



4 July 2023

RUGBY BOROUGH COUNCIL

A meeting of Rugby Borough Council will be held in the Council Chamber at the Town Hall, Rugby at 7.00pm on Wednesday 12 July 2023.

Members of the public may also view the meeting via the livestream available on the Council's website.

Mannie Ketley
Chief Executive

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Apologies for absence.

2. Minutes.

To approve the minutes of the meeting held on 14 June 2023.

3. Declaration of Interests.

To receive declarations of -

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 - non-payment of Community Charge or Council Tax.

4. To receive the Mayor's Announcements.

5. Questions pursuant to Standing Order 10.

6. To receive the reports of Cabinet and Committees which have met since the last meeting of the Council and to pass such resolutions and to make such orders thereon as may be necessary:

(a) Cabinet – 26 June 2023

(1) Submission of Community Infrastructure Levy (CIL) Charging Schedule for Examination – Growth and Investment Portfolio.

(2) Creation of a CIL and Local Plan Monitoring Officer Post – Growth and Investment Portfolio.

(3) UK Shared Prosperity Fund (UKSPF) - Year 2 Spend – Growth and Investment Portfolio.

(4) Sports Facility Improvements – Leisure and Wellbeing Portfolio.

(5) Low Carbon Skills Fund Proposals – Communities and Homes Portfolio.

(6) Finance and Performance Monitoring 2022/23 – Year-End – Finance, Performance, Legal and Governance Portfolio.

7. To receive and consider the report of officers.

(a) Urgent Decision under Delegated Powers – Temporary Appointments to Cawston Parish Council.

8. Notices of Motion pursuant to Standing Order 11.

(a) This Council welcomes the move to increase the biodiversity within the Borough and also taking part in no mow May. However, council also notes the areas where the grass was cut blown onto highways and being left to dry. Council recognises that the weather is changing and that we could now see regular temperatures of over 30 degrees with less water.

Council requests that the Climate Emergency Working Group:

1. ensures that service/action plans are taking full account of the changes and adapting plans accordingly, such as increased heat, flash flooding and fire risk;
2. meets the Senior Leadership Team to establish what is being included in service plans by way of adaptation; and
3. reports back to Council in the Autumn.

Proposer: Councillor Roodhouse
Seconder: Councillor Mrs McKenzie

(b) This Council notes, celebrates and applauds the talented musicians in this Borough, of all ages, who play in bands playing indie, rock, folk and other genres of music.

Musicians are an important and integral part of Rugby's vibrant culture. These hard-working, talented people, entertain our citizens, contribute to our economy, enhance skills, create jobs, attract visitors and enhance community wellness.

This is a self-starting, entrepreneurial community. However, in order to thrive it needs a supportive ecosystem, supported and enabled by the Council, including a range of suitably-equipped venues, recording studios, and practice rooms. Musicians and bands, particularly in the younger generation, require dedicated, safe and affordable space within which to hone the talent that the wider community subsequently enjoys.

Sadly, in recent years, the ecosystem supporting our musicians has been in decline in Rugby. A range of venues, such as pubs and clubs, have closed down or stopped hosting live music. There are no dedicated practice studios remaining in the town. There is insufficient vision and investment in Rugby's band and live music scene despite the obvious benefits it brings. This is causing a 'creative brain drain' in which young people are leaving Rugby to enjoy better musical opportunities in neighbouring towns and cities.

A thriving band and live music scene can help to renew Rugby. Therefore, this Council pledges to form urgently a Taskforce to:

- a) consult all involved in the band and live music scene in Rugby;
- b) devise an action plan for how Rugby Borough Council can convene all stakeholders to take prompt action that draws on government, private sector and third sector funding, to enhance the band and live music scene; and
- c) brief members of the Town Centre Regeneration Working Group so that they will ensure strong consideration is given to this issue in setting the long-term vision for our town centre, and in the allocation of currently available funding for town centre schemes.

Proposer: Councillor Barnett
Seconder Councillor Slinger

9. Correspondence.

10. Common Seal.

To order the affixing of the Common Seal 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.

11. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“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 involves the likely disclosure of information defined in paragraphs 2 and 3 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

1. To receive and consider the private report of officers.

(a) Proposed Sale of Land – report of the Chief Executive.

QUESTIONS AT COUNCIL

A Councillor may ask a question at the meeting by giving notice in writing of the question to the Chief Executive no later than midday on Thursday 6 July 2023. The rules relating to Questions are set out in Part 3A of the Council's Constitution.

REPORT OF CABINET

26 June 2023

Councillors Poole (Chair), Daly, Picker, Ms Robbins, Ms Watson-Merret and Willis.

Councillors Mistry and Roodhouse were also in attendance.

Note: An electronic version of the Cabinet reports referred to below can be found here:
<https://www.rugby.gov.uk/meetings/meeting/1372/cabinet>

1. SUBMISSION OF COMMUNITY INFRASTRUCTURE LEVY (CIL) CHARGING SCHEDULE FOR EXAMINATION

Cabinet considered a report concerning the proposed submission of the CIL draft charging schedule for examination.

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) the draft Community Infrastructure Levy (CIL) charging schedule be submitted for independent examination; and
- (2) delegated authority be given to the Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the CIL charging schedule prior to its submission for examination.

Recommended that – the recommendation of Cabinet be approved.

2. CREATION OF A CIL AND LOCAL PLAN MONITORING OFFICER POST

Cabinet considered a report concerning a proposal to create a new post of CIL and Local Plan Monitoring Officer at the Council.

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) approval be given for the creation of a new permanent post of CIL and Local Plan Monitoring Officer on the establishment;

- (2) a supplementary budget of £17,790 (6 months) be established in 2023/24 to be funded from the budget stability reserve to fund the role whilst CIL income balances are being established;
- (3) approval be granted to establish a temporary budget of £35,580 in 2024/25 and £17,790 (6 months) in the 2025/26 financial year within the MTFP to fund the officer whilst CIL income balances are being established; and
- (4) following the receipt of sufficient CIL income, approval be given to fund the post from CIL admin income generated each year.

Recommended that – the recommendation of Cabinet be approved.

3. UK SHARED PROSPERITY FUND (UKSPF) – YEAR 2 SPEND

Cabinet considered a report concerning proposals for the allocation of Year 2 UKSPF spend as well as the creation of a UKSPF Local Partnership Group.

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) the allocation of UKSPF for 2023/2024 (year 2) as set out in the report be approved;
- (2) delegated authority be given to the Chief Officer for Finance and Performance in consultation with the Chief Officer for Growth and Investment to make any other minor changes to spend to ensure all money is spend by the end of the financial year 2023/2024;
- (3) the formation of a UKSPF Local Partnership group as set out in the report be approved and delegated authority be given to the Chief Officer for Growth and Investment to agree the composition for this group in consultation with all Group Leaders and the Portfolio Holder; and
- (4) delegated authority be given to the UKSPF Local Partnership Group to review grant applications and make recommendations to the Council.

Recommended that – the recommendation of Cabinet be approved.

4. SPORTS FACILITY IMPROVEMENTS

Cabinet considered a report concerning a capital budget request for the use of Section 106 funding for identified projects at Alwyn Road Recreation Ground and Rugby Athletics Track.

Recommendation of Cabinet

Cabinet decided to recommend to Council that a capital budget of £434,700 be added to the 2022/23 programme for the Alwyn Road Recreation Ground pavilion and sports pitches, to be funded via specific section 106 funding and partnership funding committed.

Recommended that – the recommendation of Cabinet be approved.

5. LOW CARBON SKILLS FUND PROPOSALS

Cabinet considered a report concerning proposals for the spending of the Council's bid to the Phase 4 Public Sector Low Carbon Skills Fund the Midlands, if successful.

Recommendation of Cabinet

Cabinet decided to recommend to Council that, in anticipation that the Council's bid to the Phase 4 Public Sector Low Carbon Skills Fund the Midlands is successful,

- (1) delegated authority be given to the Chief Officer of Communities and Homes, in consultation with the Chief Officer of Legal and Governance to accept the grant, of £50,000, subject to satisfactory terms and conditions, to access external expertise and support in order to prepare a heat decarbonisation plan for three Rugby Borough Council buildings: The Town Hall; Works Services Unit; and Rugby Art Gallery, Library and Museum;
- (2) a supplementary budget of £50,000 be established for the progress of the project, to be funded wholly by the grant allocation; and
- (3) regular updates on the progress of any resulting programme of works, including risks, be provided to the Climate Emergency Working Group.

Recommended that – the recommendation of Cabinet be approved.

6. FINANCE AND PERFORMANCE MONITORING 2022/23 – YEAR-END

Cabinet considered a report concerning the financial and performance position for the Council at the end of 2022/23 together with proposed 2022/23 budget carry forward requests and other adjustments for approval as required by Financial Standing Orders.

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) carry forwards requests of £0.078m from 2022/23 to 2023/24 for Corporate Items as detailed in paragraphs 3.2 and Appendix 3 be approved;
- (2) General Fund transfer of business rates surplus (£1.783m) to the Business Rates Equalisation Reserve as detailed in paragraph 6.2 be approved; and
- (3) the creation of a Business Support Grants Reserve as detailed in paragraph 3.3 be approved.

Recommended that – the recommendation of Cabinet be approved.

**COUNCILLOR D POOLE
CHAIR**

Agenda No 7(a)

AGENDA MANAGEMENT SHEET

Report Title:	Urgent Decision under Delegated Powers – Temporary Appointments to Cawston Parish Council
Name of Committee:	Council
Date of Meeting:	12 July 2023
Report Director:	Chief Executive
Portfolio:	Finance, Performance, Legal and Governance
Ward Relevance:	Admirals and Cawston Ward
Prior Consultation:	Group Leaders and the Chair of Scrutiny Committee
Contact Officer:	Carolyn Forster - Interim Legal and Governance Manager, carolyn.forster@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	An urgent decision was taken to appoint Councillors Moran and Ms Watson-Merret to act as members of Cawston Parish Council to render the Parish Council quorate in order that qualifying

parishioners could be co-opted. A copy of the urgent decision is attached at Appendix 1.

Financial Implications:	All financial implications are detailed in Appendix 1 to the report.
Risk Management/Health and Safety Implications:	None arising directly from this report.
Environmental Implications:	None arising directly from this report.
Legal Implications:	The legal implications are detailed in Appendix 1 to the report.
Equality and Diversity:	None arising directly from this report.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	To comply with the Council's Constitution.

Council - 12 July 2023

**Urgent Decision under Delegated Powers – Temporary
Appointments to Cawston Parish Council**

Public Report of the Chief Executive

Recommendation

The report be noted.

1. INTRODUCTION

In accordance with the Council's urgent decision procedure under delegated powers, the following item was determined.

2. ITEM DETERMINED UNDER EMERGENCY POWERS

Following elections on 4 May 2023, a new Parish Councillor was elected to Cawston Parish Council, reducing the number of casual vacancies to seven. The Annual Meeting of the Parish Council was scheduled to take place on Thursday 17 May 2023; however, such meeting was forced to be abandoned as the meeting was inquorate.

A further meeting had been scheduled to take place on Tuesday 30 May, to include, as part of the Parish business; the co-option of three qualified person parishioners to fill three of the casual vacancies; this would render the Parish Council quorate and able to function; the law prescribes that such qualifying person parishioners must be co-opted within 35 days of the election.

Apologies had since been received in respect of the rearranged meeting; meaning that the Parish Council would remain inquorate with no guarantee that a further rearranged meeting would be quorate.

It is imperative that qualifying persons are co-opted to render the Parish Council quorate to ensure that that the Parish Council is able to continue to function and further meet its statutory auditing deadlines.

Pursuant to Section 91 of the Local Government Act 1972 powers are conferred on the Council to appoint Borough Councillor(s) to act as a Member of Cawston Parish Council until such time that it can co-opt further parishioners to the Parish Council

A copy of the urgent decision is attached at Appendix 1.

3. CONSULTATION

Consultation was undertaken with Group Leaders and the Chair of Scrutiny Committee who agreed that the ward councillors be co-opted.

Name of Meeting: Council

Date of Meeting: 12 July 2023

Subject Matter: Urgent Decision – Temporary Appointments to Cawston Parish Council

Originating Department: Chief Executive's Office

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DELEGATED POWERS: URGENT DECISION

Temporary Appointments to Cawston Parish Council

Decision Required

Cllr Watson-Merret and Councillor Michael Moran (1 Conservative and 1 Labour Councillor) be appointed to act as a members of Cawston Parish Council until Co-Option of additional qualifying person parishioners can take place to render the Parish Council quorate, beginning the date on which the Order is signed, whichever is the earlier, whereupon such appointments and this Order shall cease.

Reason For Urgency Decision

To ensure that the Parish Council is able to continue to function and also meet its statutory auditing deadlines.

Background

Following elections on 4th May 2023, a new Parish Councillor was elected to Cawston Parish Council, reducing the number of casual vacancies to 7. The Annual Meeting of the Parish Council was scheduled to take place on Thursday 17 May 2023; however, such meeting was forced to be abandoned as the meeting was inquorate.

A further meeting has been scheduled to take place on Tuesday 30 May, to include, as part of the Parish business; the co-option of 3 qualified person parishioners to fill 3 of the casual vacancies; this would render the Parish Council quorate and able to function; the law prescribes that such qualifying person parishioners must be co-opted within 35 days of the election.

Apologies have since been received in respect of the rearranged meeting; meaning that the Parish Council will remain inquorate with no guarantee that a further rearranged meeting would be quorate.

It is imperative that qualifying persons are co-opted to render the Parish Council quorate to ensure that that the Parish Council is able to continue to function and further meet its statutory auditing deadlines.

Pursuant to Section 91 of the Local Government Act 1972 powers are conferred on the Council to appoint Borough Councillor(s) to act as a Member of Cawston Parish Council until such time that it can co-opt further parishioners to the Parish Council

The appointments would be made by Order with formal notification to the Secretary of State.

If the decision required is not made, there is a serious risk that the Parish Council will not be able to function and will fail to meet its statutory auditing functions.

Financial costs

The Monitoring Officer is charged with supporting Parish Councils to ensure lawfulness of decision making, costs will therefore be met from existing budgets.

Consultation

As set out within the delegated decision there has been consultation undertaken with the Group Leaders and the Chair of Overview and Scrutiny Committee This is in accordance with Part 2B Article 2.1 (a) of the Council Constitution.

Group Leaders are requested to support the recommendations enabling the ward councillors to be co-opted and the exercising of such powers to ensure that the Parish Council meeting scheduled to take place at 6pm on Tuesday 30 May 2023 is quorate.

Recommendation

Councillor Carolyn Watson-Merret and Cllr Michael Moran (1 Conservative and 1 Labour Councillor) be appointed to act as a member of Cawston Parish Council until Co-Option of additional qualifying parishioners can be co-opted at the Parish Council meeting at 6pm on Tuesday 30th May 2023, to render the Parish Council quorate, beginning the date on which the Order is signed, whichever is the earlier, whereupon such appointments and this Order shall cease.

Signed



Chief Officer – Legal and Governance

Date

26 May 2023

RECOMMENDATION APPROVED

Signed



Chief Executive

Date

26 May 2023