

MINUTES OF COUNCIL

27 SEPTEMBER 2019

PRESENT:

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

28. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Mrs Crane, Leigh Hunt, Keeling, Pacey-Day, Shera, Srivastava and Stokes.

29. MINUTES

The minutes of the meeting held on 18 July 2019 were approved and signed by the Mayor.

30. DECLARATIONS OF INTEREST

Items 8(b) and 8(c) of Part 1 – Notices of Motion pursuant to Standing Order 11 – Councillors Butlin, Mrs O'Rourke, Roberts, Roodhouse, Mrs Simpson-Vince and Mrs Timms (non-pecuniary interests as defined by the Councillors Code of Conduct for Councillors by virtue of being Warwickshire County Councillors).

Item 8(b) of Part 1 – Notices of Motion pursuant to Standing Order 11 – Councillor Picker (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of having a resident's parking permit as part of the scheme operated by Warwickshire County Council).

Item 8(a) of Part 1 - Notices of Motion pursuant to Standing Order 11 – Councillor Douglas (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of his employment).

Item 2(a) of Part 2 – Future Recycling Options – Councillors Butlin, Mrs O'Rourke, Roberts, Roodhouse, Mrs Simpson-Vince and Mrs Timms (non-pecuniary interests as defined by the Councillors Code of Conduct for Councillors by virtue of being Warwickshire County Councillors).

Item 2(a) of Part 2 - Future Recycling Options – Councillor Lowe (non-pecuniary interests as defined by the Councillors Code of Conduct for Councillors by virtue of his wife being employed by an organisation referred to in the private report).

With regard to his interest, Councillor Lowe had completed a dispensation form prior to the meeting and, in accordance with the Council's Constitution, the Monitoring Officer had granted him dispensation to speak and vote on the item.

31. MAYOR'S ANNOUNCEMENTS

Members had been notified that former Borough Councillor Doug Hall sadly passed away last month. Doug was a councillor for the former Brownsover Ward from 1973 to 1990 and also served as a Warwickshire County Councillor and a Parish Councillor. His funeral service has already been held. All Members and officers joined the Mayor and stood for a moment's silence in memory of Doug.

The Mayor recently attended the Heart of England in Bloom awards in Dunchurch and was pleased to announce that Rugby won gold in the small city category for a 12th year in a row together with overall category winner for a second year running. Rugby also won the overall winner for all categories in the whole of the Heart of England in Bloom area.

Friends of Dunchurch won a gold in the large village category and overall category winner. They would be representing the region in the Britain in Bloom 2020 finals. Hillmorton was awarded a silver in the large village category.

The judges paid tribute to both the number and diversity of the local organisations which took part.

The Mayor had also attended the Rugby in Bloom Junior Awards and the Senior Awards and presented the award certificates and the trophies to the participants.

He thanked all volunteers, businesses and schools, together with the council's parks team, for their efforts which had contributed to these awards. All certificates and awards received by Rugby Borough Council were displayed at the back of the Council Chamber that evening for Members to look at.

With the Rugby World Cup 2019 having started in Japan and as a keen follower of the game the Mayor had sent 'Best Wishes' cards to each of the twenty teams taking part in the competition and to the organising committee. It was a greeting from the First Citizen of the town where, on the field of a local school, the game was reputed to have been born almost 200 years ago. A copy of the card was displayed at the back of the Council Chamber that evening for Members to look at. So far, the Mayor had received a response from Alfredo Gavazzi, President of the FRI on behalf of the Italian team thanking him for the card.

32. QUESTIONS PURSUANT TO STANDING ORDER 10

(A) Councillor Roodhouse asked the following question of the Environment and Public Realm Holder, Councillor Roberts:

There is increasing evidence that young people within the Borough are using increased amounts of "Nitrox Oxide" laughing gas. The medical evidence has also increased about the damage this can do to the brain. Could the Portfolio Holder state what actions the Council is taking with the other agencies to reduce this?

Councillor Roberts, Environment and Public Realm Portfolio Holder, replied as follows:

The Council is aware of Nitrous Oxide abuse and the associated potential health risks.

This is an issue about which I have written to the local Members of Parliament and the Office of the Warwickshire Police and Crime Commissioner, in order to ensure that we are all acting on the best possible intelligence and responding to the issue in a joined up manner.

There is no local or national data to illustrate the numbers of individuals using Nitrous Oxide in Warwickshire. Warwickshire's commissioned Young People's Drug and Alcohol service provider have not received any referrals specifically relating to young people using nitrous oxide. They will however be working to implement referral pathways for this as it is evident that the need is clear and they will also issue harm reduction messages.

For Rugby Borough Council, the Town Centre Public Space Protection Order provides a means of supporting enforcement where instances of substance misuse, including Nitrous Oxide, are suspected. Further, the Council's Community Wardens already proactively patrol and remove used cylinders from known areas with high levels of misuse of nitrous oxide. Where cylinders are found, officers are working with partners and commissioned Drug and Alcohol service providers to map the locations, with the aim of helping to direct the focus of where messages and information that can be shared.

I recognise the importance of increasing community understanding of the risks associated with Nitrous Oxide and will further raise the issue with partner organisations, with a view to developing a localised awareness campaign.

Councillor Roodhouse then asked if the Portfolio Holder would join him and the Labour Group Leader in sending a cross party letter to the Local Government Association and Secretary of State on this issue. The Portfolio Holder replied that he was happy to do this.

(B) Councillor McQueen asked the following question of the Corporate Resources Portfolio Holder, Councillor Ms Robbins:

Rugby Borough Council's Carbon Management Plan sets out targets for reduction in the Council's carbon emissions.

The plan sets a target of a 30% reduction in carbon emissions from a 2009/10 baseline of 3,696t CO₂e by the end of March 2017 and a 34% reduction by 2020.

Can the Portfolio Holder confirm if the 2017 target was met and if we are on track to meet the target set for next year please?

Councillor Ms Robbins, Corporate Resources Portfolio Holder, replied as follows:

Rugby Borough Council met and exceeded its Carbon Reduction target of 30% by 2016, through new lighting, vehicle/ fleet management, new boiler installations, IT server vitalisation etc including active Energy Management strategy across the corporate estate.

With additional LED lighting, Solar PV panel installations and Space Heating throughout 2016/17, Rugby Borough Council exceeded its 2020 target of 34% in 2017 achieving 35% (1293t CO₂e) reduction in carbon emissions against 2009/2010 baseline of 3696tCO₂e.

Given the Council's decision to declare a climate emergency, it is now necessary to develop a new carbon management plan and ensure that the Council has the resources in place to deliver the plan.

Councillor McQueen then asked if the carbon footprint of social housing would be measured and included as part of the new carbon management plan. The Portfolio Holder explained that this would be considered as part of the remit of the climate change working party.

(C) Councillor McQueen asked the following question of the Leader of the Council, Councillor Lowe:

Could the Leader confirm how much funding has been allocated to this Council in regard to Brexit planning, which officer is leading on this work and how the release of the cross-government civil contingency planning for the possibility of a no deal exit from the European Union known as "operation Yellow Hammer" affected the council's planning for Brexit?

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

The Council has received a total of £52,452 funding over the last two financial years in relation to Brexit planning.

Adam Norburn is the Council's Lead Brexit Officer who has, and will be, taking part in the briefing teleconferences hosted by the Secretary of State in preparation for exiting the EU.

The Council is part of the Warwickshire Local Resilience Forum and in relation to the Operation Yellowhammer report has been advised accordingly.

The report outlines the 'Reasonable Worse Case Scenarios' from a no-deal Brexit that we have been working on for the past year (but unable to share). The Local Resilience Forum have risk assessed the reasonable worst case scenarios and continue to keep a watching brief on these areas.

The majority of the worst case scenarios were assessed as posing medium to low risks to Warwickshire and it was deemed that existing response plans and arrangements were sufficient to enable an adequate local response should any of the risk materialise.

The Council will also be publishing material on its website to provide guidance to individuals and businesses of the implications of a no-deal Brexit.

Councillor McQueen then asked if there were measures in place to engage with individuals and businesses in the Borough who would be adversely affected by a 'no deal' Brexit. The Leader of the Council stated that these would be dealt with on a case by case basis and he would provide Councillor McQueen with a written response.

33. REPORT OF CABINET – 2 SEPTEMBER 2019

RESOLVED THAT – the report be confirmed and adopted.

34. AUDIT AND ETHICS COMMITTEE – 30 JULY 2019

RESOLVED THAT – the report be confirmed and adopted.

35. REPORTS OF OFFICERS

(A) Rugby Borough Council Statement of Community Involvement – Adoption of the Statement of Community Involvement 2019

Council considered the report of the Executive Director (Part 1 – agenda item 7(a) concerning the adoption of the Rugby Borough Council Statement of Community Involvement.

RESOLVED THAT –

- (1) the amended document in Appendix 1 to the report be approved for adoption in order to provide an up to date Statement of Community Involvement; and
- (2) the Head of Growth and Investment be given delegated powers to make any minor grammatical or presentational amendments necessary.

36. 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 item 8(a) - (c) on the agenda at the meeting.

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

“We ask Rugby Borough Council to consult with their local communities about the impact that the increasing numbers of HMOs is having on the character of their local communities. (This would include the recently established CRAPP community group in Benn Ward).

We would also ask that this Council asks local people if they would support the introduction of a borough wide Article 4 Direction, removing ‘permitted development rights’ for small HMOs, so that planning permission must be obtained before development can take place. This would require all Landlords who want to convert family homes in Rugby into small HMOs to submit planning applications.

The Direction would also include restriction on the number of HMOs allow within defined areas.

In the interim the local Benn Ward Community request that this Council identifies the resources needed to enforce the current licensing scheme requirements as they believe that there are hundreds of unregistered HMOs in Rugby.”

Councillor Roodhouse then moved and Councillor Douglas seconded the following amendment:

“Delete “in the interim the local Benn ward Community requests that this” and Delete “Rugby” and replace with “Council requests that Cabinet confirms and identifies any extra resources that are needed to enforce the current licensing scheme requirements. Because Council believes that there is an increase of unregistered HMOs in the Borough.”

Following discussion, the Mayor put the amendment to the vote and declared it lost.

Councillor Mrs Simpson-Vince moved and Councillor Poole seconded the following friendly amendment:

“We ask Rugby Borough Council via its Environment and Growth Scrutiny committee to consult with their local communities about the impact that the increasing numbers of HMOs is having on the character of their local communities, especially in terms of impact on parking. This would include the recently established CRAPP community group in Benn Ward as well as other community groups in other wards, officers and other interested parties including other local authorities in order to prepare a report for Cabinet as soon as possible detailing action the Council could take. Council requests that Cabinet identifies any extra resources that are needed to enforce the current licensing scheme requirements.”

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

RESOLVED THAT - Rugby Borough Council via its Environment and Growth Scrutiny committee consults with their local communities about the impact that the increasing numbers of HMOs is having on the character of their local communities, especially in terms of impact on parking. This would include the recently established CRAPP community group in Benn Ward as well as other community groups in other wards, officers and other interested parties including other local authorities in order to prepare a report for Cabinet as soon as possible detailing action the Council could take. Council requests that Cabinet identifies any extra resources that are needed to enforce the current licensing scheme requirements.

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

“We call upon Rugby Borough Council to make formal written representation to Warwickshire County asking them to reconsidered their proposals to changes and increase charges to residents parking permit schemes.

The written representation would include evidences from ward Councillors and the local community about the detrimental impact these changes would have on local people lives.”

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

RESOLVED THAT - Rugby Borough Council makes formal written representations to Warwickshire County Council asking it to reconsider its proposals to changes and increase charges to residents' parking permit schemes. The written representation would include evidences from ward Councillors and the local community about the detrimental impact these changes would have on local people lives.

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

“Rugby is the fastest growing town in the West Midlands, one of the impacts of this growth on the town is more cars on our local roads. We therefore call on this council to start working with the County Council immediately to develop a robust transport plan for Rugby that would alleviated traffic congestion, reducing air pollution and provide parking solutions for residents living in town centre wards and near to Rugby train station.”

Councillor Roodhouse moved and Councillor Douglas seconded the following amendment:

“ Add ‘This work should also be part of the Borough’s Climate Emergency action plan.’”

Following discussion, the Mayor put the amendment to the vote and declared it lost.

Councillor Mrs Simpson-Vince moved and Councillor Poole seconded the following friendly amendment:

“Rugby is the fastest growing town in the West Midlands, one of the impacts of this growth on the town is more cars on our local roads. We support and are encouraged by the council's work with the County Council to finally develop the long-awaited and robust transport plan for Rugby that will alleviate traffic congestion, reducing air pollution and provide parking solutions for residents living in town centre wards and near to Rugby train station.”

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

(d) Councillor Roodhouse moved and Councillor McQueen seconded the following notice of motion as set out at item 8(d) of the agenda.

*“This Council places on record its thanks to all Volunteers and Friends Groups which help and support our communities.
Local Authorities such as Rugby are having to work with increasing numbers of volunteers and community groups. Council requests that,
(1) a Volunteers Charter be developed and drafted that clearly demonstrates what groups and individuals can expect from the Council; and
(2) a volunteer’s handbook be drafted that includes what support can be expected from the Council, along with relevant contact details.*

Once drafted they should be brought back via scrutiny to Council in January.”

Councillor Miss Lawrence moved and Councillor Mrs Garcia seconded the following friendly amendment:

“Rugby Borough Council places on record its thanks to all voluntary and community groups for the work they do. Rugby Borough Council works in partnership with WCAVA to explore and identify ways in which voluntary and community groups can be supported. A report outlining progress and suggestions for further mutual action is brought to Council in early 2020. We will therefore consult with WCAVA before agreeing on the best way forward.”

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

RESOLVED THAT -

- (1) Rugby Borough Council places on record its thanks to all voluntary and community groups for the work they do;
- (2) Rugby Borough Council works in partnership with WCAVA to explore and identify ways in which voluntary and community groups can be supported; and
- (3) a report outlining progress and suggestions for further mutual action be brought to Council in early 2020, consulting with WCAVA before agreeing on the best way forward.

37. CORRESPONDENCE

There was no correspondence.

38. 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.

39. 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 paragraph 3 of Schedule 12A of the Act.

40. PRIVATE REPORT OF CABINET – 2 SEPTEMBER 2019

RESOLVED THAT – the report be confirmed and adopted.

41. REPORTS OF OFFICERS

(a) Future Recycling Options

Council considered the private report of the Executive Director (Part 2 – agenda item 2(a) concerning future recycling options.

RESOLVED THAT – recommendations (1) to (9) set out in the report be approved.

MAYOR