

MINUTES OF CABINET

3 FEBRUARY 2020

PRESENT:

Councillors Lowe (Chairman), Mrs Crane, Ms Robbins, Roberts and Mrs Simpson-Vince.

Councillors Mrs Brown, Douglas, McQueen, Mrs O'Rourke, Picker, Roodhouse and Sandison were also in attendance.

66. MINUTES

The minutes of the meeting held on 6 January 2020 were approved and signed by the Chairman.

67. APOLOGIES

An apology for absence from the meeting was received from Councillor Poole.

68. QUESTION TIME

The following questions were received in accordance with the Council's public question time procedure.

Mr Beggs, Mr Cresswell, Ms Stevenson and Mrs Skidmore attended the meeting and asked their questions in person.

(a) Mr Beggs asked the following question of the Leader of the Council, Councillor Lowe:

"Would the Council agree that banning all fossil fuel driven private vehicles from the centre of Rugby town would reduce pollution and congestion leading to a healthier and more pleasant experience for all those using that area, including children, shoppers and workers? If they do agree when would they put such measures in place?"

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

"It is highly likely that banning fossil fuel driven private vehicles from the centre of Rugby would reduce both pollution and congestion.

However, the practicalities of doing so are far from understood and it is highly likely that there would be adverse impacts to other aspects of the town centre.

Transport Planning is a function of Warwickshire County Council. Rugby Borough Council is currently working with the County Council to review and update transport plans for the Borough. This will include means of building sustainable transport systems in recognition of the goal of moving towards carbon neutrality."

(b) Mrs Cresswell asked the following question of the Leader of the Council:

“In some areas of the UK, frequent buses along with inexpensive fares are an incentive for drivers to leave their cars at home and use public transport. Does Rugby council have any similar plans to encourage residents - from far and wide to utilise bus services and, in doing so to contribute towards reducing the carbon footprint of our town?”

Councillor Lowe, Leader of the Council, responded as detailed below:

“As referred to in the previous question - Transport Planning, including Public Transport, is a function of Warwickshire County Council. Rugby Borough Council is keen to support the County Council in reviewing transport plans for the Borough. Once this has been completed, we will have a clearer understanding of the measures which can be undertaken in relation to the provision of public transport and the role which Rugby Borough Council can play in progressing this agenda.”

(c) Mr Cresswell asked the following question of the Leader of the Council, Councillor Lowe:

“Recognising the inexorable and accelerating slide towards climate disaster a simple and effective reduction in Rugby's CO2 output is to get residents and visitors to shift to bicycle or walking as a preferred means of transport and away from the car. This has two immediate benefits in terms of [health impact](#) and economic impact upon the town centre as demonstrated by [Chris Boardman and Manchester](#) many years before the impact on the CO2 output.

What plans does Rugby Borough council have to:

(a) make cycling in and around Rugby safe and feel safe for all Council tax payers?

(b) provide safe and secure facilities to make cycling a option people will choose to switch to for example [Leicester's secure bike park](#)?”

Councillor Lowe, Leader of the Council, responded as detailed below:

“The Council is committed to supporting initiatives which ensure the provision of safe routes for cycling and walking and has worked with partners including Warwickshire County Council and Sustrans to deliver improvements for many years.

We will continue to work with such partners to further progress this agenda and I will ensure that the examples which you reference are considered within that work.”

(d) Ms Stevenson asked the following question of the Leader of the Council, Councillor Lowe:

“How will the council support the climate emergency working groups recommendations considering there is no budget set aside for such activity, aside from a one off allocation to begin the initial work?”

Councillor Lowe, Leader of the Council, responded as detailed below:

“The report from the Climate Emergency Working Group will be considered by Cabinet and any immediate budgetary recommendations arising from this will be considered by Council through this year’s budget setting process. Section 6 of the working group’s report states that “There will need to be a long term and ongoing financial commitment if the Council’s work in response to the Climate Emergency is to be effective.

I agree with the working group on this matter and will ensure that financial requirements are considered in the future as appropriate. I anticipate that this will include requests for funding to support costed initiatives relating to the Climate Emergency and our resulting action plans.”

(e) Mrs Skidmore asked the following question of the Leader of the Council, Councillor Lowe:

“I am writing regarding the Climate Emergency Working Group's presentation to Cabinet on 3rd February as I would like the following questions to be addressed please.

There are already active groups of concerned people who are doing their bit to raise awareness of the issues with the wider public. Such groups include but are not limited to: Transition Town, Rugby Extinction Rebellion, regular Climate Demonstrations and Journey to Zero Waste Rugby. With this in mind, how do members of the working group and the wider council plan to consult such groups and engage with the public?

In the wording of the Climate Emergency Declaration in July 2019, a commitment was made to make Council's activities carbon neutral by 2030. What plans do council have to broaden this target and include all activities within the Borough, ie not just the council's?”

Councillor Lowe, Leader of the Council, responded as detailed below:

“I am aware of the numerous groups, partners, businesses and indeed residents who are concerned about the Climate Emergency and who are keen to be involved in the Council’s response.

The report from the Climate Emergency Working Group includes a recommendation that a communications and engagement plan is produced. Should this be approved by Cabinet, then I would fully expect that plan to detail how we will engage with interested parties.

Beyond the Council’s own activities, the working group has proposed a workstream which seeks to analyse, understand and define how the Council can support Climate Change reduction and mitigation, beyond its own activities and in the wider Borough.”

(f) Mr Sheridan asked the following question of the Leader of the Council, Councillor Lowe:

"I am writing regarding the Climate Emergency Working Group's presentation to Cabinet on 3rd February as I would like the following questions to be addressed please.

We have a growing number of people and groups in Rugby concerned about the decisions being made by the planning department and its disregard for their concerns in relation to the Climate Emergency. Such groups include but are not limited to: Transition Town, Rugby Extinction Rebellion, Rugby Interfaith group. With this in mind, how do members of the working group and the wider council plan to consult such groups in future planning applications.

In your declaration a commitment was made to make Council's activities carbon neutral by 2030. What plans do council have to broaden this target and include all planning applications within the Borough?"

Councillor Lowe, Leader of the Council, responded as detailed below:

"There is already public consultation on all planning applications. It is a statutory requirement. Any group or member of the public can comment on a planning application and register those comments formally. It should be noted that all planning decisions are made within the context of national legislation, the National Planning Policy Framework (NPPF), the Local Plan, Neighbourhood Plans and Supplementary Planning Documents. A timeline of forthcoming Supplementary Planning Documents, including the Air Quality SPD and Sustainable Design and Construction SPD, can be found within the Borough Council's adopted Local Development Scheme."

Corporate Resources Portfolio

69. DRAFT GENERAL FUND REVENUE AND CAPITAL BUDGETS 2020/21 AND MEDIUM-TERM FINANCIAL PLAN 2020-24

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 5) concerning the Council's draft General Fund revenue and capital budgets for 2020/21 and the Medium Term Financial Plan for 2020-24.

RESOLVED THAT –

- (1) the prepayment of the Authority's pension liability, as identified as a key decision in section 6, be recommended to Council for approval;
- (2) the key decisions as seen in section 6 be noted to deliver a balanced budget for 2020/21;
- (3) the level of reserves at Appendix 9 be noted;

- (4) the proposed fees and charges for 2020/21, as set out at Appendix 10, with delegated responsibility to the Joint Committee for the Crematorium fees and charges, be noted and requested by Full Council to be approved; and
- (5) the updated draft General Fund Revenue and Capital Budget position for 2020/21 be noted alongside the Council's 2020-24 Medium Term Financial Plan. This is subject to any further changes following the announcement of the final settlement and recommend this to be considered by Full Council on 25 February 2020.

70. FINANCE AND PERFORMANCE MONITORING 2019/20 – QUARTER 3

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 6) concerning the latest financial and performance position for 2019/20.

RESOLVED THAT –

- (1) the Council's anticipated financial position for 2019/20 be noted;
- (2) Supplementary budgets as detailed within Section 5 of this report be approved;
- (3) a General Fund revenue virement to transfer (£0.037m) out of the Insurance Reserve towards the 2019/20 General Fund Corporate Savings Target be approved;
- (4) a General Fund revenue virement of (£0.036m) from salary savings within IT towards the 2019/20 Corporate Savings Target be approved; and
- (5) IT BE RECOMMENDED TO COUNCIL THAT -
 - (a) supplementary budgets as detailed in Section 5 of this report be approved;
 - (b) capital budget carry forwards from 2019/20 to 2020/21 totalling £6.053m (General Fund £1.552m, Housing Revenue Account £4.501m) as detailed in the report be approved;
 - (c) financing of the Housing Acquisitions Fund transfer from General Fund to Housing Revenue Account Capital Investment balances as detailed in the report be approved; and
 - (d) performance data included in Section 6 and Appendix 3 be considered and noted.

Communities and Homes Portfolio

71. DRAFT HOUSING REVENUE ACCOUNT CAPITAL & REVENUE BUDGETS 2020/21 AND MEDIUM TERM FINANCIAL PLAN 2020-24

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer and Head of Communities and Homes (Part 1 – agenda item

7) concerning the draft Housing Revenue Account capital and revenue budgets for 2020/21 and the Medium Term Financial Plan for 2020-24.

RESOLVED THAT –

- (1) the draft revenue and capital budgets at Appendices A and B for 2020/21 be noted; and
- (2) IT BE RECOMMENDED TO COUNCIL THAT the revised HRA Local Level on Indebtedness (Debt Cap) be set at £152m.

Environment and Public Realm Portfolio

72. RIPA (REGULATION OF INVESTIGATORY POWERS ACT 2000) POLICY

Cabinet considered the report of the Executive Director (Part 1 – agenda item 8) concerning the approval of a Regulation of Investigatory Powers Act 2000 (RIPA) Policy.

RESOLVED THAT –

- (1) the RIPA Policy attached at Appendix 1 to the report be approved; and
- (2) the officers listed in the policy be authorised to authorise direct surveillance and the use of covert human intelligence sources; and
- (3) delegated authority be given to the Executive Director to make any non-material amendments to the approved RIPA Policy.

73. CLIMATE EMERGENCY WORKING GROUP

Cabinet considered the report of the Head of Environment and Public Realm (Part 1 – agenda item 9) concerning recommendations from the Climate Emergency Working Group.

RESOLVED THAT - IT BE RECOMMENDED TO COUNCIL THAT -

- (1) in response to declaring a climate emergency, the Council adopts the following aims:
 - To move the Council's operations towards Carbon Neutrality by 2030
 - To establish action to tackle climate change as a key driver of all decision-making.
 - To provide community leadership in reducing the impact of Climate Change
 - To take action to mitigate the impact of climate change on a Borough wide basis and beyond, through adaptation;
- (2) in relation to Carbon neutrality, the Council's work initially focusses on scopes 1 and 2, with further work commissioned to understand how the Council can deliver positive change in relation to Scope 3;

- (3) to achieve the above aims, work be taken forward through the six workstreams described in part 4 of the report;
- (4) to drive work in relation to the Climate Emergency, a long term working group be established;
- (5) specialist advice relating to a) Baseline the Council's CO2 footprint and b) the production of a Carbon Neutral Strategy and Delivery Plan be procured;
- (6) a communications and engagement plan be produced, including an initial survey/ questionnaire which will seek to engage residents in the Climate Emergency and gain feedback on resident priorities; and
- (7) a Climate Emergency Response Reserve of £0.5m be created as part of the budget setting process, to be met from retained business rates growth in 2020/21, to support the initial work required as detailed in the report and commence delivery of the forthcoming action plan.

Item considered en bloc

74. APPROVAL OF NATIONAL NON-DOMESTIC RATES RETURN – NNDR1 2020/21

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 10) concerning the approval of the Council's national non-domestic rates return for 2020/21.

RESOLVED THAT - the National Non-Domestic Rates Return – NNDR1 2020/21, as at Appendix 1 to the report, be approved.

75. 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 items on the grounds that they involved the likely disclosure of information defined in paragraphs 1 and 3 of Schedule 12A of the Act.

Item considered en bloc

76. WRITE OFFS

Cabinet considered the private report of the Head of Corporate Resources and Chief Financial Officer (Part 2 – agenda item 1) concerning write offs.

RESOLVED THAT – the schedule of write offs, as at Appendix 1 to the report, be approved.

CHAIRMAN