

MINUTES OF COUNCIL

17 JUNE 2021

PRESENT:

The Mayor (Councillor Mrs Deepah Brojohomun-Roberts), Councillors Mrs Allanach, Mrs A'Barrow, Bearne, Brader, Mrs Brown, Cade, Mrs Crane, Daly, Douglas, Miss Dumbleton, Eccleson, Ellis, Mrs Garcia, Gillias, Mrs Hassell, Keeling, Miss Lawrence, Lewis, Lowe, McQueen, Mahoney, Mistry, Mrs New, Mrs O'Rourke, Picker, Poole, Rabin, Roberts, Roodhouse, Mrs Roodhouse, Sandison, Mrs Simpson-Vince, Srivastava, Mrs Timms, Ms Watson-Merret, Dr Williams and Willis.

10. APOLOGIES FOR ABSENCE

Apologies for absence from the meeting were received from Councillors Mrs Parker, Ms Robbins and Shera.

11. MINUTES

The minutes of the ordinary meeting held on 20 April 2021 and the annual meeting held on 20 May 2021 were approved.

12. DECLARATIONS OF INTEREST

Item 7(c) of Part 1 – Temporary Appointment to Withybrook Parish Council – Councillor Gillias (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being proposed as the temporary appointment to the Parish Council).

Item 6(a) of Part 1 – South West Rugby Masterplan Supplementary Planning Document (SPD) Adoption – Councillor Mrs Allanach (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of her husband being publicly opposed to the South West Rugby development.

Item 7(b) of Part 1 – Warwickshire County Council (WCC) Health and Wellbeing Strategy 2021-25 – Councillor Mrs Timms ((non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Warwickshire County Councillor).

13. MAYOR'S ANNOUNCEMENTS

The Mayor informed Members that the Council had received a Census Champion certificate from the Office for National Statistics for its support in the lead-up to Census 2021 and in the period around Census Day, which helped boost return rates.

The response to Census 2021 had exceeded all expectations with households across England and Wales making sure they count when it comes to local services like school places, GP surgeries and hospital beds.

Jason Zawadzki, Deputy Director of 2021 Census Operations, thanked the Council for its support over the last few months, which had been invaluable and contributed to the high response rates achieved. The ONS was committed to making sure that the census includes everybody, and the Council's work with the ONS had been a crucial part of the picture.

14. QUESTIONS PURSUANT TO STANDING ORDER 10

A. Councillor Mrs O'Rourke asked the Leader of the Council, Councillor Lowe:

"Could the leader of this Council advise members why Rugby Borough Council's bid for the national high street fund was unsuccessful?"

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

"Rugby Borough Council submitted a bid for a share of money from the government's £675m Future High Streets Fund in March 2019. The fund was in two stages- an Expression of Interest (EOI) and then a second phase to develop a Business Case for a specific proposal.

The fund was highly competitive, with over 300 Local Authorities believed to have submitted an Expression of Interest. Of those, 50 were initially successful, with the fund later expanded to a further 50 areas. These Local Authorities were awarded revenue funding of up to £150,000 to develop business cases for specific town centre projects. Following the development of business cases, a total of 72 areas received capital funding towards specific projects ranging from £1 million up to around £15 million.

The Ministry for Housing, Communities and Local Government (MHCLG) has not given feedback on individual submissions, although Officers have reviewed information on available EOIs that went through to the second round.

Bids were assessed on the basis of need and vision. The government also identified at the start of the process that where the fund was over-subscribed, funding would be awarded on the basis of achieving a geographical spread as well as wider economic considerations. Therefore, this limited the funding that could be allocated within sub-regions.

It is clear that some of the most deprived areas in the country benefited from the fund as they demonstrated the greatest need. In terms of vision, a significant proportion of successful bids had existing town centre strategies and development partners in place prior to submitting their Expression of Interest. An existing town centre strategy provides a framework for investment, certainty that schemes can go ahead and demonstrates local community support. Therefore, it is considered that areas with existing town centre strategies were able to demonstrate the greatest economic benefits from their proposals.

Since Rugby's Future High Streets Fund bid, the Borough Council has commissioned Avison Young, Allies and Morrison and Urban Flow to develop a Town Centre Strategy for Rugby. With a vision in place, Rugby

will be better placed to bid for future funding opportunities when they become available. It is recognised that a range of funding is required to achieve successful regeneration. A Town Centre Strategy is vital to provide certainty to attract private investment into Rugby. This is essential as many public sector funding opportunities are awarded on the basis of 'match funding'.

Rugby Borough Council has been successfully awarded funding from the One Public Estate (OPE) to explore the redevelopment of Borough Council owned land. Also, it has been awarded £2 million from the Coventry and Warwickshire Local Enterprise Partnership to support the delivery of Caldecott Square. The Borough Council will continue to explore all funding opportunities. Our priority is to ensure the Town Centre Strategy is adopted and in place in 2021 so that it is positioned to bid for funding over the next 15 year period."

Councillor Mrs O'Rourke then asked the Leader if the Town Centre Strategy was essential to securing funding why it was not a priority for this Council. Councillor Lowe clarified that the strategy was not absolutely essential but funding bids were likely to be more successful once the strategy was in place.

B. Councillor Mrs O'Rourke asked the Leader of the Council, Councillor Lowe:

"Can the leader of this Council tell us how many registered on road parking spaces there are currently in Benn Ward?"

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

'On-street parking in the Benn Ward is the responsibility of Warwickshire County Council. It is County Council practice, in all towns, to provide continuous parking bays that cover the length of the restriction. Those bays are more practical than individual bays as it is impractical to cater for the extreme variance in car lengths available today.

As one of the enforcement offences that penalties can be issued for is 'out of bay' they would have to ensure that all individual bays could cater for the longest car available, avoiding unjustly targeting certain vehicles. This would consequently result in a reduction in parking capacity. Therefore, a more efficient use of the highway is enabled with continuous parking bays where the motorist is encouraged to use their common sense in relation to parking considerately.

As such it is not possible to provide a number of parking spaces available, however the restrictions can be viewed online (on a per-street basis) at maps.warwickshire.gov.uk/tro which includes a measuring tool for the length of parking bays."

Councillor Mrs O'Rourke then asked the Leader of the Council if he agreed that the Council, as a Local Planning Authority, needed to understand the capacity for on road parking prior to any development which provided little or no parking provision. Councillor Lowe agreed with this.

C. Councillor Mrs O'Rourke asked the Leader of the Council, Councillor Lowe:

"Can the leader of this Council explain why it is that the roll out and uptake of the local COVID vaccination program in Rugby is below the National average?"

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

"Firstly before answering this question I would like to thank all the hard work by volunteers, NHS staff, Public Health and council staff. The number of people vaccinated in Coventry and Warwickshire is now over 1 million in just 6 months and this should be celebrated.

While the figures for Rugby are slightly lower there are a number of reasons for this, the first being the different demographics in the area with a larger number of younger workers.

Vaccinations within the highest risk groups of cohorts 1-9 is similar to the national average.

There has been a delay in the provision of vaccines at Locke House due to the transition from cohorts 1-9 being provided by the local GP surgeries to cohorts 10-12 being provided by Rugby Health. However, the Brownsover pharmacy and the regional vaccination centre at Stoneleigh have ensured local vaccinations are possible.

The council has been working hard with partners to increase vaccine uptake including communications, working with employers, use of the Benn Hall for vaccinations and setting up a vaccine support facility at the Benn Partnership supporting residents including black, Asian, and Eastern European residents.

We are confident government targets will be met."

Councillor Mrs O'Rourke sought further clarification on why Rugby was the slowest borough in Warwickshire and asked the Leader of the Council for an assurance that the government's target for all over 18 year olds to be offered a vaccination would be met in the borough. Councillor Lowe replied that, although the Council was not responsible for the vaccination rollout programme, it had an important role to play with regard to communication. Although the Council could not compel residents to take the vaccine, Councillor Lowe assured the Council he was committed to ensuring the target was met.

D. Councillor Mrs O'Rourke to asked the Leader of the Council, Councillor Lowe:

"Can the leader of this Council tell us how many HMOs are currently registered in the Rugby Borough, also what percentage of those registered HMOs have been formally assessed to ensure all the required statutory standards are being met?"

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

'We have 177 currently licensed houses in multiple occupation (HMOs) with 15 current applications soon to be licensed. All are inspected before

licenses are issued and then are subject to regular compliance checks, which is usually annually.

Additionally, we are aware of 4 properties purchased for HMO use and going through completion stage and or planning applications. We are waiting for the applications to be received.

It should be noted that some HMOs are not required to be licensed under the legislation e.g. too few occupants or operated by a local authority.”

Councillor Mrs O’Rourke then asked the Leader of the Council who the checks were undertaken by and what happened with the information obtained from them. Councillor Lowe agreed to provide Councillor Mrs O’Rourke with a written response to her supplementary question.

E. Councillor Picker asked the Leisure and Wellbeing Portfolio Holder, Councillor Roberts:

"Given the importance of sports and outdoor recreation to our recovery from coronavirus, is the portfolio holder able to update Council on how we are making our parks and open spaces available for community activity and community sports?"

Councillor Roberts, Leisure and Wellbeing Portfolio Holder, replied as follows:

“The use of the Borough Council's parks and open spaces are managed by the Parks and Open Spaces Team. Enquires are processed via the talkinthePark e-mail address – (talkinthePark@rugby.gov.uk) . All hirers are required to provide appropriate documentation for insurance and risk assessments along with following the Borough Council special event procedures and are subject to fees and charges as set out on the Council website.

The borough's parks and open spaces provide vital opportunities for our residents to enjoy, benefitting both physical and mental well-being. Our commitment to activating these spaces are highlighted through the recent return of Junior Parkrun at the GEC Recreation Ground and approval for the return of the adult Parkrun at Whinfield Recreation Ground.”

Councillor Picker then asked the Portfolio Holder if he would agree to meet with himself and representatives of Hillmorton community groups to discuss further how Featherbed Lane recreation ground could be used for more community activities. Councillor Roberts was happy to agree to this.

F. Councillor Gillias to ask the Leader of the Council, Councillor Lowe:

“Rural communities are getting increasingly concerned with intentional unauthorised development, particularly in the Green Belt, could the Leader of the Council explain what is being done to address these concerns?”

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

“With any breaches of planning control, intentional or unintentional, the Local Planning Authority’s enforcement powers are discretionary and any action taken has to be judged to be proportionate as well as expedient. It is

not a tool to reprimand or punish. Whilst the Local Planning Authority will try to negotiate a solution to regularise a breach of planning control without the need for formal enforcement action, it is aware that this is not always possible.

A person who has breached planning control may seek to try and regularise the matter through a retrospective application which the legislation allows them to do. In assessing an application 'intentional unauthorised development' can be a material planning consideration therefore, in certain circumstances this will be a factor when weighing up the planning balance of any such proposal. Each application will be assessed on its own merits in accordance with the Development Plan.

It is acknowledged that effective and proper enforcement of planning controls is essential to a credible planning service and helps keep public faith in the planning system. Therefore, the Planning Enforcement Team endeavours to investigate breaches of planning control in a timely manner in accordance with the Borough Council's Planning Enforcement Policy Statement, September 2018, circulated to Councillors who recently attended the Planning Member Training. In addition, the Borough Council has already increased temporary resources in this service area to help support officers when investigating both intentional and unintentional unauthorised development. This will be followed by a report tabled at Cabinet with a recommendation to expand the planning service with an additional permanent Enforcement Officer. In addition, the Borough Council is exploring the use of new technology which will also increase its capability. The findings and recommendations will be presented to Cabinet on 28 June."

15. REPORT OF CABINET – 7 JUNE 2021

(a) South West Rugby Masterplan Supplementary Planning Document (SPD) Adoption

Councillor Mrs Simpson-Vince moved and Councillor Lowe seconded the recommendation of Cabinet as printed in the report.

Councillor Roodhouse moved and Councillor Sandison seconded the following amendment:

"The South West Rugby Masterplan Supplementary Planning Document (SPD) to be amended prior to adoption as follows and also in recognition of the proposed changes to the NPPF following the Governments response to Building Better Building Beautiful Commissions report entitled "Living with Beauty" and also recognising that this Council has already declared a Climate Change Emergency. Delegated Authority shall be granted to the Executive Director to make the following amendments;

- 1. The buffer for ancient woodland is increased to ensure full protection by a minimum of 30 mtrs as agreed by Rugby Borough Council local plan draft publication in 2016.*
- 2. Biodiversity needs to expand to ensure South West Rugby meets and delivers on biodiversity gain whilst providing a sustainable boundary and buffer zone to all existing settlements to ensure that over intensive*

- urbanisation does not occur and that there is a viable countryside parkland within the overall development of South West Rugby.*
3. *The plans as presented should identify and include the early delivery of an integrated cycle network that connects to key destinations and to the town centre to ensure a shift to walking and cycling. (Note as was done for the Coton East SPD)*
 4. *Infrastructure for health and community wellbeing should be strengthened and delivered early in the SPD, and certainly no later than 2026, this to include health facilities to meet the demand.*
 5. *Parking standards need to fully reflect modern vehicles size to ensure that pavements are left free for pedestrians and are not used for car parking.*
 6. *All new builds should be to a “Building for Life standard including renewable energy and electric car charging points as agreed on in the local plan.”*

Further to discussion, 3 members requested a recorded vote under Standing Order 3A Paragraph 15.4 on the motion.

For the motion: Councillors Mrs Allanach, Douglas, Miss Dumbleton, Lewis, McQueen, Mrs New, Roodhouse, Mrs Roodhouse and Sandison – **9 votes**

Against the motion: Councillors Mrs A'Barrow, Bearne, Mrs Brown, Cade, Mrs Crane, Daly, Eccleson, Mrs Garcia, Gillias, Mrs Hassell, Keeling, Miss Lawrence, Lowe, Mahoney, Mistry, Mrs O'Rourke, Picker, Poole, Rabin, Mrs Brojohomun-Roberts, Roberts, Mrs Simpson-Vince, Srivastava, Mrs Timms, Ms Watson-Merret, Dr Williams and Willis – **27 votes**

Abstentions from the motion: Councillors Brader and Ellis – **2 votes**

The Mayor declared the amendment lost.

Further to discussion on the substantive motion, 3 members requested a recorded vote under Standing Order 3A Paragraph 15.4 on the motion.

For the motion: Councillors Mrs A'Barrow, Bearne, Cade, Mrs Crane, Daly, Eccleson, Mrs Garcia, Gillias, Mrs Hassell, Keeling, Miss Lawrence, Lowe, Picker, Poole, Rabin, Mrs Brojohomun-Roberts, Roberts, Mrs Simpson-Vince, Mrs Timms, Ms Watson-Merret, Dr Williams and Willis – **22 votes**

Against the motion: Councillors Mrs Allanach, Brader, Mrs Brown, Douglas, Miss Dumbleton, Ellis, Lewis, Mahoney, McQueen, Mistry, Mrs New, Mrs O'Rourke, Roodhouse, Mrs Roodhouse, Sandison and Srivastava – **16 votes**

Abstentions from the motion: no votes

The Mayor declared the substantive motion carried.

RESOLVED THAT –

- (1) the South West Rugby Masterplan Supplementary Planning Document (SPD) be adopted;
- (2) the South West Rugby Masterplan SPD be published on the Council's website, with the adoption statement being 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 Chief Officer for Growth and Investment to make minor grammatical and presentational amendments as necessary to the South West Rugby Masterplan SPD either prior to or following adoption, and prior to it being published.

16. REPORT OF OFFICERS

(a) Grants Review 2021/22

Council considered the report of the Chief Officer – Communities and Homes (Part 1 – agenda item 7(a)) concerning the a review of the grants programme for 2021/22.

RESOLVED THAT – the Cabinet Working Group’s recommended amendments to the grants programme, outlined in section 4.0 of the report, be approved.

(b) Warwickshire County Council (WCC) Health and Wellbeing Strategy 2021-2026

Council considered the report of the Chief Officer – Leisure and Wellbeing (Part 1 – agenda item 7(b)) concerning an introduction to the 2021 - 2026 iteration of the Warwickshire Health and Wellbeing Strategy.

RESOLVED THAT – the importance of the Health and Wellbeing Strategy 2020 – 2026 (attached as Appendix A) in determining system wide priorities for work in reducing health inequalities and improving health and wellbeing for Warwickshire residents be noted and endorsed.

(c) Temporary Appointment to Withybrook Parish Council

Council considered the report of the Chief Officer – Legal and Governance (Part 1 – agenda item 7(c)) concerning a temporary appointment to Withybrook Parish Council to ensure it is quorate.

RESOLVED THAT – Councillor Gillias be appointed to act as a member of Withybrook Parish Council to render the Parish Council quorate.

17. NOTICES OF MOTION PURSUANT TO STANDING ORDER 11

in accordance with the Council’s Constitution, no motions on notice had been received for consideration.

18. CORRESPONDENCE

There was no correspondence.

19. 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 reports adopted at this meeting.

20. 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 defined in paragraphs 1,2 and 3 of Schedule 12A of the Act.

21. PRIVATE REPORT OF OFFICERS

(a) Senior Management Restructure – Appointment of roles

Council considered the private report of the Executive Director (Part 2 – agenda item 1(a)) concerning the appointment of roles following the restructure of the senior management team of the Council.

RESOLVED THAT –

(1) the appointment of the Section 151 Officer (Chief Finance Officer), Monitoring Officer, Returning Officer and Electoral Registration Officer, as detailed in the report, be confirmed; and

(2) the appointment of chief officers to the respective posts, as outlined in the report, be noted.

MAYOR