

# MINUTES OF COUNCIL

17 DECEMBER 2019

## PRESENT:

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

## 56. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Cade, Cranham, Leigh Hunt, Keeling, Shera, Mrs Simpson-Vince and Stokes.

## 57. MINUTES

The minutes of the meeting held on 14 November 2019 were approved and signed by the Mayor.

## 58. DECLARATIONS OF INTEREST

Item 8(a) of Part 1 – Notice of Motion – Councillor Miss Lawrence (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a trustee of Friends of the Hospital of St Cross).

Item 8(a) of Part 1 – Notice of Motion – Councillor Picker (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of his mother being an employee of the Hospital of St Cross).

Item 8(a) of Part 1 – Notice of Motion – Councillor Lewis (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being Vice-President of the Friends of the Hospital of St Cross ex-officio as Mayor of Rugby for 2019/20).

## 59. MAYOR'S ANNOUNCEMENTS

The Mayor had attended the St Andrew's Church Christmas Tree Festival recently. He urged all Members to visit the church to see the excellent entries into the competition.

The Mayor had also judged the Christmas shop window dressing competition. 30 shops had entered the competition, which is organised on an annual basis by Rugby First.

## **60. QUESTIONS PURSUANT TO STANDING ORDER 10**

Councillor Ellis asked the Environment and Public Realm Portfolio Holder, Councillor Roberts, the following question:

“What action would Rugby Borough Council consider taking to enforce and protect residents’ housing standards in Housing Associations and also private rented housing who find themselves living, despite historical complaint, in degraded conditions without modern heating systems, hot-water, structural issues, poor refuse systems and mould?”

Councillor Roberts, Environment and Growth Portfolio Holder, replied as follows:

“As well as its role in the regulation of the private-rented sector, the council has a long history of partnership working with housing associations, as much valued strategic partners in meeting housing needs in the borough. It should be noted that housing associations are autonomous organisations in their own right, and outside of the regulatory regime, the council does not have any powers over how they manage their homes. However, in the spirit of partnership working to help meet the housing needs of residents, we do rely on our good relationships with the Housing Associations to remedy issues that we become aware of.

A number of teams work closely together to provide high quality housing and to take action against those landlords who fail to meet legal standards, using legislation such as the Housing Act 2004.

Actions include advice, improvement notices, prohibition orders, hazard awareness notices and prosecution. Council staff are involved in proactive work, for example licensing of houses in multiple occupation, and responses to complaints from tenants.

Council approved a revised civil penalties policy for the private sector at its meeting on 14<sup>th</sup> November and officers are already preparing the first penalty notices using the new policy.

In addition to the regulatory role of the council, it should be noted that housing associations have their own complaints processes that are designed to put things right. Tenants may submit complaints directly or with the support of a nominated person. The Housing Ombudsman Service is also a potential avenue for escalation should tenants feel that their complaint has not been dealt with correctly by the housing association.

Finally, housing associations are expected to be compliant with the standards set out in the Social Housing Regulatory framework. These standards include issues of the quality of the home as well as repairs and maintenance. The regulator may act if these standards are breached and there is a significant risk of serious detriment to tenants or potential tenants.

If you or any councillors have concerns and you believe enforcement is likely to be required I would recommend that you contact the Council’s Regulatory Services Team to discuss or take advice.”

The Portfolio Holder also invited Councillor Ellis to meet with him to discuss this issue further, which Councillor Ellis accepted.

## **61. REPORT OF CABINET – 2 DECEMBER 2019**

**RESOLVED THAT** – the report be confirmed and adopted.

## **62. REPORTS OF OFFICERS**

### **(a) Willoughby Neighbourhood Development Plan Adoption and Decision Statement**

Council considered the report of the Head of Growth and Investment (Part 1 – agenda item 7(a) concerning the proposed adoption of the Willoughby Neighbourhood Development Plan and Decision Statement.

#### **RESOLVED THAT –**

- (1) the Willoughby Neighbourhood Development Plan be approved and adopted in accordance with section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended);
- (2) the decision notice required under regulation 19 of the Neighbourhood Planning (General) Regulations 2012 as amended be approved; and
- (3) both the Willoughby Neighbourhood Development Plan and the decision notice be published on the Council's website and publicised elsewhere in order to bring it to the attention of people who live, work or carry out business in the neighbourhood area; and for the decision notice to be sent to the qualifying body and anyone else who asked to be notified of the decision.

### **(b) Coton Park East Masterplan Supplementary Planning Document Adoption**

Council considered the report of the Head of Growth and Investment (Part 1 – agenda item 7(b) concerning the adoption of the Coton Park East Masterplan Supplementary Planning Document.

#### **RESOLVED THAT –**

- (1) the Coton Park East Masterplan SPD be approved for adoption;
- (2) the Coton Park East Masterplan SPD be published on the Council's website and made available in local libraries; and for the adoption statement to be made available and sent to any person who has asked to be notified of the adoption of the SPD; and
- (3) delegated authority be given to the Head of Growth and Investment to make minor grammatical and presentational amendments as necessary to the Coton Park East Masterplan SPD prior to it being published.

## **63. NOTICES OF MOTION PURSUANT TO STANDING ORDER 11**

The Mayor considered it advisable and convenient to deal with the Notices of Motion set out at items 8(a) and (b) on the agenda at the meeting.

Councillor Mrs Brown moved and Councillor Mrs O'Rourke seconded the following notice of motion as set out at item 8(a) of the agenda.

*“(a) Rugby is the fastest growing town in the West Midlands and instead of seeing NHS services increase proportionally Rugby residents have experienced a year on year decline in the provision of local NHS services at St Cross Hospital.*

*St Cross now only provides the most basic of emergency services, so patients with anything more serious than cuts and bruises will need to go to UHCW. Heart attacks, strokes, major trauma and the like all need a blue light ambulance service. Yet Rugby no longer has a local ambulance hub. We call on this Council to make formal representation to the Clinical Commissioning Group and demand that an ambulance hub is reinstated in Rugby and fully resourced to meet the growing demands in Rugby.”*

Councillor Roodhouse then moved and Councillor Miss Lawrence seconded the following amendment:

*Rugby is the fastest growing town in the West Midlands. Rugby Borough Council recognizes that this growth is placing pressure on local NHS and GP services in the Borough.*

*The Council recognizes that Rugby St Cross has been awarded “good” by the Care Quality Commission for the services it currently provides. However, it is acknowledged that there is more to be done in terms of urgent care provision, local ambulance services and improved access to accident and emergency care, especially for children and the most vulnerable.*

*In recognition of this, the Council asks:*

- 1) That the Executive Director provides Council with a briefing note regarding transforming the local Clinical Commissioning Group into “Place”, with an outline of the implications and benefits for Rugby*
- 2) That the Senior Management Team of St Cross be invited to present future plans and discuss the implications on medical services for Rugby and its growing population*
- 3) That the West Midlands Ambulance Service be invited to present to Council how it operates in the Rugby area, and its plans to deal with a growing number of residents*

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

Councillor Bearne moved and Councillor Poole seconded the following notice of motion as set out at item 8(b) of the agenda.

Fireworks are used by people throughout the year to mark different events. While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise. (source RSPCA).

- The unpredictable, loud and high intensity noises that many fireworks make can cause fear.

- Debris produced by fireworks, if found on the ground, can also pose a hazard to animals, such as horses and farm livestock.
- The short-lived nature of firework noise can make it difficult for the police or local authority officers to pinpoint locations and take action.

This Council resolves:

- to require all Council supported public firework displays to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display.”

Further to debate, Councillor Mrs O’Rourke suggested that the final bullet point of the motion should have the words “for public display” omitted, whereupon Councillor Poole proposed that the last bullet point of the motion could simply be amended to read, “to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for sale” which was accepted by Councillor Bearne as the proposer of the motion.

The Mayor then put the motion, as amended, to the vote and declared it carried.

#### **64. CORRESPONDENCE**

There was no correspondence.

#### **65. 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 committee reports adopted at this meeting.

#### **66. 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 2 of Schedule 12A of the Act.

#### **67. PRIVATE REPORT OF CABINET – 2 DECEMBER 2019**

**RESOLVED THAT** – the report be confirmed and adopted.

**68. REPORTS OF OFFICERS**

**(a) Recruitment of the Executive Director**

Council considered the private report of the Monitoring Officer (Part 1 – agenda item 2(a) concerning the recruitment of the Executive Director.

**RESOLVED THAT –**

- (1) an Appointments Committee be temporarily established for the sole purpose of the recruitment of the Executive Director, as outlined in the report;
- (2) all recruitment powers be given to the Appointments Committee with a view to providing a recommendation for Full Council; and
- (3) delegated authority be given to the Council's Monitoring Officer in relation to the composition of the Committee.

**MAYOR**