 JUNE 2023

RESOLVED THAT – the report of Audit and Ethics Committee be approved.

40. REPORT OF LICENSING AND SAFETY COMMITTEE – 12 JULY 2023

RESOLVED THAT – the report of Licensing and Safety Committee be approved.

41. REPORT OF OFFICERS

(a) Polling District and Places Review 2023

Council considered the report of the Returning Officer (Part 1 – agenda item 7(a)) concerning a review of polling district and places.

RESOLVED THAT –

- (1) the compulsory polling district and places review to commence on Monday 2 October 2023;
- (2) the outline timetable for the review be approved;
- (3) approval be granted to follow the review process described in the report;
- (4) the Electoral Registration Officer be authorised to take the necessary measures as soon as possible to give effect to parliamentary constituency changes, ensuring that the register reflects existing and new constituencies until the boundaries are fully in force;
- (5) the Electoral Registration Officer be authorised to take the necessary measures to give effect to any new or amended polling districts on completion of the polling district review, ensuring that the register reflects existing and new boundaries until the boundaries are fully in force; and
- (6) the power to designate polling places be delegated to the Chief Officer for Legal and Governance – such power to be exercised only where a decision is required at short notice and it is not possible to await a decision of the Full Council.

42. NOTICES OF MOTION PURSUANT TO STANDING ORDER 11

- (a) Councillor Edwards moved and Councillor Mrs New seconded the following notice of motion which had been submitted in accordance with Standing Order 11:

“This Council notes that there is in an ever-increasing use and reliance for services including payment using smart phones, Apps, car parking and other digital devices as well as the increase in chat bots (artificial intelligence).

Whilst it is recognised that the use of technology has brought benefits to sectors of the community it has also driven a growing digital divide.

*The Digital Poverty Alliance defines digital poverty as “**the inability to interact with the online world fully, when, where, and how an individual needs to**”.*

The Good Things Foundation also states that a lack of digital skills and access can have a huge negative impact on a person's life, leading to poorer health outcomes and a lower life expectancy, increased loneliness and social isolation, less access to jobs and education - <https://www.goodthingsfoundation.org>.

Council requests that a small task and finish group scrutinises how Rugby Borough Council ensures that no discrimination is taking place this should include all services including the Queens Diamond Jubilee Centre. The Scrutiny report should be reported back to full Council by the new year as to the outcome of the review and its recommendations.”

Further to debate, Councillor Ms Livesey moved and Councillor Mistry seconded the following amendment:

“This Council notes that there is in an ever-increasing use and reliance for services including payment using smart phones, Apps, car parking and other digital devices as well as the increase in chat bots (artificial intelligence).

Whilst it is recognised that the use of technology has brought benefits to sectors of the community it has also driven a growing digital divide.

*The Digital Poverty Alliance defines digital poverty as “*the inability to interact with the online world fully, when, where, and how an individual needs to*”.*

The Good Things Foundation also states that a lack of digital skills and access can have a huge negative impact on a person's life, leading to poorer health outcomes and a lower life expectancy, increased loneliness and social isolation, less access to jobs and education - <https://www.goodthingsfoundation.org>.

Council requests that:

i) Rugby Borough Council supports the Good Things Foundation Get Online Week from 16th-23rd October 2023 and encourages people who may benefit to sign up with the National Digital Inclusion centres in the borough to improve their skills; and

ii) a small task and finish group be set up to:

- ***Commission independent research onto the extent of digital exclusion in the borough, and how other similar authorities have tackled the issue.***
- scrutinise how Rugby Borough Council ensures that no discrimination is taking place this should include all services including the Queens Diamond Jubilee Centre;
- report back to full Council by the new year as to the outcome of the review and its recommendations; and
- ***the findings inform the future development of the Customer Access Strategy and IT Digital Strategy.***

Further to debate, the Mayor put the amendment to the vote and declared it lost.

The Mayor then put the substantive motion to the vote and declared it carried.

RESOLVED THAT - a small task and finish group scrutinises how Rugby Borough Council ensures that no discrimination is taking place this should include all services including the Queens Diamond Jubilee Centre. The Scrutiny report should be reported back to full Council by the new year as to the outcome of the review and its recommendations.

(b) Councillor Rabin moved and Councillor Picker seconded the following notice of motion which had been submitted in accordance with Standing Order 11:

“In 2017 some 33,000 trees were planted around Rugby in collaboration with Natural England and Warwickshire Wildlife Trust. Tree guards made from non-biodegradable plastics and were used. This plastic tubing continues to blight the areas where planting was concentrated., with some constricting the saplings they were covering, littering our parks and open spaces, or stuck in streams.

Recognising the current research by organisations such as the Woodland Trust and the University College of London, future planting should look to utilise alternative, fully biodegradable, pH and ecotoxicity neutral tree guards that break down to feed the soil and support the ecosystem.

Therefore, through the forthcoming trees and biodiversity strategy, the Council should:

- 1. review the present state of saplings – identifying those that require the removal of tree guards to ensure healthy growth;*
- 2. develop a plan to remove and recycle all remaining tree guards from Rugby Borough Council land and encourage others to do the same;*
- 3. commit to utilising other methods to protect newly planted trees, such as overplanting saplings, utilising timber barriers and planting protective species around saplings; and*
- 4. implement a new policy to ensure that where available, fully biodegradable, pH and ecotoxicity neutral tree guards are used in all future planting projects.”*

Further to debate, the Mayor put the motion to the vote and declared it carried.

(c) Councillor Mrs McKenzie moved and Councillor Mrs Robinson seconded the following notice of motion which had been submitted in accordance with Standing Order 11:

“This Council respects the equality and diversity of individuals, and this includes how female Councillors are addressed. By adding “Mrs” or “Ms” to the title of female Councillors, the Council is implicitly saying all Councillors are male unless otherwise designated. As gender and marital status have no relevance to undertaking the role of a Councillor, the suffix of Mrs or Ms must be removed from the Council naming convention for Councillors.

I would request that this matter is considered by the Equality and Diversity Steering Group.”

Further to debate and in accordance with Council Standing Order 15.4, three Members requested that a recorded vote be taken on the motion.

For the motion – Councillors Mrs A’Barrow, Barnett, Mrs Brown, Daly, Douglas, Miss Dumbleton, Edwards, Mrs Garcia, Harrington, Karadiar, D Keeling, Lawrence, Lewis, Ms Livesey, Mrs Maoudis, Mrs McKenzie, Mistry, Moran, Mrs New, Mrs O’Rourke, Picker, Poole, Rabin, Mrs Robinson, Russell, Sandison, Mrs Sayani, Slinger, Srivastava, Mrs Timms, Ward, Willis – 32 votes

Against the motion – Councillor Mrs Parker – 1 vote

Abstentions – Councillors Gillias, Mrs Hassell, Ms Watson-Merret – 3 votes

The Mayor declared the motion carried.

43. CORRESPONDENCE

There was no correspondence.

44. COMMON SEAL

It was moved by the Mayor, seconded by the Deputy Mayor and

RESOLVED THAT - the Common Seal be affixed to the various orders, deeds and documents to be made or entered into for carrying into effect the several decisions, matters and things approved by the Council and more particularly set out in the reports adopted at this meeting.

45. MOTION TO EXCLUDE THE PUBLIC UNDER SECTION 100(A)(4) OF THE LOCAL GOVERNMENT ACT 1972

RESOLVED THAT - under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involved the likely disclosure of information defined in paragraphs 2 and 3 of Schedule 12A of the Act.

46. PRIVATE REPORT OF CABINET – 31 JULY 2023

RESOLVED THAT – the report of Cabinet be approved.

47. PRIVATE REPORT OF OFFICERS

(a) Urgent Decision under Delegated Powers - Local Authority Housing Fund - Round 2

Council considered the private report of the Chief Executive (Part 2 – agenda item 1(a)) concerning an urgent decision taken under delegated powers with regard to round 2 of the Local Authority Housing Fund.

RESOLVED THAT – the report be noted.

MAYOR