

MINUTES OF CABINET

4 NOVEMBER 2019

PRESENT:

Councillors Poole (Vice-Chairman in the Chair), Mrs Crane, Roberts, Ms Robbins and Mrs Simpson-Vince.

Councillors Mrs Brown, Leigh Hunt, Mrs O'Rourke, Roodhouse and Sandison were also in attendance.

42. MINUTES

The minutes of the meeting held on 7 October 2019 were approved and signed by the Chairman.

43. APOLOGIES

Apologies for absence from the meeting were received from Councillors Douglas and Lowe.

44. DECLARATIONS OF INTEREST

Item 10 of Part 1 – Voluntary and Community Sector contracts and Service Level Agreements – Councillor Ms Robbins (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a member of Brownsover Community Association).

Item 10 of Part 1 – Voluntary and Community Sector contracts and Service Level Agreements – Councillor Roodhouse (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a plotholder at Lansdowne Allotments Association).

Item 10 of Part 1 – Voluntary and Community Sector contracts and Service Level Agreements – Councillors Mrs Brown and Mrs O'Rourke (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a member of Overslade Community Association).

Item 10 of Part 1 - Councillor Poole (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a member of Long Lawford Community Association).

Item 12 of Part 1 – Review Report: Public Spaces Protection Orders - Councillor Poole (non-pecuniary interest as defined by the Council's Code of Conduct for Councillors by virtue of being a Ward Councillor for Wolston).

45. QUESTION TIME

In accordance with the Council's public question time procedure, Mr Brian Coleman asked the following question of the Leader of the Council, Councillor Lowe:

“Further to the public question at last month’s Cabinet Meeting, concerning Rugby Borough Council’s declaration of a ‘climate emergency’,

1) Is the proposal to establish a warehouse industrial estate in a green-field environment, adjacent to a 5,000 home new development conducive to achieving a carbon neutral condition?

2) How will the emissions around the A45/M45 interchange be offset for a notional 2000 lorry movements, plus 5,000 car movements in the rush hour periods?

Documentation to support the basis of the questions is available.”

Councillor Poole, Deputy Leader of the Council (in the absence of Councillor Lowe, Leader of the Council), respond edas detailed below:

“As stated in Councillor Lowe’s response to the Question to Cabinet referenced by Mr Coleman, the Council recognises the complexities of developing a response to the Climate Emergency and is keen to ensure that it does so in a way that is appropriate and meaningful.

With regard to part (1) of Mr Coleman’s question, the proposal is part of the adopted local plan. Central Government has been clear that one of the key aims of the planning system is the achievement of sustainable development. A local plan Inspector would not approve the adoption of a local plan, containing an allocation like this, that would be contrary to this aim. The site specific mitigations sought in the plan, combined with the application of plan policies such as HS5 means that the allocation, part of the adopted local plan, contributes towards sustainable development.

With regard to part (2) of the question, Policy HS5 calls for developments within the Air Quality Management Area (AQMA) to be neutral in terms of their impact on air quality. The South West Rugby (SWR) site lies within the AQMA and thus the onus will be on the applicant to show how its application complies with air quality neutrality through the mitigation measures it intends to implement.

The Council’s Planning Committee will be able to take a view on the acceptability or otherwise of these proposals.

The cross-party Working Group is now considering the scope of, and response to, the declaration of a Climate Emergency. Until this work is concluded, I am unable to give any further detail on issues regarding specific sites or regarding specific measures such as offsetting.

I will however ensure that Mr Coleman’s question is brought to the attention of the Working Group.”

Corporate Resources Portfolio

46. BELL HOUSE – SUPPLEMENTARY REPORT

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 5) concerning a proposed increase in budget allocation for the redevelopment of Bell House.

RESOLVED THAT – IT BE RECOMMENDED TO COUNCIL THAT -

(1) the existing budget allocation be increased to reflect the current construction costs (Option 2);

(2) the existing HRA capital budget for the redevelopment of Bell House be increased from £1,377,290 to £2,013,850, to be met from HRA capital resources and a Homes England grant (or Right to Buy receipts); and

(3) delegated authority be given to the Executive Director to agree Homes England grant terms (the grant will reduce capital outlay).

Note: this decision is not subject to call-in.

47. SCRUTINY REVIEW OF THE SPECIAL EXPENSES SCHEME

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 6) concerning recommendations arising from a scrutiny review of the special expenses scheme.

Councillor Leigh Hunt, Chair of the Review of Special Expenses Task Group, presented the report.

RESOLVED THAT – recommendations 1-4 of the task group (as detailed in section 1 of the report) be approved.

48. PROGRESS UPDATE – GENERAL FUND BUDGET 2020/21

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 7) concerning an update with regard to the Council's General Fund budget for 2020/21.

RESOLVED THAT -

(1) the 2nd report on the progress and outlook on the General Fund Revenue budget position for 2020/21 be noted;

(2) Cabinet notes the key decisions identified in section 6. Table 4;

(3) Portfolio Holders work in conjunction with Heads of Service to identify other policy or service changes required for consideration to deliver a balanced budget for 2020/21;

(4) Cabinet notes that a detailed scheme by scheme review will be carried out of the items in the Capital Programme (Appendices 1 and 2) to rationalise the overall programme in terms of affordability and sustainability and reported at future Cabinet meetings; and

(5) Cabinet notes the Local government finance settlement 2020 to 2021: technical consultation and response at section 9.2 and Appendix 3a and 3b.

49. FINANCE AND PERFORMANCE MONITORING 2019/20 – QUARTER 2

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 8) concerning the latest position with regard to the Council's finance and performance for 2019/20.

RESOLVED THAT –

- (1) the Council's anticipated financial position for 2019/20 be noted;
- (2) a General Fund virement of £0.033m be approved for 2019/20 transferring salary underspends within Environment and Public Realm to the Corporate Savings Target;
- (3) a General Fund capital virement of £0.014m for 2019/20 be approved transferring residual Crematorium construction capital budget to the Crematorium memorialisation project;
- (4) a supplementary General Fund capital budget of £0.012m be approved for 2019/20 for Corporate Property Enhancement – Works Services Barriers / Gates to be met from borrowing;
- (5) a supplementary General Fund capital budget of £0.017m be approved for 2019/20 for Hollowell Way Skate Park to be met from S106 contributions;
- (6) a supplementary General Fund capital budget of £0.010m be approved for 2019/20 for new Licensing System software/infrastructure to be met from the Digitalisation reserve; and
- (7) IT BE RECOMMENDED TO COUNCIL THAT -
 - (a) a supplementary General Fund revenue budget of £0.105m be approved for 2019/20 for Refuse to be funded from General Fund balances;
 - (b) a supplementary General Fund revenue budget of £0.165m be approved for 2019/20 for the One Public Estate project to be met from government grant;
 - (c) a supplementary General Fund capital budget of £0.066m be approved for 2019/20 for Crematorium memorialisation works to be met from contributions from Daventry District Council (£0.040m) and borrowing (£0.026m);
 - (d) a supplementary General Fund capital budget of £0.038m be approved for 2019/20 for ICT Disaster Recovery software/infrastructure to be met from borrowing;
 - (e) a General Fund capital budget virement of £0.129m be approved for 2019/20 from Hollowell Way Play Area to Whitehall Recreation Ground Bandstand and a supplementary General Fund capital budget of £0.129m be approved for 2019/20 for Hollowell Way Play Area to be met from S106 contributions;

- (f) a HRA virement of £0.062m for 2019/20 be approved transferring additional contract income budget to salaries for the provision of a temporary inspector and administration cover for a 12-month period;
- (g) a General Fund virement of £0.052m for 2019/20 be approved transferring savings from the Net Cost of Borrowing budget to the Corporate Savings Target;
- (h) Capital budget carry forwards from 2019/20 to 2020/21 totalling £6.103m (General Fund £4.228m, Housing Revenue Account £1.875m) be approved as detailed in the report; and
- (i) performance data included in Section 7 and Appendix 3 be considered & noted.

50. HOUSING ACQUISITIONS FUND: PWLB RATE RISE IMPACT ON RENT POLICY AND PROGRESS UPDATE

Cabinet considered the report of the Head of Corporate Resources and Chief Financial Officer (Part 1 – agenda item 9) concerning progress on the Council's Housing Acquisition Fund, future targets, risks associated with the change to Public Works Loan Board (PWLB) borrowing arrangements and the proposed rent setting criteria.

RESOLVED THAT -

- (1) the Housing Acquisitions Fund: Progress Report update be noted;
- (2) the risks to future acquisitions and new build projects following HM Treasury decision to revise PWLB borrowing rates be noted; and
- (3) IT BE RECOMMENDED TO COUNCIL THAT rent setting criteria for acquisitions and new build homes financed under the Fund be adopted as set out in this report.

Communities and Homes Portfolio

51. VOLUNTARY AND COMMUNITY SECTOR CONTRACTS AND SERVICE LEVEL AGREEMENTS

Cabinet considered the report of the Head of Communities and Homes (Part 1 – agenda item 10) concerning proposals for the funding of the voluntary and community sector for 2020-22.

RESOLVED THAT - IT BE RECOMMENDED TO COUNCIL THAT -

- (1) the Community Associations listed in table 1, along with the Foodbank, continue to be funded at 2019/20 levels for the years 2020-22, subject to budget setting;
- (2) the SLAs with the community associations, for 2020-22, be refocused to support activities as outlined in 3.0;

- (3) an additional Service Level Agreement be agreed with the Long Lawford Community Association for £7,500 per annum be agreed for the period 2020-22, utilising funding from the Council's allocation due from the proceeds of the Rugby Lotto; and
- (4) two new contracts be tendered for the provision of 1) Advice Services and 2) Community Infrastructure support. The new contracts will run from April 2020 and run for two years, with the option to extend for a further year.

Environment and Public Realm Portfolio

52. PROTECTION OF SHAKESPEARE GARDENS WITH FIELDS IN TRUST

Cabinet considered the report of the Head of Environment and Public Realm (Part 1 – agenda item 11) concerning the proposed designation of Shakespeare Gardens as a Fields in Trust protected green space.

RESOLVED THAT - IT BE RECOMMENDED TO COUNCIL THAT the Council applies to designate Shakespeare Gardens as a Fields in Trust protected green space.

53. REVIEW REPORT: PUBLIC SPACE PROTECTION ORDERS

Cabinet considered the report of the Head of Environment and Public Realm (Part 1 – agenda item 12) concerning the outcome of consultation on Public Space Protection Orders (PSPOs) following a review by the Whittle Overview and Scrutiny Committee.

RESOLVED THAT - IT BE RECOMMENDED TO COUNCIL THAT -

- (1) based on the evidence following consultation, the proposed PSPO to restrict cycling in the town centre is not progressed;
- (2) based on the evidence following consultation, the existing PSPO for Dog Control is not revised; and
- (3) Environment and Growth Overview and Scrutiny Committee be asked to produce a draft policy and guidance document relating to the gating of alleyways and report back to Cabinet.

54. LIGHT-TOUCH REVIEW OF PARKING AT THE QUEEN'S DIAMOND JUBILEE CENTRE – UPDATE REPORT

Cabinet considered the report of the Head of Environment and Public Realm (Part 1- agenda item 13) concerning an update with regard to the light-touch review of parking at the Queen's Diamond Jubilee Centre.

RESOLVED THAT – officers explore further options to alleviate the parking pressures at peak times.

55. 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 paragraph 1 of Schedule 12A of the Act.

Corporate Resources Portfolio

56. NOMINATION FOR CIVIC HONOUR – REPORT OF THE CIVIC HONOURS WORKING PARTY

Cabinet considered the private report of the Executive Director (Part 1 – agenda item 1) concerning a nomination for a civic honour as recommended by the Civic Honours Working Party.

RESOLVED THAT - IT BE RECOMMENDED TO COUNCIL THAT, subject to accepting the nomination, the conferment of the honour of Freedom of the Borough be bestowed upon the nominee as detailed in the report.

CHAIRMAN