

MINUTES OF COUNCIL

22 SEPTEMBER 2021

PRESENT:

The Mayor (Councillor Mrs Deepah Brojohomun-Roberts), Councillors Mrs Allanach, Mrs A'Barrow, Bearne, Mrs Brown, Cade, Daly, Douglas, Miss Dumbleton, Eccleson, Ellis, Mrs Garcia, Gillias, Mrs Hassell, Miss Lawrence, Lewis, Lowe, Mahoney, Mrs Maoudis, Mistry, Mrs New, Mrs O'Rourke, Mrs Parker, Picker, Poole, Rabin, Ms Robbins, Roberts, Roodhouse, Mrs Roodhouse, Sandison, Srivastava, Mrs Timms and Willis.

45. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Brader, Mrs Crane, Shera, Mrs Simpson-Vince, Ms Watson-Merret and Dr Williams.

46. MINUTES

The minutes of the ordinary meeting held on 25 August 2021 were approved.

47. DECLARATIONS OF INTEREST

There were no declarations of interest.

48. MAYOR'S ANNOUNCEMENTS

Members had been notified that Past Mayor and former Councillor Tina Avis had sadly passed away earlier this month. Tina was Mayor of the Borough for the 2006/07 municipal year and was a Ward Councillor for Overslade from 1990 to 2002 and New Bilton from 2003 to 2019. All those present at the meeting joined the Mayor in a moment's silence in memory of Tina.

The Council's commercial regulation team had recently won the "best collaboration" category of the Association of Public Sector Excellence awards. The award recognised the huge effort the team had put into working with businesses to keep their staff and customers safe during the pandemic. The team had worked with colleagues from other councils across the county to give good quality and consistent advice and, where necessary, carry out contact tracing and other investigations.

The Council's parks and open spaces team were also shortlisted for the best team category.

On behalf of all Members, the Mayor congratulated all officers from both teams on their exceptional achievement and for their hard work and ongoing efforts particularly during the pandemic.

49. QUESTIONS PURSUANT TO STANDING ORDER 10

A. Councillor Mrs Allanach asked the Communities, Homes, Digital and Communications Portfolio Holder, Councillor Mrs Crane:

“On 12 July the Prime Minister announced that the harms caused by the pandemic had declined to the point where it was no longer necessary to maintain most of the legal sanctions against people meeting. Warwickshire County Council have found ways of allowing visitors to Shire Hall whilst meeting the requirements of the Health and Safety at Work Act 1974. What plans does the portfolio holder have to provide users of our “One Stop” service the option to discuss their issues with the Council face-to-face?”

Councillor Lowe, Leader of the Council (in the absence of Councillor Mrs Crane, Communities, Homes, Digital and Communications Portfolio Holder), replied as follows:

“We currently operate an open-door policy and have done so since the government's announcement of removing the majority of restrictions.

In line with other Warwickshire local authorities, we have a phone line in the foyer providing direct access to our Customer Service team who will either contact the related Service Area or deal with the query themselves. If this requires a member of staff to deal with the person face to face, then they will also provide this service.

With the recent increase in cases in the Borough and in the interests of staff and customer safety, we have decided not to open the full reception service at this stage, and we continue to monitor the need for this service. We are constantly looking at more effective ways of working, one of which is improving the digital access channels available to the residents of the Borough to allow more efficient services for staff and residents and enabling access to services without having to travel to the Town Hall.

However, we are also extremely mindful of digital exclusion within the Borough and will continue to provide non digital services for those who need them whilst at the same time doing what we can to bridge the digital gap that exists.”

Councillor Mrs Allanach then asked the Leader of the Council if the Council's website states that Council buildings are closed for face-to-face enquiries how members of the public gained access to information to seek an in person appointment. Councillor Lowe emphasised that members of the public could request a face-to-face meeting if they wished. He added that the Council's website would be updated to reflect this.

B. Councillor Mrs Allanach asked the Growth and Investment Portfolio Holder, Councillor Mrs Simpson-Vince:

“Many planning applications are under-pinned by complex diagrams, topological drawings and the like. Residents and lay councillors like myself find them difficult to view on screen and even more difficult to interpret. Does the portfolio holder have any plans to restore the service of being able to see printed plans and have their details explained by a member of her planning team?”

Councillor Lowe, Leader of the Council (in the absence of Councillor Mrs Simpson-Vince, Growth and Investment Portfolio Holder), replied as follows:

“As with many services the Council now undertakes, Planning Services has gone digital and uses a web-based provider for the displaying of planning applications with no hard copy of documents. For the last two years Planning Services has operated on this basis, however, should Councillors or members of the public seek assistance with interpreting the plans they can contact the individual case officers directly via telephone or email, that will have been provided on their consultation letter, who will happily assist. To introduce printed plans and documents would be a retrograde step. It is understood that this would be contrary to the Council’s digitalisation programme and result in a significant cost to the Council, especially since virtually all plans and documents are now submitted via the Government’s Planning Portal website. In addition, the production of hard copy plans and documents would have a negative impact on the environment.”

Councillor Mrs Allanach then asked the Leader of the Council if an equality impact assessment had been undertaken with regard to the digitalisation of the planning service. Councillor Lowe stated that all such changes to services required an equality impact assessment to be undertaken. He undertook to confirm to Councillor Mrs Allanach by email that this had been completed for this service.

C. Councillor Mrs O’Rourke to ask the Leader of the Council, Councillor Lowe:

“Could the leader of the Council write directly to MacDonalds and ask them to consider how they might reduce their carbon footprint in Rugby Town Centre?”

Councillor Lowe, Leader of the Council, to reply as follows:

“The Council is keen to engage with as many businesses as possible across the Borough regarding climate change and likewise with Third Sector Organisations. Our recent Climate Summit engaged representatives across these sectors and illustrated the importance and benefits of working together to tackle the causes and effects of climate change.

Whilst I think it would be unfair to single out any one organisation, I would like to ask the cross party Climate Emergency Working Group to examine how they would like the Council to engage businesses and report these findings back to Council.

I would like this to be broader than simply asking about carbon footprint, with a preference that we address all aspects of Climate Change.”

Councillor Mrs O’Rourke then asked the Leader of the Council to seek an assurance from McDonald’s that delivery drivers would park in allocated spaces provided for them. Councillor Lowe agreed to write to McDonald’s on this matter. He added that the Council, as local planning authority, could impose conditions as part of planning decisions and would support those applicable to this development.

D. Councillor Sandison asked the Leader of the Council, Councillor Lowe:

“On 15th November 2016, I asked a question regarding the poor condition of the historic band stand in Whitehall Recreation Ground which marked the inauguration

of the borough by the then Duchess of York who later became the Queen Mother. At that time, I was advised it would go forward to the draft capital budget. Later we were told a much enhanced scheme including loud speakers was considered too expensive and would be put back out to tender. As we now approach the 90th year since it was constructed it remains fenced off from public use and no works have commenced. Can the Leader explain why repeated attempts to have it refurbished have failed?”

Councillor Lowe, Leader of the Council, replied as follows:

“The original capital programme was for the refurbishment of Whitehall Recreation Ground including play area, skatepark, footpaths, lighting and bandstand. A National Lottery Heritage Fund application was submitted for the wider project but was unsuccessful. Whilst an item in the capital programme, it remains subject to external funding and due to the extensive costs involved, the Council has had to wait for Section 106 funding from the Ashlawn Road development.

These funds have now been received by the Council and the project is currently out to tender on our procurement system with a view to restoring and recommissioning the bandstand in 2022.

As with all projects, this Council would air reasonable caution that project commencement is subject to the successful procurement of an approved contractor and any unexpected material delays that may present as currently being experienced across the industry at present.”

Councillor Sandison then asked the Leader of the Council if he considered that, once the bandstand had been refurbished, a plaque commemorating the 90th anniversary of its construction be erected on it. Councillor Lowe considered that, subject to all legal issues being addressed, this was a possible option. He added that, in view of the current Queen’s Platinum Jubilee next year, it may be an option to use the refurbishment to celebrate that anniversary.

E. Councillor Sandison asked the Leader of the Council, Councillor Lowe:

“This council has a contract with its residents to deliver a paid for green bin service. Due to staff shortages this service has been erratic and sometimes cancelled at short notice.

Will the council be compensating householders for failed or late collections like any other business offering a paid for service?”

Councillor Lowe, Leader of the Council, replied as follows:

“It is regretful that Garden Waste services have been disrupted over recent weeks and I would like to offer my sincere apologies for the inconvenience which this has caused residents of the Borough.

I would like to thank our customers, who have been extremely understanding and sympathetic to the difficulties which we have faced. Difficulties caused through a combination of factors including: staff sickness; staff self isolation requirements; accrual of annual leave over the last 18 months and the much publicised national

labour shortage, in particular relating to qualified HGV drivers.

These challenges have equally impacted on numerous businesses, both within the Borough and further afield. You will be aware that a great many Councils across the country have suffered disruptions to their waste collections, often suspending them entirely for prolonged periods of time.

You will also be aware that the same issues have led to supply chain disruptions, for example leading to retailers being unable to stock their full range of products. These are issues that do not have a short term solution, but I would like to assure residents that measures are being put in place to ensure that our services are as resilient as they can be in these challenging times.

The garden waste collection service is a subscription service for an annual payment of £40 per bin. Following internal legal advice the Council has been advised that disruption caused by matters outside of our control and COVID-19 will result in no strict entitlement to compensation.

We are, however, sympathetic to the difficulties which the disruptions have caused customers and on this basis we will be setting aside funds from reserves to ensure residents are appropriately compensated. Where any individual or household feels that they have been significantly inconvenienced or disproportionately affected by the service disruptions, we ask that they contact the Council directly so that officers can investigate their particular case. In such instances, we will seek to agree an appropriate remedy which may include additional collections to remove any backlog of waste, when capacity allows or where appropriate a pro-rata refund.

Finally, I would like to thank our workforce, and I'm sure that all Councillors would join me in doing so, for their efforts in keeping any such disruptions to an absolute minimum throughout the pandemic.

I am aware of refuse collectors completing collections over and above their scheduled rounds, working beyond their scheduled hours and coming in on weekends to complete the less visible aspects of the service. It is clear that our staff take great pride in their work and have genuinely worked tirelessly to ensure minimal disruption. Again, I thank our staff for this and invite Councillor Sandison to do the same.”

Councillor Sandison then asked the Leader of the Council why one free collection per household had not been considered and the hard working officers been given an honorarium for the extra hours worked. Councillor Lowe informed Councillor Sandison that he was keen for compensation to be available to members of the public and a number of options had been considered, including free collections. However, this would have resulted in a cost of £100,000 to the Council.

F. Councillor Sandison asked the Leader of the Council, Councillor Lowe:

“In response to Rugby Borough Council’s declaration of a climate emergency on 3rd February 2020, the council through Cabinet announced a £500k kickstarter fund. How many kickstarter projects has Cabinet subsequently approved, when will they commence and what are the details and budget for each project?”

Councillor Lowe, Leader of the Council, replied as follows:

“Cabinet was delighted to agree a fund of £500,000 in 2020 to pump prime the initial works required to begin to address the climate emergency. It was clear from discussions, including those at the cross party climate emergency working group, that in order to make best use of this money, a clear baselining and strategy exercise was required first.

Whilst Covid 19 has had an impact on our desired timescales, I am pleased to report that the external consultant is completing the initial work and that a Climate Strategy will be consulted on in the coming months. It is from this strategy that we will be able to clearly evidence where our limited resources can be spent to have the biggest impact.

Notwithstanding the need for a strategy, I am pleased to confirm that a number of Climate Change focussed projects are well underway. For example, Cllr Sandison will recall that Council has received a report detailing the significant government funds which have been secured to begin works to decarbonise our housing stock. Funds which were supplemented with match funding from this Council.

I look forward to working with all members from all groups to agree our Climate Change Strategy in the coming months and allocating the funds appropriately.

In the meantime, if Cllr Sandison has specific projects in mind which could benefit from immediate funding, I would be very grateful if he could ensure that they are raised through the cross party Climate Emergency Working Group.”

Councillor Sandison then asked the Leader of the Council why it had taken so long to get one project started. Councillor Lowe replied that the Council only had one opportunity to get the issue of climate change initiatives right and, with a relatively small fund of £500,000, it was important that each initiative was considered carefully to have the maximum impact.

50. REPORT OF CABINET – 6 SEPTEMBER 2021

RESOLVED THAT – the report of Cabinet be approved and adopted.

51. REPORT OF OFFICERS

(a) Shareholders Committee

Council considered the report of the Executive Director (Part 1 – agenda item 7(a)) concerning the establishment of a Shareholders Committee to ensure sound governance with regard to the Council’s commercial activities.

RESOLVED THAT –

(1) delegated authority be granted to the Chief Officer for Legal and Governance to insert a new Paragraph 17 of Part 2A of Rugby Borough Council’s Constitution as

detailed in Appendix 1 and to make any non-material amendments;

(2) appointments to the Shareholders Committee be made in accordance with the arrangements set out in the report;

(3) delegated authority be given to the Chief Officer, Legal & Governance (in consultation with the relevant Group Leader) to appoint and substitute members to the Shareholders Committee and/or appoint a new chair; and

(4) a supplementary medium term financial plan budget of £3,377 per annum be approved for the special responsibility allowance for the new shareholder committee chair.

(b) Appointments to Outside Bodies - Warwickshire County Council (WCC) Adult Social Care and Health Overview and Scrutiny Committee

Council considered the report of the Chief Officer for Legal and Governance (Part 1 – agenda item 7(b)) concerning the appointment of a member of this Council's Scrutiny Committee to the Warwickshire County Council Adult Social Care and Health Overview and Scrutiny Committee.

RESOLVED THAT – delegated authority be given to this Council's Scrutiny Committee to appoint one of its members to Warwickshire County Council's Adult Social Care and Health Overview and Scrutiny Committee to replace the Portfolio Holder for Leisure and Wellbeing.

(c) Urgent Decision under Delegated Powers - Additional Accommodation to support the Afghan Relocation and Assistance Policy

Council considered the report of the Executive Director (Part 1 – agenda item 7(c)) concerning an urgent decision taken under delegated powers with regard to the provision of additional accommodation to support the Afghan Relocation and Assistance Policy.

RESOLVED THAT – the report be noted.

52. NOTICES OF MOTION PURSUANT TO STANDING ORDER 11

Council considered the following Motion, notice of which had been given pursuant to Standing Order 11.

(a) Councillor Rabin moved and Councillor Daly seconded the motion as set out below.

“Our Street Cleansing Team spends approximately £8,000 a year on removing almost 200 graffiti ‘tags’ and obscene images from our public buildings, subways, parks and recreation areas in the last three years. They clean up often obscene daubing on local canal bridges, bus shelters, pathways, subways and play parks. Councillors from all parties have raised the issue but, yet no practical, lasting solutions have been found.”

I believe that in Brownsover we have the solution, which has successfully been in place for over 25 years. The iconic mural/relief artwork in the Crowthorns underpass was inspired and created by the late Helga Windle, a prolific artist. Helga was heavily involved with school/youth/community projects and created this with students from local schools and members of community groups. This artwork, along with examples across the country, show that, where the community have been involved in its creation, it remains untouched and has become the subject of community pride.

A community group led by an Art Teacher in Nuneaton and Bedworth worked with recognised, respected street artists and local groups. This approach has significantly reduced unsightly “tagging” and successfully engaged with local youths and wider community.

I would ask Council to set up a Cabinet Working Group to look at supporting this approach as well as seeking other solutions via the Rugby Art Gallery and to consider ideas for a pilot scheme as well as sourcing funding for any proactive activities.”

Councillor Roodhouse then moved and Councillor Douglas seconded the following amendment (amendment highlighted in bold italics):

“Our Street Cleansing Team spends approximately £8,000 a year on removing almost 200 graffiti ‘tags’ and obscene images from our public buildings, subways, parks and recreation areas in the last three years. They clean up often obscene daubing on local canal bridges, bus shelters, pathways, subways and play parks. Councillors from all parties have raised the issue but, yet no practical, lasting solutions have been found.

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A community group led by an Art Teacher in Nuneaton and Bedworth worked with recognised, respected street artists and local groups. This approach has significantly reduced unsightly “tagging” and successfully engaged with local youths and wider community.

Council requests that a cross party task and finish group be established. This group should investigate solutions and seek out extra funds for arts projects in the Borough of Rugby. It should work in partnership with the Arts Council and others to produce an action plan with short, medium and long-term goals.”

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

RESOLVED THAT - a cross party task and finish group be established. This group should investigate solutions and seek out extra funds for arts projects in the Borough of Rugby. It should work in partnership with the Arts Council and others to produce an action plan with short, medium and long-term goals.

53. CORRESPONDENCE

There was no correspondence.

54. COMMON SEAL

It was moved by the Mayor, seconded by the Leader of the Council 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.

MAYOR