

MINUTES OF COUNCIL

24 SEPTEMBER 2020

PRESENT:

The Mayor (Councillor Lewis), Councillors Mrs A'Barrow, Allanach, Bearne, Brader, Mrs Bragg, Mrs Brown, Brown, Butlin, Cade, Mrs Crane, Cranham, Douglas, Miss Dumbleton, Eccleson, Mrs Garcia, Gillias, Keeling, Miss Lawrence, Lowe, McQueen, Mahoney, McQueen, Mistry, Mrs New, Mrs O'Rourke, Pacey-Day, Mrs Parker, Picker, Poole, Ms Robbins, Mrs Roberts, Roberts, Roodhouse, Mrs Roodhouse, Sandison, Shera, Mrs Simpson-Vince, Srivastava and Mrs Timms.

24. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Ellis, Leigh Hunt and Stokes.

25. MINUTES

The minutes of the special meeting of Council held on 25 August 2020 were approved.

26. DECLARATIONS OF INTEREST

There were no declarations of interest.

27. MAYOR'S ANNOUNCEMENTS

(i) The Mayor had attended an 'in person' open air engagement on Sunday 20 September for the dedication of an interpretation board for the Gallipoli Monument on the A45 near Ryton-on-Dunsmore. Mark Pawsey MP also attended.

The interpretation board was organised by Warwickshire Wildlife Trust and the Gallipoli Association Education Co-ordinator as part of the Dunsmore Living Landscape Scheme. The board includes a poem written by two pupils of Knightlow Church of England Primary School, chosen from twenty poems written by pupils of the school - the standard of the poems submitted was very impressive.

The monument has great historic significance for Rugby as it commemorates the review near the site in 1915 by King Edward V of the 29th Division and recognises their service in Europe. It is now also regarded as a war memorial for all those of 'The Incomparable 29th' who died in Gallipoli and other theatres of war.

(ii) Since this council last met there had been a sharp rise in cases of Covid-19 in Rugby. The current infection rate was at around 60 per hundred thousand, which was much higher than elsewhere in the county. The Mayor acknowledged the work of officers who were working hard to slow and reverse this trend.

With effect from the date of the meeting, the Council's Community Wardens would be present in the town centre to offer residents and businesses advice and guidance on the new rules for pubs and restaurants. They are the first Covid marshals to be deployed in the county, and they would complement the work of the Rugby Street Pastors and the Rugby First Aid Rangers. It was hoped that they would be well received and would have a positive impact on the town's evening economy.

The Mayor also acknowledged the effort of all of our citizens in keeping the rate of infection so low in the borough until now. However, it was emphasised that we must all remain vigilant and adhere to the measures that we all took earlier in this pandemic which were still successful at beating this virus. The Mayor reiterated that we must all continue to keep more than 2m apart from anyone we do not live with, we must all wash our hands regularly and for at least 20 seconds and we must wear a face covering in enclosed spaces and on public transport.

The Mayor acknowledged that we all were looking forward to a time when we would have greater freedom to do the things that we enjoy. Until then, we must continue to do the right thing to protect our friends, neighbours, colleagues and families. We must do what's right for Rugby.

(iii) The Mayor also drew attention to some despicable acts of vandalism that had taken place in Rugby in the last few weeks. Extensive damage had been done to the play areas at Whitehall Recreation Ground and at Millennium Green, taking out of use facilities that were badly needed by the communities they serve. Elsewhere in the town we continued to see regular damage being done to play areas. The Mayor emphasised that all Members would all much rather focus our efforts on providing more facilities for our residents rather than continually having to repair and replace what we already have.

28. QUESTIONS PURSUANT TO STANDING ORDER 10

(a) Councillor Mrs New asked the Leader of the Council, Councillor Lowe:

"As the Badger Cull is now being extended to include Warwickshire, will the Leader/Portfolio holder give assurances that any badgers who manage to escape the cull, or are already living within our nature reserves, will find sanctuary on RBC land and our local reserves so they are protected from hunters intending to harm or distress them?"

Councillor Lowe, Leader of the Council, provided the following response which had been published on the Council's website prior to the meeting:

"A badger cull is carried out pursuant to a Badger Disease Control Licence. These licences are granted by Natural England and Rugby Borough Council has no statutory role in whether such a licence is granted or not.

On 3 September 2020, a Badger Disease Control licence was granted by Natural England in respect of Area 52, Warwickshire. The licence has various conditions attached, including that the "*Annual Cull shall only take place on those areas of land within the Control Area that are the subject of an extant TB Management Agreement made pursuant to section 7 of the Natural Environment and Rural Communities Act 2006.*"

A TB Management Agreement is an agreement entered into by landowners within the control area to which a Badger Disease Control Licence relates, through which a landowner permits access to their land for the purposes of the annual cull. A licensee is required to provide copies of those TB Management Agreements to Natural England no later than 14 days prior to the proposed start date of the licensed operations. The licensee is also required to secure TB Management Agreements for approximately 90% of the land to which the licence relates.

It therefore follows that landowners have a choice as to whether to permit access to their land for the purposes of the annual cull and, if they do, this must be agreed and documented at least 14 days prior to the start date of the licensed operations. To date, Rugby Borough Council has not been approached in relation to permitting access to any of its land or to enter into a TB Management Agreement in relation to the Warwickshire licence area.

The subject of badger culls is clearly an important and sensitive subject for our Members and our residents. At the moment a licensee cannot currently enter on to our land for the purposes of the annual cull, but it is important that we are clear on where Rugby Borough Council stands on this matter. To that end, I have asked officers to prepare a report on the options available to us in relation to the badger cull, to be brought to Cabinet, in order that the matter can be fully and appropriately considered.”

Councillor Mrs New then asked if, as part of the preparation of the report to Cabinet, relevant stakeholders, such as Warwickshire Wildlife Trust (WWT), would be consulted. Councillor Lowe confirmed that this would be the case.

(b) Councillor Ellis asked Councillor Roberts, Environment and Growth Portfolio Holder:

“Has COVID-19 delay the work of the climate emergency cross party working group and if it has how long will it be to get things back on track?”

Councillor Roberts, Environment and Growth Portfolio Holder, provided the following response which had been published on the Council’s website prior to the meeting:

“Whilst there have undoubtedly been challenges arising from COVID-19 and resources have been prioritised towards our immediate response and recovery, the Climate Emergency Working Group has continued to progress key elements of work and in June 2020 resumed its regular meetings.

The Working Group must ensure that plans relating to the Climate Emergency are evidence based, with clear outcomes identified and that our future work coordinated in a strategic manner. To this end, the working group is currently in the process of procuring expert advice to support baselining activity and the development of a delivery plan.

In addition to this, the Climate Emergency Working Group is supporting the progression of a number of environmental projects such as the concept of a Parks Connector Network, a Rugby Borough Council Tree Policy and a Rugby Pollinator Friendly Strategy.

Furthermore, Officer and Councillor level discussions are progressing with neighbouring District Councils and Warwickshire County Council. These discussions seek to ensure alignment with strategic plans beyond our own

organisation and has included matters such as Electric Vehicle Charging, Transport Planning and Biodiversity.”

(c) Councillor Roodhouse asked the Leader of the Council, Councillor Lowe:

“Councillors are responsible to their electorate and decisions made by this Council can affect their wards. What actions can be taken to ensure that Councillors are kept fully informed about the decisions that affect their wards?”

Councillor Lowe, Leader of the Council, provided the following response which had been published on the Council’s website prior to the meeting:

“The Council fully recognises the responsibility of Councillors towards their electorate. This responsibility and decision making is underpinned by our constitution which sets out the working relationship between Councillors and Officers and the decision making powers that are granted to specific officers.

As set out within the working relationship protocol there is a requirement that Councillors are provided with up to date information related to their responsibilities and roles. This wide remit, along with the protocol overall ensures Councillors are kept fully informed about the decisions that affect their wards.

A key example of this is the steps that were taken at the height of the COVID pandemic. These actions included a weekly Q&A session and a weekly Member information email from the Communications team.”

Councillor Roodhouse then asked the Leader if he would agree that, with regard to pre-consultation with Ward Councillors, the Member-officer protocol needed updating. Councillor Lowe, although not personally agreeing with Councillor Roodhouse, agreed to meet with him to discuss the matter.

(d) Councillor Brader asked the Communities and Homes Portfolio Holder, Councillor Mrs Crane:

“Could the portfolio holder update the council on the application for additional funding for homelessness support, mentioned by the portfolio holder for Corporate Resources in her report to Full Council on July 21st?”

Councillor Mrs Crane, Communities and Homes Portfolio Holder, provided the following response which had been published on the Council’s website prior to the meeting:

“Following the announcement of the Secretary of State for Housing, Communities and Local Government, bids have been submitted to the Next Steps Accommodation Programme to assist with the provision of accommodation for those who were rough sleeping and those who have been accommodated during the pandemic.

It was announced last week that Rugby Borough Council has been awarded £212,000 towards the cost of short-term emergency support that continues to be provided for clients whilst we assist them to move into more settled accommodation. As the availability of Council accommodation is limited,

the funding will be used to explore and support other alternatives, like moving into private sector accommodation through the provision of grants to cover the cost of rent in advance, alongside support with the provision of basic items of furniture for their new home etc.

Decisions on applications for longer term funding throughout the life of this parliament are still awaited for two projects.

The first project would see an increase in the number of clients with low/medium support needs provided with accommodation and intensive support via our Rugby Housing Pathway model. Support is provided by council officers, and working with our external partners. This scheme has been recognised as a model of best practice and is currently being adopted throughout the remainder of the County.

The second project is to extend our Private Sector Leased Accommodation Scheme, which will assist clients to move into affordable temporary accommodation until we can assist clients to secure longer term settled accommodation. This reduces the need for commercial hotels which are expensive and do not provide a stable environment for clients to receive the level of support required.

We continue to liaise with government advisors to understand timescales for a decision on the 2nd part of the bid.”

Councillor Brader then asked if the Portfolio Holder if there was sufficient funding to ensure those residents who had been accommodated during the pandemic could continue to be housed. Councillor Crane confirmed that all such residents were currently being housed. She would also confirm the matter of appropriate funding and provide Councillor Brader with a written response.

29. REPORT OF CABINET – 7 SEPTEMBER 2020

RESOLVED THAT – the report be confirmed and adopted.

30. REPORTS OF OFFICERS

(a) Review of Overview and Scrutiny Arrangements

Council considered the report of the Executive Director (Part 1 – agenda item 7(a)) concerning the review of the Council’s overview and scrutiny arrangements.

RESOLVED THAT –

- (1) the Communities and Resources Scrutiny Committee and the Environment and Growth Overview and Scrutiny Committee be replaced by a new single Scrutiny Committee;
- (2) the Scrutiny Committee comprises of nine members and reflects a political proportionate balance. The Scrutiny Committee will consist of 5 Conservative Members, 2 Labour Members and 2 Liberal Democrat Members;

- (3) the proposals set out in the Scrutiny Review Proposals (August 2020) paper (Appendix 1 to the report) be adopted in relation to the on-going operation of the Scrutiny Committee;
- (4) the Members as listed in Appendix 2 to the report be nominated and appointed to sit on the Scrutiny Committee;
- (5) delegated authority be granted to the Monitoring Officer for all necessary amendments to be made to the constitution to incorporate the single scrutiny committee structure and the recommendations set out within this report;
- (6) a constitutional requirement be included for each municipal year that mandatory training be undertaken for all members of the Scrutiny Committee. The Chairs and Vice Chairs will also be required to attend separate training for Chairs and Vice Chairs; and
- (7) the meeting dates for the Scrutiny Committee be approved as outlined in Appendix 3 to the report and, if necessary, delegated authority be granted to the Executive Director to amend such dates.

31. NOTICES OF MOTION PURSUANT TO STANDING ORDER 11

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

The Mayor considered it advisable and convenient to deal with all three Motions on the agenda at the meeting.

(a) Councillor Roodhouse moved and Councillor Mrs Brown seconded the following motion set out at item 8(a) of the agenda.

“Most areas of Rugby Borough are parished apart from the Rugby urban area. Considering the conversations that are now taking place over the future of local Government this Council requests that the National Association of Local Councils (NALC) with Warwickshire Association of Local Councils (WALC) are approached to help bring together a report concerning the creation of a Rugby Town Council.”

Councillor Lowe then moved and Councillor Poole seconded the following amendment:

“Most areas of Rugby Borough are parished apart from the Rugby urban area. Considering the conversations which are now taking place over the future of local government, this Council will establish a time limited cross party Cabinet working party, reporting back to Council early 2021, to consider the creation of a Rugby Town Council , and to determine whether existing parish councils are being effectively supported in their vital community work. The working party will consult with existing parish councils, the National Association of Local Councils (NALC), and Warwickshire Association of Local Councils (WALC).”

Councillors Roodhouse and Mrs Brown indicated that they were prepared to accept the amendment. Following further discussion the Mayor put the amendment to the vote and declared it carried.

(b) Councillor Sandison moved and Councillor McQueen seconded the following motion set out at item 8(b) of the agenda.

“This Council notes the on-going problems of fly tipping and littering and recognises how this form of anti-social behaviour impacts upon our communities, natural habitat and cleansing budgets.

We welcome the new signage, copied from City of York Council, to be used in our open spaces but believe it needs to be underpinned by strengthened enforcement processes and fines including fixed penalty notices and public space protection orders. We call upon the Overview and Scrutiny Committee to come forward with a one-page review scoping document. We further call upon them to set up a suitable task group or groups to investigate and recommend policy changes. The task group to have a timetabled action plan with a requirement to report back to full Council on its progress by early 2021.”

Councillor Poole then moved and Councillor Lowe seconded the following amendment:

“This Council notes the ongoing problems of fly tipping and littering throughout the borough. This is of course a form of anti-social behaviour, which impacts upon our communities, natural habitat, and cleansing budgets. The new signage copied from York Council is in fact copied from Australia where it was being used 2 years ago and was successful in reducing the amount of litter. We welcome the use of these posters in our parks and public open spaces. We also acknowledge that there needs to be more effective and active enforcement, and covert work to bring the offenders to justice and ultimate prosecution. This Council will therefore form a time limited cross-party cabinet working party, reporting back to Council early 2021, to consider what further measures can be taken to address littering and fly-tipping in the Borough of Rugby.”

Councillors Sandison and McQueen indicated that they were prepared to accept the amendment. Following further discussion the Mayor put the amendment to the vote and declared it carried.

(c) Councillor Douglas moved and Councillor Sandison seconded the following motion set out at item 8(c) of the agenda.

“This Council is committed to reducing all forms of waste in our environment and for cleaner streets, public spaces across our communities.

Council notes that:

- *the Keep Britain Tidy Campaign offers local authorities the opportunity to become a member of a Network, which provides access to specialist advice and support. The campaign is also promoting a Love Parks campaign and a Charity Bin sponsorship scheme whereby the monies raised from recycling cans deposited in designated local authority bins is contributed to local charities.*

- *Several national supermarket chains are now operating trials of reverse vending machines, where customers are rewarded for returning used cans and bottles for recycling.*
- *The Government department DEFRA has also previously published a voluntary code for local businesses and local business partnerships to sign up to and reduce the litter that results from fast food businesses.*

Council resolves to:

- 1. ask the Overview and Scrutiny Committee to examine the merits of becoming a local authority member of the Keep Britain Tidy Network, and identify which of the campaign's initiatives, including Love Parks and Charity Bins, could be introduced in the Borough;*
- 2. ask the Executive Director to write to national supermarket chains with stores in this borough asking them to consider Rugby as the location for a future trial of a reverse vending machines;*
- 3. promote take up of the DEFRA voluntary code amongst our fast food businesses and local business partnerships and seek their sponsorship for the introduction of a Charity Bin scheme and for public education programmes; and*
- 4. to report back to Council in early 2021."*

Councillor Lowe then moved and Councillor Poole seconded the following amendment:

"Subject to the setting up of a time limited cross-party Cabinet working party, as detailed in Notice of Motion (b), this Council resolves to ask the working party to consider what measures can be taken to reduce littering in the Borough of Rugby, and report back to Full Council in early 2021."

Councillors Douglas and Sandison indicated that they were prepared to accept the amendment. Following further discussion the Mayor put the amendment to the vote and declared it carried.

32. CORRESPONDENCE

There was no correspondence.

33. 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 Panels and Committees reports adopted at this meeting.

34. 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 as defined in paragraph 3 of Schedule 12A to the Act.

35. PRIVATE REPORT OF CABINET – 7 SEPTEMBER 2020

RESOLVED THAT - the report be confirmed and adopted.

MAYOR