



2 July 2024

RUGBY BOROUGH COUNCIL

A meeting of Rugby Borough Council will be held in the Council Chamber at the Town Hall, Rugby at 7.00pm on Wednesday 10 July 2024.

Members of the public may also view the meeting via the livestream available on the Council's website.

Mannie Ketley
Chief Executive

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Apologies for absence.
2. Minutes.
To approve the minutes of the extraordinary meeting held on 5 June 2024.
3. Declaration of Interests.
To receive declarations of -
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 - non-payment of Community Charge or Council Tax.
4. To receive the Mayor's Announcements.

5. Questions pursuant to Standing Order 10.
6. To receive the reports of Cabinet and Committees which have met since the last meeting of the Council and to pass such resolutions and to make such orders thereon as may be necessary:

(a) Cabinet – 1 July 2024

(1) Natural Capital Investment Strategy – Growth and Investment, Digital and Communications Portfolio Holder.

(2) Customer Service Centre Direct Debit Digitisation Programme - Growth and Investment, Digital and Communications Portfolio.

(3) Finance and Performance Monitoring 2023/24 – Year End – Finance, Performance, Legal and Governance Portfolio.

(4) Renaming of Biart Place – Communities and Homes, Regulation and Safety Portfolio.

(5) Bereavement Services Cemetery and Crematorium Regulations Review - Communities and Homes, Regulation and Safety Portfolio.

(6) Parking improvements – new ticket machines, RingGo extension and trials - Communities and Homes, Regulation and Safety Portfolio.

(7) Creation of a Grounds Maintenance Service Manager – Operations and Traded Services Portfolio.

7. To receive and consider the reports of officers.

(a) Appointment of Cabinet and shadow spokespersons 2024/25 – report of the Chief Executive.

(b) Adoption of the Shopfronts Design Guide Supplementary Planning Document (SPD) – report of the Chief Officer – Growth and Investment (report to follow).

(c) UK Shared Prosperity Fund (UKSPF) Update – report of the Chief Officer – Growth and Investment (report to follow).

(d) Scrutiny Review - report of the Chief Officer – Legal and Governance.

(e) Caldecott Park Tennis Courts funding – report of the Chief Officer – Leisure and Wellbeing (report to follow).

(f) Urgent Decision - Armed Forces Covenant – report of the Chief Executive.

(g) Urgent Decisions – Annual Report 2023-24 - report of the Chief Officer – Legal and Governance.

(h) Designation of Streets - report of the Chief Officer – Regulation and Safety.

(i) Low Carbon Skills Fund Proposals – report of the Chief Officer – Communities and Homes (report to follow).

8. Notices of Motion pursuant to Standing Order 11.

- (a) "This Council welcomes improved service delivery of elective surgery at the Hospital of St Cross which should help reduce overall waiting lists including the partial demolition of the 1907 extension will enables the new development. Council recognises the heritage of the St Cross site and requests that the façade of the 1884 extension be retained and protected and that it be included into the Rugby School /Town Centre Conservation area.

Rugby Liberal Democrats request that a feasibility study with UHCW and key partners along with other care providers be undertaken on the future of the 1884 parts for example provision of extra care residential provision and a supportive hub for those with long term conditions to better help patients manage their conditions. It is well recognised that good rehabilitation and preventative social care can help reduce hospital admissions and can assist in the discharge process thus freeing up of beds much needed for urgent care and helping to ease undignified and protracted ambulance and corridor waiting times."

Proposer: Councillor Sandison
Seconder: Councillor Roodhouse

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be considered.

QUESTIONS AT COUNCIL

A Councillor may ask a question at the meeting by giving notice in writing of the question to the Chief Executive no later than midday on Thursday 4 July 2024. The rules relating to Questions are set out in Part 3a of the Council's Constitution.

REPORT OF CABINET

1 July 2024

PRESENT:

Councillors Moran (Chair), Brown, C Edwards, Livesey, Mistry, O'Rourke and Robinson

Councillors McKenzie, Roodhouse and Thomas were also in attendance.

1. NATURAL CAPITAL INVESTMENT STRATEGY

Cabinet considered a report concerning the Natural Capital Investment Strategy. The report is available here:

[Cabinet 1 July 2024 - Natural Capital Investment Strategy report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) subject to the other partners doing likewise, the Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Strategy as set out in Appendix 1 be adopted;
- (2) the proposals to develop the Warwickshire, Coventry and Solihull Local Authorities Natural Capital Investment Implementation Plan are agreed and a further report is brought back to Council for approval on completion of that work; and
- (3) subject to recommendations 1 and 2 being agreed, the Warwickshire, Coventry and Solihull Natural Capital Investment Board and Natural Capital Investment Management Group are established to enable the delivery of the Strategy.

Recommended that – the recommendation of Cabinet be approved.

2. CUSTOMER SERVICE CENTRE DIRECT DEBIT DIGITISATION PROGRAMME

Cabinet considered a report concerning the proposed digitisation of the direct debit system within the Customer Services Centre at the Council. The report is available here:

[Cabinet 1 July 2024 - Customer Service Centre Direct Debit Digitisation Programme report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that the purchase of Direct Debit software be added to the capital programme and a supplementary budget of £97,500 be approved.

Recommended that – the recommendation of Cabinet be approved.

3. FINANCE AND PERFORMANCE MONITORING 2023/24 – YEAR END

Cabinet considered a report concerning the Council's year end position for 2-23/24 with regard to finance and performance. The report is available here:

[Cabinet 1 July 2024 Finance and Performance Monitoring 2023/24 - Year End report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that -

(1) the General Fund surplus of (£0.683m) be transferred to the Transformation Reserve as detailed in paragraph 2.19 be approved; and

(2) a £0.400m provision for the loss on investment in relation to the Lothbury property fund, as detailed in paragraph 2.10, be created.

Recommended that – the recommendation of Cabinet be approved.

4. RENAMING OF BIART PLACE

Cabinet considered a report concerning the renaming of Biart Place as part of the redevelopment of the site. The report is available here:

[Cabinet 1 July 2024 Renaming of Biart Place report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that the new road on the site, formerly known as Biart Place, be named Navigation Way and that the four apartment blocks be called:

- Clayton House
- Davenport House
- Sherrard House
- Lindon House

Recommended that – the recommendation of Cabinet be approved.

5. BEREAVEMENT SERVICES CEMETERY AND CREMATORIUM REGULATIONS REVIEW

Cabinet considered a report concerning a review of the Council's cemetery and crematorium regulations. The report is available here:

[Cabinet 1 July 2024 Bereavement Services Cemetery and Crematorium Regulations Review report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that -

- (1) the new cemetery regulations, as detailed in Appendix C, be approved;
- (2) the new crematorium regulations, as detailed in Appendix D, be approved;
- (3) the Stonemason and Funeral Directors Scheme, as detailed in Appendix E, be approved; and
- (4) the Chief Officer for Regulation and Safety be given delegated authority for operational updates.

Recommended that – the recommendation of Cabinet be approved.

6. PARKING IMPROVEMENTS – NEW TICKET MACHINES, RINGGO EXTENSION AND TRIALS

Cabinet considered a report concerning proposed parking improvements to Council owned car parks. The report is available here:

[Cabinet 1 July 2024 Parking improvements - new ticket machines, RingGo extension and trials report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that the purchase of the ticket machines be added to the General Fund capital programme and a supplementary capital budget of £88,000 to be funded from borrowing be approved.

Recommended that – the recommendation of Cabinet be approved.

7. CREATION OF A GROUNDS MAINTENANCE SERVICE MANAGER

Cabinet considered a report concerning the establishment of a Grounds Maintenance Service Manager post within the Council. The report is available here:

[Cabinet 1 July - Grounds Maintenance Services Manager report](#)

Recommendation of Cabinet

Cabinet decided to recommend to Council that –

- (1) a new post of Grounds Maintenance Service Manager be added to the establishment; and
- (2) a salary budget of £41,410 for 24/25 and an ongoing annual salary budget of £62,120 be created using updated SLAs and service efficiencies to reduce costs.

Recommended that – the recommendation of Cabinet be approved.

**COUNCILLOR M MORAN
CHAIR**

AGENDA MANAGEMENT SHEET

Report Title:	Appointment of Cabinet and shadow spokespersons 2024/25
Name of Committee:	Council
Date of Meeting:	10 July 2023
Report Director:	Chief Executive
Portfolio:	Finance, Performance, Legal and Governance
Ward Relevance:	All
Prior Consultation:	N/A
Contact Officer:	Claire Waleczek, Democratic and Support Services Manager 01788 533524 or claire.waleczek@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	Councillor Moran was appointed Leader of the Council at Full Council on 5 June 2024. As Leader, he has appointed his Cabinet and this report lists all Portfolio Holders for 2024/25.

Financial Implications:	Each member of Cabinet receives a Special Responsibility Allowance which is met from existing budgets.
Risk Management/Health and Safety Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	There are no legal implications arising from this report.
Equality and Diversity:	There are no equality and diversity implications arising from this report.
Options:	N/A
Recommendation:	The membership of Cabinet and shadow spokespersons for 2024/25, as detailed in the report, be noted.
Reasons for Recommendation:	To comply with the Council's Constitution.

Council - 10 July 2024

Appointment of Cabinet and shadow spokespersons 2024/25

Public Report of the Chief Executive

Recommendation

The membership of Cabinet and shadow spokespersons for 2024/25, as detailed in the report, be noted.

1. Introduction

- 1.1 Under the Council's Constitution, the Leader of the Council is required to appoint a Cabinet including a Deputy Leader.
- 1.2 As part of the confidence and supply agreement between the Labour and Liberal Democrat Groups, spokespersons have been appointed by the Liberal Democrat Group.
- 1.3 The Conservative Group has also appointed a shadow Cabinet with portfolio holders.

2. Membership of Cabinet 2024/25

- 2.1 The Constitution requires the Leader of the Council to appoint a Cabinet of between two and nine councillors plus the leader. Cabinet will be chaired by the Leader of the Council. The Cabinet is not subject to the proportional representation of party groups.
- 2.2 Councillor Moran has appointed his Cabinet for the 2024/25 municipal year, comprising seven councillors with the portfolios detailed in the table below.

3. Shadow spokespersons

- 3.1 The shadow spokespersons for the Liberal Democrat Group and Conservative Group are also shown in the table.

PORTFOLIO/ROLE	LABOUR CABINET	LIBERAL DEMOCRAT SPOKESPERSONS	CONSERVATIVE SHADOW CABINET
Leader of the Council	Cllr Moran (Leader of the Group)	Cllr Roodhouse (Leader of the Group)	Cllr Poole ((Leader of the Group)
Deputy Leader of the Council	Cllr Mistry (Deputy Leader of the Group)	Cllrs McKenzie and Dumbleton (Deputy Leaders of the Group)	Cllr Picker ((Deputy Leader of the Group)
Finance and Performance, Legal and Governance	Cllr Mistry	Cllr Roodhouse (Finance and Performance) Cllr Lewis (Legal and Governance)	Cllr Garcia
Organisational Change	Cllr Brown	Cllr Roodhouse (Organisational Change and town centre) Cllr Thomas (support – town centre)	
Communities and Homes, Regulation and Safety	Cllr C Edwards	Cllr New	Cllr Willis (Communities and Homes) Cllr Poole (Regulation and Safety)
Operations and Traded Services	Cllr Livesey (also responsible for climate change)	Cllr S Edwards	Cllr Simpson-Vince
Partnerships and Wellbeing	Cllr O'Rourke (also responsible for equality and diversity and human resources)	Cllr Sandison Cllr Trimble (equality and diversity) Cllr Dumbleton (Human Resources)	Cllr Daly
Growth and Investment, Digital and Communications	Cllr Robinson	Cllr McKenzie Cllr Roodhouse (town centre) Cllr Thomas (support – town centre)	Cllr Picker

Name of Meeting: Council

Date of Meeting: 10 July 2024

Subject Matter: Appointment of Cabinet and shadow spokespersons
2024/25

Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

AGENDA MANAGEMENT SHEET

Report Title:	Scrutiny Review
Name of Committee:	Council
Date of Meeting:	10 July 2024
Report Director:	Chief Officer - Legal and Governance
Portfolio:	Finance and Performance, Legal and Governance
Ward Relevance:	None
Prior Consultation:	None
Contact Officer:	Aftab Razzaq - Chief Officer Legal & Governance
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	This report follows the decision from the Council's Scrutiny Committee to undertake a review of the Council's Scrutiny function. The review has been carried out by the Centre for Governance and Scrutiny (CfGS) and the findings are set out within Appendix 1.
Financial Implications:	None arising directly from this report.

Risk Management/Health and Safety Implications:	None arising directly from this report.
Environmental Implications:	None arising directly from this report.
Legal Implications:	None arising directly from this report.
Equality and Diversity:	None arising directly from this report.
Options:	Report is for noting.
Recommendation:	<p>(1) The contents of the CfGS review as attached at Appendix 1 be noted; and</p> <p>(2) delegated authority be granted to the Chief Officer for Legal and Governance to co-ordinate cross party workshops to formulate an action plan to be considered by Scrutiny Committee.</p>
Reasons for Recommendation:	To ensure cross party collaboration in respect of the Action Plan to be considered by the Scrutiny Committee.

Council - 10 July 2024

Scrutiny Review

Public Report of the Chief Officer - Legal and Governance

Recommendation

- (1) The contents of the CfGS review as attached at Appendix 1 be noted; and
- (2) delegated authority be granted to the Chief Officer for Legal and Governance to co-ordinate cross party workshops to formulate an action plan to be considered by Scrutiny Committee.

1. Executive Summary

- 1.1. The Scrutiny function within local authorities was introduced via the Local Government Act 2000. It forms a key part of the Council and is at the very heart of strong governance and importantly ensures that the executive is being held to account.
- 1.2. In March 2024 it was agreed that a review of the Council's Scrutiny would be undertaken. This would be carried out by the Centre for Governance and Scrutiny (CfGS).
- 1.3. The review from CfGS has now been completed and the findings are set out within appendix 1.
- 1.4. As per the decision by the Scrutiny Committee in March 2024 an action plan will be formulated, and this will be approved by Full Council. The proposed recommendation seeks to ensure that cross party workshops are undertaken to ensure all members are engaged within the process of drafting an action plan.

2. Background

- 2.1 As set out within the Executive Summary, Scrutiny is at the heart of strong governance. A strong functioning Scrutiny Committee will act as a 'critical friend' towards the Executive.
- 2.2 The assessment of Scrutiny formed part of the LGA's Corporate Peer Challenge. The assessors were provided information relating to the changes undertaken at the Council which included the move to a single committee. There was also the clear aspiration of embedding a culture of strong Scrutiny throughout the Council. This is in accordance with the Council's strategic

objectives as set out within the Council's Corporate Strategy and specifically priority outcome 'Organisation'.

- 2.3 The subsequent Action Plan to the LGA Peer Challenge was approved at Full Council and included the following;

'5.6 Seek support from external stakeholders such as the LGA and the CfGS to ensure the Council is undertaking effective scrutiny. This shall also include bi-annual survey of Councillors in respect of feedback on Scrutiny'

- 2.4 The discussions with the Centre for Governance and Scrutiny (CfGS) commenced early in 2024 with a clear directive for a Scrutiny review to be undertaken. This was subsequently approved at Scrutiny Committee.

- 2.5 The CfGS is a national body that support various organisations in achieving strong governance and scrutiny. Further information can be found at the following link;

<https://www.cfgs.org.uk/about-centre-for-public-scrutiny/>

- 2.6 As set out within the attached report the review by the CfGS involved the previous Conservative Cabinet, Group Leaders, members of the Scrutiny Committee and Task and Finish Groups and the Council's Leadership Team.

3. Conclusion

- 3.1 It is important that all members are engaged with the continued journey of embedding strong scrutiny throughout the Council. On this basis it is proposed that workshops are undertaken with all members with a view to a draft action plan being considered by the Scrutiny Committee with a view to this being recommended for approval by Full Council.

Name of Meeting: Council
Date of Meeting: 10 July 2024
Subject Matter: Scrutiny Review
Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Aftab Razzaq
Chief Officer - Legal and Governance
Rugby Borough Council

May 2024

Dear Aftab,

Scrutiny Improvement Review – CfGS consultancy support

I am writing to thank you for inviting the Centre for Governance and Scrutiny (CfGS) to carry out an evaluation of Rugby Borough Council's scrutiny arrangements and effectiveness, with the intention of developing and improving. This letter provides feedback on our review findings and offers suggestions on how the Council could develop its scrutiny process.

As part of this feedback stage, we would like to facilitate a workshop with Members and Officers to reflect on this review and to discuss options for improvement.

Background and Context

Rugby Council has experienced some changes prior to this review. It appointed a new Chief Executive and Senior Leadership Team in 2020 and there has been change in political leadership. Following the local government elections in 2024, the council continues to have no single party in overall control but has a conservative-led minority administration. [Note: This reflects the situation at the time of the review. We recognise that there have been further changes].

The Council's scrutiny function has also been restructured and given a fresh purpose. Two previous scrutiny committees have been condensed into a single committee, which is designed to work as a board or 'select committee' to constructively hold the council's Cabinet and Corporate leadership to account and to bring into scrutiny focus issues of borough-wide concern. The Council Leader, Cabinet Members and Directors and other designated Officers regularly attend scrutiny.

At the time of the review the scrutiny committee was chaired by a member of the council's main opposition group, (the Labour Group Leader), together with a vice-chair from the minority opposition group.

Whilst the new structure has overall been well received and is seen as positive and forward thinking, it is generally believed to be finding its feet and has not reached its potential or having sufficient impact. We were advised that there is an ambition among scrutiny members to achieve more and to grow in their role, but may need some help and advice to achieve this.

This short review of the scrutiny function as it currently stands involved a collaborative process with Members and Officers to explore strengths and weaknesses and provide clarity around what actions, improvements and development steps could be taken to support Members to achieve their goals in having greater impact.

Review objectives

- Deliver appropriate advice and support to the Council in a review of its scrutiny function to ensure it is effective in providing a quality contribution in accountability, policy and decision making, delivery of council plans and overall improvement.
- Checking and testing that scrutiny arrangements and effectiveness meet the council's high expectations of democratic accountability and that decision-making and overview and scrutiny is transparent, effective, and impactful. It is determined to make its ongoing approach to scrutiny fresh, innovative, and bold.
- Testing that the scrutiny structure is providing the right framework to maximise its impact within the council's governance arrangements.

In addressing these objectives, the review explored;

- **Operating Culture.** The behaviours, relationships and mindsets underpinning the operation of the overview and scrutiny process. This includes key areas of inclusion, diversity, and equality within scrutiny. The focus on the Council's corporate approach and level of support for scrutiny is also included;
- **Information.** How information is prepared, shared, accessed, and used in the service of the scrutiny function. To what extent is scrutiny supported and given adequate 'tools' to effectively scrutinise;
- **Impact.** Ways to ensure that scrutiny is effective, that it makes a tangible difference to the lives of local people.

Evidence Base

Our evidence is based on what the review team observed, were told, and later validated, obtained from council documents, compared to good practice elsewhere and contained in latest guidance.

Conversations

In gathering evidence for the review, we arranged exploratory conversations with members and officers in person and online.

Members included:

- Chairs and Vice Chair of Scrutiny,
- Cabinet members,
- Leader and Deputy Leader
- Members of Scrutiny Committee (discussion group)
- Members of Task & Finish Groups (discussion group)

Officers included:

- The Chief Executive
- Directors
- Democratic Services Team

Meeting observations

We observed remotely meetings of the Scrutiny Committee.

Document research

Our desk research considered:

- Minutes of meetings, reports and documents considered at meetings.
- Elements of the Constitution specifically, the Overview and Scrutiny Procedure Rules
- Scrutiny Work Programmes
- LGA Corporate Peer Challenge Report

The review was conducted by:

Ian Parry – Director of Consultancy, Centre for Governance and Scrutiny

The Review Period was March-April 2024

Summary of findings

1. Scrutiny has the conditions to improve and succeed

There is a collective ambition to improve scrutiny.

1.1 Overall, scrutiny at Rugby is structurally or operationally in reasonable shape, but could be more effective and stronger. The essential elements for this to happen – Member and Officer ambition - are clearly visible. Scrutiny is valued and encouraged and there is a total-council understanding of its value and role in democratic accountability and governance.

1.2 Changes to the scrutiny structure has provided the dual advantage of clarity and focus, both in terms of council resources and support and importantly the potential for scrutiny to concentrate on strategic and vital issues. The advantages presented by the new structure have not been realised and this report will zoom in on some areas that could unlock more.

1.3 In the scrutiny sessions we observed we witnessed Members being concerned and curious, especially about some of the areas they were keen to see the council make progress. This is positive and encouraging, but this currently seems to lack sufficient weight to have real influence. Strong and compelling recommendations to Cabinet would give scrutiny a sharper edge.

1.4 There is a tendency by some to view scrutiny as a function of 'Opposition', rather than an all-member and all-party endeavour. It is a common misconception that only Scrutiny Committee members who are not part of the administration can effectively participate in robust and meaningful scrutiny. This can have the effect of overly politicising scrutiny, and dilute its collective power and influence.

We do not however suggest that this is a significant problem, just an area which we would like to point out as a possible future weakness if it becomes embedded in scrutiny's operational culture

1.5 Scrutiny's scope, authority and independence is affected by the use of Council motions which direct that scrutiny respond to certain issues, which may include establishing a task and finish group. This takes up scrutiny capacity and limits its ability to set its own work programme. Scrutiny's work can become detached from its core work and purpose. However, task and finish groups can add significant value to the work of scrutiny, especially by highlighting specific issues or through developing new insight. They are most effective when properly scoped with a clear and precise brief and timescale. Some of the work of T&Fs were over extended in their activities and too long in their delivery and need either to deliver their findings or to be concluded. There are lessons here in how to ensure that T&F work is well scoped and have short time-scales.

1.6 Scrutiny work is having less impact than it should and at times it lacks sufficient focus on strategic issues. There is open recognition that work programming across the scrutiny committees needs to be focussed and aligned to the council's priorities with flexibility to consider emerging areas of concern. Political and Corporate leaders are keen to support scrutiny so that it can address challenges and priorities, as well as influence and shape policies during their development, through alignment of the scrutiny work programme and Cabinet forward plan. However, working groups, which appear to have a policy advisory role would seem to dilute this aspect of scrutiny, which is clearly included in its responsibilities. It should be noted that working groups are informal meetings, not publicly accessible and may therefore limit public accountability. Greater clarity around the purpose and accessibility and visibility of both working groups and scrutiny, their respect roles in policy shaping and their overall relationship should be considered.

1.7 Scrutiny members wish to see their efforts result in improvement and change. However, we detected a concern that scrutiny is unable to adequately track their efforts. Meetings often lack objectivity or goals and outcomes, such as clear recommendations. Meetings can become simply forums for discussion and information exchange, without an outcome or product. Making recommendations to Cabinet as part of scrutiny's output could be improved. We have seen little evidence of sufficiently compelling recommendations arising from scrutiny discussions. Scrutiny work must ensure that its recommendations will improve policies and services for residents and the community.

1.8 Follow up, monitoring and tracking of accepted recommendations against outcomes also needs to be strengthened. This is a development area for both the scrutiny chair and officers.

1.9 Some scrutiny members do try to be strategic and focus on the areas of importance, although in practice this sometimes falls short. Scrutiny can very often become a conversation, an information exchange or become too operational. Questioning fails to probe and is often simply a discussion or opinion sharing. The session with the Leader and Chief Executive was an example of undemanding questioning and unclear objectives and purpose.

1.10 There is a tendency for scrutiny meetings to become over reliant on officer updates and presentations, again reducing the focus and capacity for challenging scrutiny of decision-makers (Cabinet), future policy development and accountability. Members must have greater control over agendas and work programmes.

1.11 There are missed opportunities for scrutiny to add value and to be an integral part of the Council's corporate plans and overall improvement. For scrutiny to be more strategic, there needs to be change from both scrutiny and the Cabinet(s), to draw closer together to create a purposeful role and agenda without compromising scrutiny independence. If the council wants scrutiny to place more emphasis on shaping, challenging, and holding to account, then scrutiny will need the support and early access to information, resources and operate as an integral, constructive part of policy and decision-making activities of the Leader and Cabinet.

1.12 The Leader and Cabinet Members do not attend scrutiny meetings as regular contributors and therefore are not sufficiently held to account and constructively challenged. Cabinet members and the Leader have expressed support for scrutiny and welcome challenge and accountable scrutiny, ways to put this into practice would require an understanding of the role of each (Scrutiny – Cabinet), establishing a collaborative and constructive, but also robustly challenging relationship.

1.13 Scrutiny leadership could be stronger through exercising the 'critical friend' role. The committee chair is an experienced councillor who has clear expectations of how scrutiny should operate and also recognises some of its current weaknesses. However, there seems to be a tendency for the Chair to take on much of the responsibility for the committee and its workload. We would encourage greater inclusion of the whole committee, including the vice chair to ensure that the work and planning of scrutiny is a collective endeavour.

1.14 Scrutiny's work programme appears stale and repetitive, which is unlikely to excite and interest members or deliver any significant value for the council. There is no real thread between the work programme and the council's corporate plan, future objectives or the cabinets forward plan, it is largely populated with portfolio holder check-ins, up-dates and motions from council, There is a golden opportunity to improve this as a cornerstone of scrutiny improvement.

1.15 Budget scrutiny is generally too late and superficial. Scrutiny has a crucial role to play in supporting the development of the council's budget and medium-term financial plan through constructive scrutiny throughout the process. It is vital that scrutiny to develop its role and impact in budget preparation scrutiny and budget overview. There are now many instances where absence of scrutiny has been a contributory factor in governance weaknesses. Members may also need to update their own skills in this area.

1.16 Scrutiny has full access to information through the introduction of Power Bi, although in practice there is regular use verbal updates in scrutiny rather than formal reports which have the advantage of being a clear record.

1.17 Meetings are held bi-monthly and are very clearly accessible on the council's website. We commend this as a good public service.

1.18 From its current base, in terms of political support, member engagement, resources, council support and ambition, there is a platform upon which scrutiny could successfully develop.

2. Developing a clear vision for scrutiny

2.1 The following key themes emerged from our review which will support the Council in its development of scrutiny:

- There is value in setting out a vision, refreshing and asserting the principles and purpose of scrutiny for Members and Officers.
- Making the best use of scrutiny and corporate resource. To consider the scope and remit for scrutiny committees and flexibility to schedule meetings to get the most from scrutiny activities.
- Focusing on the impact and outcomes of good scrutiny that adds value and supports effective services for the benefit of residents.
- Testing through scrutiny the impact of new policies or key decisions on residents.
- Embedding new forms of public engagement to increase the voice and participation of local groups and residents in agendas and evidence gathering.
- Earlier engagement by scrutiny in the budget-building and MTFP process and the important foundations such as: budget outlook and assumptions, risks, pressures, reserves, and alignment with corporate plan. We strongly encourage the council to make this a priority for the 25/26 budget and MTFP process. Scrutiny could add real value in this key area of council governance. It is also been regularly found to be a weakness in poor performing councils elsewhere.

2.2 Several of the issues highlighted in this report are rooted in the need to develop a vision of scrutiny at the council and being clear about the purpose of scrutiny itself.

Commissioning this review offers a good starting point to examine the principles and purpose of scrutiny. This would help build a shared understanding of scrutiny across the Councils, its position in the wider local democratic process and governance system and, its role in improving performance of services to residents and the wider community.

Recommendation 1: Develop a council vision for overview and scrutiny. Use this to underpin scrutiny processes, relationships, and work programming.

Recommendation 2: Strengthen finance scrutiny through member development and through rigorous and early involvement of scrutiny in the budget planning and building process and ensure that scrutiny is embedded and aligned with the budget-setting timetable.

Recommendation 3: That the use of Council motions to direct scrutiny activity through task and finish requests is reviewed.

3. Culture, Leadership, Values

3.1 Having a culture of trust, transparency and mutual respect between scrutiny and the Cabinet cannot be understated. This ensures that open and candid exchanges take place as well as a flow of information and communication. Positive engagement between the Cabinet and scrutiny both formal and informal is vital to the success of the scrutiny process and overall governance of the council.

Political behaviours

3.2 We did not observe or hear of any significant behaviour or relationship issues, beyond what might be considered normal in a democratically elected body. It is therefore commendable that scrutiny can be regarded as a 'safe space' for members to challenge and speak freely. The Scrutiny Chair is appointed from opposition Members, which may also add to the generally co-operative environment.

Officer Relationships with Scrutiny

3.3 Officers were consistent in their belief that scrutiny could and should do more. Officers can help here. There is sometimes a mis-match between what scrutiny needs in terms of information and advice and what it receives. This results in frustration from both Officers and the Scrutiny Committee. A stronger collaborative arrangement that ensure that Scrutiny has the information in the correct format, and any necessary core knowledge briefings in a timely way for it to be effective in its work, would help.

Recommendation 4: Provide development support and training for Officers across the Council to build, refresh and enhance their knowledge and understanding of the role, purpose, and powers of scrutiny.

Role of Leader and Cabinet Members

3.4 We have been impressed with the commitment that cabinet members have shown towards the scrutiny function in our review.

3.5 There is a collective acceptance that scrutiny should hold the Leader and Cabinet to account and, through the influence of constructive challenge, make a difference to policy and decisions. However currently we have observed cabinet members attending scrutiny meetings but not particularly playing an active role in answering questions and actively showing a willingness to provide additional information and support. Cabinet Members are not routinely part of Scrutiny meetings to present reports or policies. They attend as part of update and progress reporting sessions.

3.7 There is a preference for Committee Members to scrutinise officers, believing that this is where the answers are found and performance managed, which can leave Cabinet members sidelined. Scrutiny may overlook the important fact that its role is to hold decision-makers to account. And since the only key decision-makers are Cabinet Members, who are democratically accountable for decisions and service delivery and council performance, scrutiny should focus its attention more, but not exclusively, in the

accountability of the Cabinet. This could easily be rectified and would potentially help scrutiny to become more strategic.

3.8 The overall relationship between Cabinet and Scrutiny is good but there is insufficient collaboration to have a constructively challenging dialogue and for Scrutiny to have a central role in shaping and improving. The Scrutiny Chair and Vice Chair and Cabinet Members could meet formally more frequently to share information and plans and to allow scrutiny to be 'let in' to the work of Cabinet. There is an important role for the Chair/Vice in this regard also.

3.9 Scrutiny outputs – recommendations to Cabinet – should be considered in advance of decisions and feedback given to scrutiny. This ensures the positive productivity of Scrutiny as a useful aid policy and decision-making.

4. Impact advice

Chairing and leading scrutiny, member development and meeting preparation

4.1 Scrutiny's success is dependent on the right Members, with the right capabilities and attributes, leading and managing the scrutiny function. The Chair and Vice Chair have an important responsibility to lead the Committee and Task Groups, and ensure that they build and maintain a strong relationship with the Cabinet, Officers and relevant external partners.

4.2 The Chair can also lead on setting the working culture of scrutiny, helping it to set and uphold high standards of behaviour, engagement, and debate, and ensure good cross-party working. Given the dynamics within any committee, Chairs will need the skills to navigate differences and to build consensus.

4.3 The Committee Vice chair also has an important role in supporting the Chair to uphold and deliver the principles of scrutiny they are an essential component of ensuring that scrutiny standards and performance is achieved. When required and expected they can lead and provide direction on the Chair's behalf during meetings and outside of meetings.

4.4 In addition to the areas highlighted above, the Chair and Vice Chair working together well and recognise that they are tasked to

- be accountable for delivering the work programme
- meet regularly to monitor the work programme
- contribute to and develop 'team culture' amongst scrutiny members
- work closely with scrutiny officers
- develop a constructive 'critical friend' relationship with the Cabinet and chief officers
- liaise with others to monitor the work programme and problem solve any issues, and
- actively look to improve scrutiny ways of working through considering best practice elsewhere.

4.5 There is a recognition that members of the Scrutiny Committee need to support the Chair and share responsibility for the success of the process. Several themes were identified for supporting the chairing function:

- Setting the culture and expectations prior to each meeting.
- Instilling scrutiny principles
- Developing a robust approach to summarising the outcomes of agenda items from the committee meetings and overall discussion.
- Ensuring clarity of recommendations and actions from each discussion.
- Managing the time and focus for each agenda item including the focus of questions and the amount of time given to each item.
- Ensuring committee members share a group working agreement for managing their contributions and supporting the meetings.

4.6 A number of these themes can be supported by recommendations elsewhere in this report related to work planning, group working agreements and tracking recommendations.

Recommendation 5: A programme of development support for the scrutiny Chair and Vice Chair to support them in their scrutiny leadership roles.

Recommendation 6: Skills development sessions for scrutiny members to focus on questioning skills, work programming and scoping reviews, financial and performance management scrutiny skills.

Work programming and focus

4.7 The Committee has its own work programme. There is a planning process but this tends to be strongly officer advised and is not adequately aligned to the council's corporate plans or the Cabinet's forward plans and the strategic plans.

4.8 We observed that work programmes are over-reliant on officer input with too much activity based on up-dates, progress reports and presentations. It is not always clear where impact and value is being added. Scrutiny cannot scrutinise everything, nor is it necessary to do so, therefore establishing realistic priorities based on clear objectives is essential.

4.9 Work programmes contain significant repetition, such as Cabinet up-date sessions and are overly trapped in the task and finish demands driven by full council motions.

4.10 Work programming is key to ensuring scrutiny stays focussed on strategic issues where it can make an impact, whilst making the best use of time and resources. Prioritisation is essential and helps to avoid duplication and repetition. The aim should be value-adding and impact, clearly helping to drive improvement through robust questioning of council plans.

4.11 Members can find it hard to lead and contribute to the work programme. Without active Member engagement and clear objectives, the agendas can result in adding

additional items simply to receive reports to note rather than aligning to Committee priorities and key lines of enquiry with the practice of Cabinet update briefings dominating.

4.12 On a strategic level there needs to be more of an emphasis on seeing scrutiny as a vital part of council business and governance with clear ownership regarding its important role in improving policy and holding to account. It should be an integral part of the key decision and policy making pathway, but not used as a rubber stamp or approval process.

4.13 Consideration of pre-decision scrutiny activity would be useful as this has a crucial role in shaping, improving, and influencing future Council plans. This would require collaboration with and a commitment from the Leader and Cabinet to ensure earlier and timely access to information.

4.14 Clear opportunities to strengthen the planning process for Scrutiny are available:

- Using a consistent work planning tool to support each to create a balanced work plan that is manageable and relevant.
- Focusing on key issues where scrutiny can make a significant impact. Working closely with senior Officers, Cabinet Members, and strategic partners to understand the most challenging issues around Council delivery and outcomes.
- Identifying the areas where there are already robust forms of accountability and scrutiny in the Council and wider system – where possible avoid replication or where added-value is minimal.
- Highlighting the issues that are high priorities for residents and that reflect their concerns.
- Focusing on a maximum two or three substantive issues in a meeting to ensure impact.
- Linking the work planning to the scoping process for specific review topics.
- Embedding public engagement activities more centrally to the planning process.
- Task and finish groups.

Recommendation 7: Strengthen the Member led work programme with a refreshed process that uses systematic scrutiny tools to identify and prioritise agenda items, key lines of enquiry and potential impact.

Recommendation 8: Strengthen existing collaborative relationships between scrutiny, Cabinet and Directors whilst maintaining the independence of scrutiny. Early and systematic involvement of portfolio holders and Directors would enable scrutiny to identify issues, trends, and topics where it can focus for accountability and impact.

Pre-meetings

4.15 Currently there are currently no regular all-member pre-meetings prior to the main Scrutiny Committee. Some concerns were raised about additional time pressures that pre meetings can place on members already busy diaries. Some saw little value in pre meetings as they didn't have a clear aim or purpose. Others saw the benefits as sharing and developing questions as well as helping to build relationships.

4.16 This could be a missed opportunity for Members to collaborate and to develop strong questioning strategies or key lines of enquiry. Pre-meetings also offer a space to raise any concerns or relationship issues before these are taken into the public forum. These sessions also offer an opportunity for Members to be given extra briefings by officers on the more technical aspects they are planning to scrutinise.

Recommendation 9: Ensure cross-party pre-meetings are held (ideally) a few days before the meeting and led in a way that helps committee members prepare for scrutiny sessions by reviewing the key lines of enquiry and coordinating approaches.

Pre and post decision scrutiny

4.17 We could not observe or were told how Members are involved in influencing policy development and key decisions through pre-scrutiny. Pre-decision scrutiny enables Members to engage with topics proactively. Recommendations can have impact when they influence and enhance decision making. Pre- decision scrutiny can contribute to longer-term policy development, overview, consultation design and forward planning.

4.18 There is potential for advisory groups to dilute pre-scrutiny as an open and transparent process of supporting policy development. There may be space for both but some clarity would be useful and an appreciation of how much value pre-scrutiny could offer

4.19 As pre-decision scrutiny can usefully be planned during the work programme phase, developing a pre-scrutiny protocol with Cabinet is an effective way to identify these areas and agree a process for how these are brought to scrutiny. Scrutiny carried out well in advance of the decision will allow more time to delve into and explore the issues and likely impact of the decision taking into consideration any risks and measures of success.

Post-decision scrutiny is also essential, holding the Council to account for the implementation of decisions and assessing the impact on peoples' lives. This then feeds into learning and can be applied to future decisions. A work programme that balances scrutiny across all points in the organisational cycle is likely to be most effective – with Members able to scope the key points at which scrutiny can make a positive contribution.

Recommendation 10: Develop a protocol between Cabinet and Scrutiny around the role of Scrutiny in pre-scrutiny and policy development.

- a) identify how and when policy development items come to scrutiny and how recommendations are embedded in Council processes and timelines.
- b) Ensure scrutiny's input into policy development can be early and constructive. This will require scrutiny being given early access, information, and clear line of sight to new policy areas are in open discussion stage.

Impact through recommendations

5.20 There is a strong desire to enhance the impact of scrutiny. Demonstrating that scrutiny can make a difference in measurable ways for local people. To achieve this, it is important to develop effective recommendations and track their impact. Committee outputs should not consist of noting reports etc.

5.21 Recommendations are the 'product' or 'output' of scrutiny :

- Focus recommendations on a small set of priorities - this is more effective than having a long list that is not prioritised.
- Ensuring recommendations are clearly articulated and are focused;
- Testing draft recommendations with Officers to ensure issues are understood and are factually correct.
- Reviewing the impact and learning from recommendations over set time periods through regular agenda items.
- Ensuring a clear protocol with Cabinet to agree the process for considering and responding to scrutiny recommendations.
- Where applicable, to share recommendations with external partners.
- Collecting additional evidence and feedback to identify the impact of recommendations.

5.22 There is concern that responses to scrutiny recommendations, when these are provided, are not actively monitored. Coupled with the uncertainty about whose responsibility it is to monitor and track the implementation of agreed scrutiny recommendations makes it difficult to assess the effectiveness of scrutiny efforts. This offers the basis for more in-depth dialogue as recommendations evolve into more substantive proposals and challenges.

5.23 It is important that scrutiny can hold itself to account for its work and impact. Modelling good practice can set expectations for ways of working to promote a culture of accountability for the function itself and the council. Applying the principles of challenge to how it uses its time and resources most effectively.

5.24 The Annual Scrutiny report should include any learning from the scrutiny activities.

- **Recommendation 11: Enhance the system for tracking recommendations over time – identify the impact and learning from specific recommendations as well as factors that produce effective recommendations.**

Thank you and acknowledgements.

We would like to thank the Chair, Vice Chair and Members of the Scrutiny Committee, the Council Leader, Cabinet Members, Chief Executive and Officers who took part in interviews for their time, insights, and open views.

Yours sincerely,

Ian Parry | Director of Governance Services

Centre for Governance and Scrutiny | 77 Mansell Street | London | E1 8AN

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AGENDA MANAGEMENT SHEET

Report Title:	Urgent Decision - Armed Forces Covenant
Name of Committee:	Council
Date of Meeting:	10 July 2024
Report Director:	Chief Executive
Portfolio:	Finance, Performance, Legal and Governance
Ward Relevance:	All wards
Prior Consultation:	All Group Leaders
Contact Officer:	Aftab Razzaq, Chief Officer - Legal and Governance, aftab.razzaq@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	An urgent decision was taken to approve the Armed Forces Covenant and grant delegated authority to the Mayor to effect signing.
Financial Implications:	All financial implications are detailed in Appendix 1 to the report.

Risk Management/Health and Safety Implications:	All risk management/health and safety implications are detailed in Appendix 1 to the report.
Environmental Implications:	All environmental implications are detailed in Appendix 1 to the report.
Legal Implications:	All legal implications are detailed in Appendix 1 to the report.
Equality and Diversity:	All equality and diversity implications are detailed in Appendix 1 to the report.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	To comply with the Council's Constitution.

Council - 10 July 2024

Urgent Decision - Armed Forces Covenant

Public Report of the Chief Officer - Legal and Governance

Recommendation

The report be noted.

1. INTRODUCTION

1.1. In accordance with the Council's urgent decision procedure under delegated powers, the following item was determined.

2. ITEM DETERMINED UNDER EMERGENCY POWERS

2.1. The Armed Forces Covenant had expired, and it was necessary that this be renewed to continue the Council's commitment to the Armed Forces.

2.2. A copy of the report is attached at Appendix 1 detailing the commitments contained in the Covenant and an agreement that delegated authority be granted to the Chief Office for Legal and Governance to monitor the Covenant in conjunction with the Equality and Diversity Steering Group. This delegated authority included any necessary updates to ensure the Covenant remains up to date.

2.3. To allow for a copy of the Covenant, signed by the Mayor, to be presented to the Royal British Legion at an event to dedicate the Royal British Legion Rugby No Branch Standard, an urgent decision was taken on 1 March 2024.

3. CONSULTATION

3.1. Consultation was undertaken with Group Leaders who agreed that the Armed Forces Covenant be signed.

4. DECISION

4.1. Following the consultation, the Chief Executive approved the following recommendation:

- (1) To approve the Armed Forces Covenant as set out within Appendix 1 to the report and grant delegated authority to the Mayor to effect signing.

(2) Delegated Authority to the Chief Officer Legal and Governance to monitor the Armed Forces Covenant in conjunction with the Equality and Diversity Steering Group and make any necessary updates.

Name of Meeting: Council

Date of Meeting: 10 July 2024

Subject Matter: Urgent Decision - Armed Forces Covenant

Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Agenda No**AGENDA MANAGEMENT SHEET**

Report Title:	Armed Forces Covenant
Name of Committee:	Council
Date of Meeting:	29 February 2024
Report Director:	Chief Officer - Legal & Governance
Portfolio:	Finance, Performance, Legal and Governance
Ward Relevance:	All
Prior Consultation:	All Group Leaders
Contact Officer:	Aftab Razzaq, Chief Officer - Legal and Governance, aftab.razzaq@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	Yes
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies):
(C) Climate	<input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
(E) Economy	<input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
(HC) Health and Communities	<input checked="" type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC)
(O) Organisation	<input checked="" type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O)
	Corporate Strategy 2021-2024
	<input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	This report seeks recommendation from Council for approval of the Armed Forces Covenant
Financial Implications:	None arising direct from this report.
Risk Management/Health and Safety Implications:	None arising directly from this report.

Environmental Implications:	None.
Legal Implications:	As detailed within the report.
Equality and Diversity:	The Council has duly considered the relevant Equality and Diversity implications, and none are directly arising. This is detailed within the attached Impact Assessment (Appendix 2).
Options:	To approve or reject the recommendations.
Recommendation:	<ol style="list-style-type: none">(1) To approve the Armed Forces Covenant as set out within Appendix 1 and grant delegated authority to the Mayor to effect signing(2) Delegated Authority to the Chief Officer Legal & Governance to monitor the Armed Forces Covenant in conjunction with the Equality & Diversity Steering Group and make any necessary updates.
Reasons for Recommendation:	To ensure the Council demonstrates a clear commitment to the Armed Forces as detailed within the Covenant

Agenda No

Council - 29 February 2024

Armed Forces Covenant

Public Report of the Chief Officer - Legal and Governance

Recommendation

- (1) To approve the Armed Forces Covenant as set out within Appendix 1 and grant delegated authority to the Mayor to effect signing.
- (2) Delegated Authority to the Chief Officer Legal and Governance to monitor the Armed Forces Covenant in conjunction with the Equality and Diversity Steering Group and make any necessary updates.

1 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to request approval of the renewal of the Armed Forces Covenant by the Council and to delegate to the Mayor authority to effect signing.
- 1.2 The present Armed Forces Covenant has expired, and it is important that the Council retains its commitment towards the Armed Forces.

2 BACKGROUND

- 2.1 The Armed Forces Covenant is a clear commitment on the part of the Council to acknowledge the Armed Forces. This is demonstrated by ensuring those who serve or have served in the Armed Forces, and their families, should be treated with fairness and respect.
- 2.2 Its two principles are that, recognising the unique obligations of, and sacrifices made by, the Armed Forces:
 - Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services.
 - Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.
- 2.3 Further details of the Armed Forces Covenant can be found at the following link; <https://www.armedforcescovenant.gov.uk/about-the-covenant/>
- 2.4 By signing this Covenant, it requires the Council to have due regard towards the Covenant when discharging its responsibilities.

3 ARMED FORCES COVENANT COMMITMENTS

3.1 The proposed Armed Forces Covenant to be signed by the Council is set out within Appendix 1.

3.2 As set out above the Armed Forces Covenant is based upon supporting those that have served within the Armed Forces. The overriding principles are set out above. These principles are then underpinned by clear actions and commitments. These are set out within Section 2 of the attached Covenant.

4 MONITORING AND UPDATING

4.1 Once the Covenant has been signed, it is important that the implementation of the Covenant is monitored and if necessary updated. On this basis it is proposed that delegated authority is granted to the Chief Officer for Legal and Governance for such monitoring and this takes place in conjunction with the Equality and Diversity Steering Group. This delegated authority shall include any necessary updates to ensure the Covenant remains up to date and reflects the aspirations and priorities of the Council.

5 CONCLUSION

5.1 The Council has always sought to support the Armed Forces. This is reflected by the past signing of the Armed Covenant. It is important that this Covenant is renewed and importantly both monitored and maintained.

Name of Meeting: Council

Date of Meeting: 29 February 2024

Subject Matter: Armed Forces Covenant

Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



Rugby Borough Council

We, the undersigned, commit to honour the Armed Forces Covenant and support the Armed Forces Community. We recognise the value Serving Personnel, both Regular and Reservists, Veterans and military families contribute to our business and our country.

Signed on behalf of:

Signed:

Name:

Position:

Date:



The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

His Majesty's Government

and

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

Section 1: Principles of the Armed Forces Covenant

1.1 We, **Rugby Borough Council** will endeavour in our business dealings to uphold the key principles of the Armed Forces Covenant, which are:

- *no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen*
- *in some circumstances special treatment may be appropriate, especially for the injured or bereaved.*

Section 2: Demonstrating our Commitment

2.1 We recognise the value that serving personnel, reservists, veterans and military families bring to our business and to our country. We will seek to uphold the principles of the Armed Forces Covenant, by:

- **Promoting the Armed Forces:** promoting the fact that we are an Armed Forces-friendly organisation, to our employees, customers, suppliers, contractors and wider public;
- **Veterans:** supporting the employment of veterans, recognising military skills and qualifications in our recruitment and selection process; working with the [Career Transition Partnership](#) (CTP) to support the employment of Service leavers;
- **Service Spouses & Partners:** supporting the employment of Service spouses and partners; partnering with the Forces Families Jobs Forum (<https://www.forcesfamiliesjobs.co.uk/>).
- **Reserves:** supporting our employees who are members of the Reserve Forces; granting unpaid leave for annual Reserve Forces training; supporting any mobilisations and deployment; encouraging our employees to become Reservists;
- **Cadet Organisations:** supporting our employees who are volunteer leaders in military cadet organisations, encouraging our employees to become volunteer leaders in cadet organisations; supporting local military cadet units; recognising the benefits of employing cadets/ex-cadets within the workforce;
- **National Events:** supporting Armed Forces Day, Reserves Day, the Poppy Appeal Day and Remembrance activities;
- **Armed Forces Charities:** supporting Armed Forces charities with fundraising and supporting our employees who volunteer to assist;
- **Housing:** providing for additional preferences in our social housing allocation scheme for certain members of the Armed Forces Community;
- **Raising awareness:** of housing and homelessness services among the Armed forces Community;
- **Signposting:** members of the Armed Forces Community to available support, for example from The Confederation of Service Charities (Cobseo), the Veterans Gateway, The Royal British Legion and other statutory and voluntary services in the Borough.

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.

Equality Impact Assessment

Service Area	Legal & Governance
Policy/Service being assessed	Armed Forces Covenant
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	Renewal of existing Covenant
EqIA Review team – List of members	N/A
Date of this assessment	29/2/24
Signature of responsible officer (to be signed after the EqIA has been completed)	<i>Aftab Razzaq</i>

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor or Chief Office Legal & Governance.

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	<ul style="list-style-type: none"> The Armed Forces Covenant is a clear commitment on the part of the Council in acknowledging the Armed Forces. This is demonstrated by ensuring those who serve or have served in the Armed Forces, and their families, should be treated with fairness and respect.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	<ul style="list-style-type: none"> This fits with CANDO values in particular Nurture People, Act with Respect, Own It and Driving Excellence Corporate Strategy – Outcome 3- Health and Communities Outcome 4: Organisation
(3) What are the expected outcomes you are hoping to achieve?	<p>Recognition for the sacrifices made by those within Armed Forces and those directly involved in those that serve. The covenant is also based upon two key principles;</p> <ul style="list-style-type: none"> Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> Customers Employees Wider community or groups 	<ul style="list-style-type: none"> Employees Trade Unions Workers Residents and Wider Community Groups
<u>Stage 2 - Information Gathering</u>	<p>As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, eg service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).</p>

<p>(1) What does the information tell you about those groups identified?</p>	<ul style="list-style-type: none"> The Armed Forces Covenant is based upon the guidance and the overall benefit and recognition to Armed Forces and those affected. Due consideration has been given to the guidance and further information is set out below; https://www.armedforcescovenant.gov.uk/about-the-covenant/ https://www.gov.uk/government/publications/armed-forces-covenant-duty-statutory-guidance 		
<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<ul style="list-style-type: none"> The Covenant is based upon guidance and internal knowledge within services. As set out below possible further consultation and engagement will take place. The urgency of the decision did not allow this to take place at the time of making this decision. 		
<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>As set out within the recommendation there is delegation to the Equality & Diversity Steering Group. This will allow consultation and engagement with any necessary changes being made.</p>		
<p><u>Stage 3 – Analysis of impact</u></p>	<p>The aim of the Armed Forces is made clear within its aims and objectives and overall impact. This is detailed within the report and this will have a positive impact on a variety of groups.</p>		
<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE Positive impact expected</p>	<p>DISABILITY Positive impact expected</p>	<p>GENDER Positive impact expected</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP Positive impact expected</p>	<p>AGE Positive impact expected</p>	<p>GENDER REASSIGNMENT Positive impact expected</p>
	<p>RELIGION/BELIEF Positive impact expected</p>	<p>PREGNANCY MATERNITY Positive impact expected</p>	<p>SEXUAL ORIENTATION Positive impact expected</p>

<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>(a) No impact likely</p> <p>(b) Individual employee circumstances will dictate if there is likely to be an impact</p> <p>As set out above the Covenant seeks to promote fairness and equity within the Armed Forces community.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>N/A</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<ul style="list-style-type: none"> The monitoring and implementation of this Covenant will be dealt with by the Equality & Diversity Steering Group.
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<ul style="list-style-type: none"> This is made clear within the guidance set out below; https://www.armedforcescovenant.gov.uk/about-the-covenant/ https://www.gov.uk/government/publications/armed-forces-covenant-duty-statutory-guidance
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<ul style="list-style-type: none"> A standard consistent framework for dealing with all matters relating to agency workers and Dignity at Work for services, teams or individuals within the Council.
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<ul style="list-style-type: none"> No Obvious barriers

<u>Stage 4 – Action Planning, Review & Monitoring</u>	
<p>If No Further Action is required then go to – Review & Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>This will be the responsibility of the Equality & Diversity Steering Group.</p>
<p>(2) Review and Monitoring State how and when you will monitor policy and Action Plan</p>	<p>This will be the responsibility of the Equality & Diversity Steering Group</p>

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on (date of assessment) and will be reviewed on (insert review date).’

AGENDA MANAGEMENT SHEET

Report Title: Urgent Decisions - Annual Report 2023/24

Name of Committee: Council

Date of Meeting: 10 July 2024

Report Director: Chief Officer – Legal and Governance

Portfolio: Finance, Performance, Legal and Governance

Ward Relevance: All

Prior Consultation: N/A

Contact Officer: Claire Waleczek, Democratic and Support Services Manager, claire.waleczek@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(C) Climate Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)

(E) Economy Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)

(HC) Health and Communities Residents live healthy, independent lives, with the most vulnerable protected. (HC)

(O) Organisation Rugby Borough Council is a responsible, effective and efficient organisation. (O)

[Corporate Strategy 2021-2024](#)

This report does not specifically relate to any Council priorities but

Summary: Under the Council’s Constitution, there is a requirement that decisions taken as a matter of urgency shall be monitored annually, and a report submitted to the Council with proposals for review if necessary.

Financial Implications: There are no direct financial implications arising from the report.

Risk Management/Health and Safety Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	There are no legal implications arising from this report.
Equality and Diversity:	There are no equality and diversity implications arising from this report.
Options:	N/A
Recommendation:	The summary of urgent decisions taken during 2023-2024, attached at Appendix 1 to the report, be noted.
Reasons for Recommendation:	To comply with the Council's Constitution.

Council - 10 July 2024

Urgent Decisions - Annual Report 2023/24

Public Report of the Chief Officer - Legal and Governance

Recommendation

The summary of urgent decisions taken during 2023-2024, attached at Appendix 1 to the report, be noted.

1. Executive Summary

- 1.1 Under the Council's Constitution, there is a requirement that decisions taken as a matter of urgency must be reported to the next available meeting of the Council together with the reasons for urgency, and the operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to the Council with proposals for review if necessary. To comply with the Constitution, the decisions listed in the table at Appendix 1 were all reported to various Council meetings.

2. Urgent decisions taken in 2023/24

- 2.1 A table of the urgent decisions taken during the 2023-2024 municipal year is attached at Appendix 1.

Name of Meeting: Council
Date of Meeting: 10 July 2024
Subject Matte Urgent Decisions – Annual Report
Originating Department: Legal and Governance

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

URGENT DECISIONS 2023/24

REPORT TITLE/DECISION SUMMARY	CONSULTEES	SERVICE AREA/OFFICER NAME	REASON FOR URGENCY	DATE DECISION AGREED	DATE OF COUNCIL MEETING
<p>Temporary Appointments to Cawston Parish Council</p> <p>Councillor Carolyn Watson-Merret and Cllr Michael Moran (1 Conservative and 1 Labour Councillor) be appointed to act as a member of Cawston Parish Council until Co-Option of additional qualifying parishioners can be co-opted at the Parish Council meeting at 6pm on Tuesday 30th May 2023, to render the Parish Council quorate, beginning the date on which the Order is signed, whichever is the earlier, whereupon such appointments and this Order shall cease.</p>	<p>Group Leaders Chair of Scrutiny Committee</p>	<p>Finance, Performance, Legal and Governance Carolyn Forster, Interim Legal and Governance Manager</p>	<p>That qualifying persons are co-opted to render the Parish Council quorate to ensure that that the Parish Council is able to continue to function and further meet its statutory auditing deadlines.</p>	<p>26/05/2023</p>	<p>12/07/2023</p>

REPORT TITLE/DECISION SUMMARY	CONSULTEES	SERVICE AREA/OFFICER NAME	REASON FOR URGENCY	DATE DECISION AGREED	DATE OF COUNCIL MEETING
<p>Local Authority Housing Fund – Round 2</p> <p>1) Delegated authority be given to the Chief Officer for Communities and Homes in consultation with the Chief Officer for Legal and Governance to agree to the Memorandum of Understanding with DLUHC.</p> <p>2) The required acquisitions be delivered as per the established process in the Council's Property Acquisition and Disposal Policy 2022-2025.</p> <p>3) The Chief Officer for Communities and Homes, to agree the process for allocating the properties, in consultation with the Portfolio Holder for Communities, Homes, Digital and Communications under s.7.11 (Those leaving short-term Supported Housing) of the Council's current Housing Allocations Policy 2019.</p>	<p>Leader of the Council Portfolio Holder for Communities, Homes, Digital and Communications Main Opposition Group Leader Opposition Group Leader Chair of Scrutiny Committee</p>	<p>Communities and Homes George Balogun, Housing Advice and Benefits Manager</p>	<p>To meet the deadline for the sign off of the MoU. Failure to comply would result in funding being lost</p>	<p>17/08/2023</p>	<p>20/09/2023</p>

REPORT TITLE/DECISION SUMMARY	CONSULTEES	SERVICE AREA/OFFICER NAME	REASON FOR URGENCY	DATE DECISION AGREED	DATE OF COUNCIL MEETING
<p>Lesley Souter House – Replacement Boiler and Building Management System</p> <p>A supplementary capital budget of £116,000 be established for the replacement of the boilers (£91,000) and building management system (£25,000) at Lesley Souter House.</p>	<p>Leader of the Council Portfolio Holder for Communities, Homes, Digital and Communications Main Opposition Group Leader Opposition Group Leader Vice Chair of Scrutiny Committee</p>	<p>Communities and Homes Michelle Dickson, Chief Officer</p>	<p>Risk that the complex would be without heating and hot water going into the winter months.</p>	20/12/2023	06/02/2024
<p>Council Tax Reduction Scheme 2024/25</p> <p>The Council Tax Reduction Scheme for 2023/2024 be adopted as the Council's Local Council Tax Reduction Scheme for 2024/2025</p>	<p>Leader of the Council Portfolio Holder for Communities, Homes, Digital and Communications Main Opposition Group Leader Chair of Scrutiny Committee</p>	<p>Communities and Homes Zoe Chapman, Benefits Team Leader</p>	<p>To meet the deadline of 11 March 2024.</p>	30/01/2024	06/02/2024
<p>Civic Procession</p> <p>The request for a civic procession for the funeral of Dr James Shera be approved.</p>	<p>Leader of the Council Group Leaders Chair of Scrutiny Committee</p>	<p>Finance, Performance, Legal and Governance Aftab Razzaq, Chief Officer Legal and Governance</p>	<p>To allow for the arrangements for the civic procession to be put in place.</p>	01/02/2024	21/02/2024

REPORT TITLE/DECISION SUMMARY	CONSULTEES	SERVICE AREA/OFFICER NAME	REASON FOR URGENCY	DATE DECISION AGREED	DATE OF COUNCIL MEETING
<p>Armed Forces Covenant</p> <p>1) To approve the Armed Forces Covenant as set out within Appendix 1 to the report and grant delegated authority to the Mayor to effect signing.</p> <p>2) Delegated Authority to the Chief Officer Legal and Governance to monitor the Armed Forces Covenant in conjunction with the Equality and Diversity Steering Group and make any necessary updates.</p>	<p>Leader of the Council Portfolio Holder for Finance, Performance, Legal and Governance Main Opposition Group Leader Chair of Scrutiny Committee</p>	<p>Finance, Performance, Legal and Governance Aftab Razzaq, Chief Officer Legal and Governance</p>	<p>To allow for the renewed signed Armed Forces Covenant to be presented to the Royal British Legion at an event to dedicate the Royal British Legion Rugby No1 Branch Standard.</p>	<p>01/03/2024</p>	<p>10/07/2024</p>

Agenda No 7(h)

AGENDA MANAGEMENT SHEET

Report Title: Designation of Streets

Name of Committee: Council

Date of Meeting: 10 July 2024

Report Director: Chief Officer – Regulation and Safety

Portfolio: Regulation and Safety

Ward Relevance: All Wards

Prior Consultation: Statutory consultation has been carried out and no objections received.

Contact Officer: Emma Payne, Licensing Officer x3855

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
 X Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)
 X Rugby Borough Council is a responsible, effective and efficient organisation. (O)
[Corporate Strategy 2021-2024](#)
 This report does not specifically relate to any Council priorities but

(C) Climate
(E) Economy
(HC) Health and Communities
(O) Organisation

Summary: Street Trading is governed by the Local Government (Miscellaneous Provisions) Act 1982, “The Act”.
The Act does not currently apply to any areas of the Borough due to the requirement to designate streets. The Policy has been in effect since 15 January 2024 as agreed by the Licensing and Safety Committee on 28 November 2023. To

implement, Council must designate streets as the final stage to allow the Council to regulate street traders. Public Consultation was carried out from 1 March 2024 until 28 March 2024 as required by the Act and no objections have been received.

Financial Implications: Regulatory and enforcement costs will be met from within the street trading budget. The collection of licence fees will assist the Councils ability to fund the necessary budget requirements for the provision of the service.

Risk Management/Health and Safety Implications: Risks include unregulated traders able to trade throughout the borough, including in the Town Centre, without Council authorisation.

Environmental Implications: A Climate Change and Environmental Impact Assessment has been carried out and can be seen at Appendix A.

Legal Implications: Section 24(4) to (8) of the Act prescribes the consultation process which has to be carried out before a resolution can be passed to designate a licence street and this process has been carried out by the Council. There were no representations received from the consultation. Under Section 24 (9) of the Act, after the Borough Council have considered those representations, they may if they think fit, pass such a resolution relating to the street.

Equality and Diversity: An Equality Impact Assessment has been carried out and can be seen at Appendix B.

Options:

1. Approve the proposed designated streets.
2. Refuse the proposed designated streets.

Recommendation: The Council designates all streets in the borough as consent streets with the exception of the Market Place, Town Centre; Sheep Street, Town Centre; High Street, Town Centre which the Council designates as licence streets.

Reasons for Recommendation: Approval of the designation of streets will enable fair, consistent and equitable trading across the Borough. This would give the Licensing Authority greater control over street trading. Statutory consultation has been carried out with no representations received.

Agenda No 7(h)

Council - 10 July 2024

Designation of Streets

Public Report of the Chief Officer – Regulation and Safety

Recommendation

The Council designates all streets in the borough as consent streets with the exception of the Market Place, Town Centre; Sheep Street, Town Centre; High Street, Town Centre which the Council designates as licence streets.

Executive Summary

This report seeks to approve the designation of streets under the Local Government (Miscellaneous Provisions) Act 1982, “The Act”.

Currently, street trading, e.g. mobile traders, are not controlled within the Borough, risking customer safety and unfair competition with existing town centre traders.

In order to control street trading the Act needs to be adopted, a policy and fees approved, and the street designed. Schedule 4 of the Act was formally adopted by Council on 26 April 2023. The Street Trading Policy and Fees were adopted by Licensing and Safety Committee on 28 November 2023 and effective from 15 January 2024.

The designation of streets is required prior to the Council regulating Street Traders. In accordance with statutory requirements, a notice was published on 1 March 2024 which invited representations in respect of the Councils intention to pass a resolution to so designate those streets. No representations were received therefore it is proposed that the Council designates all streets in the borough as consent streets except for the following licence streets; Market Place, Town Centre; Sheep Street, Town Centre; High Street, Town Centre.

1. Purpose

- 1.1. The Designation of Streets will allow the Council to apply the Street Trading Policy to enable fair, consistent and equitable trading within the Borough. This would give the Licensing Authority greater control over street trading and would ensure all traders are subject to relevant application, enforcement and conditions depending on where they trade in the Borough. The Council recognises the importance of the service street traders provide and the contribution they make to the local economy therefore wish to remain sensitive to its needs, ensuring quality choice of stalls which compliment those premises-based businesses already trading in the area all while mitigating risk and protecting the public.

- 1.2. Failure to approve the designation of streets creates risk to the Council of having no control over street trading within the borough, including the Town Centre, and traders will continue to trade on land where they have prior permission of the landowner. The commencement of the regulation of street traders by the Council will ensure residents and visitors can have confidence that street traders have undergone proper checks.

2. Proposal

- 2.1. It is proposed that streets be designated under the Act following the completion of the consultation. Streets must be designated for Street Trading to be regulated by the Council. The designation of streets, in conjunction with the Council's current Street Trading Policy, will ensure that a Street Trading Licence or Consent is required. The Act states a district council may by resolution designate any street in their district as; a prohibited street; b) a licence street; or c) a consent street.
- 2.2. It is proposed that the Council designates all streets in the borough as consent streets with the exception of the licence streets as highlighted within the map at Appendix C.
- 2.3. When dealing with Licence Streets and Consent Streets, the difference falls with how the applications are granted or refused. For consent streets, the Council is under no duty to grant consent and does not need to specify any statutory grounds for refusal. For licence streets, the Council is obliged to grant a licence unless an application ought to be refused on one or more of the statutory grounds set out in the Act, schedule 4.
- 2.4. The Act requires the Council, before designating streets, to publish a notice of the proposed designation in a local newspaper. The consultation was approved by Licensing and Safety Committee on 27 February 2024, agenda item 4. The public notice was published on 1 March 2024. Consultation ran from 1 March 2024 until 28 March 2024. Also approved by the Licensing and Safety Committee on 27 February 2024 was that if in the opinion of the Chief Officer of Regulation and Safety and the Licensing and Parking Manager, there are no valid/material objections that require further consideration by the Licensing and Safety Committee then the Chief Officer of Regulation and Safety and the Licensing and Parking Manager can recommend the adoption of the designation of streets to Council.

3. Conclusion

- 3.1. To conclude, the designation of streets is the final approval required for the Council to lawfully regulate street traders. The regulation of street traders will ensure a level playing field for applicants and local businesses while protecting the public from unsafe or unlawful trading.

Name of Meeting: Council
Date of Meeting: 10 July 2024
Subject Matter: Designation of Streets
Originating Department: Regulation and Safety

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
1	Adoption of Schedule 4 - Committee Report. Licensing & Safety Committee 27 February 2023. https://www.rugby.gov.uk/l/6639644 . Adoption granted at Council on 26 April 2024.
2	Adoption of Street Trading Policy and Fees. Licensing & Safety Committee 28 November 2023. https://www.rugby.gov.uk/l/6639624 Adoption granted, policy and fees affective from 15 January 2024.
3	Approval of the consultation for the proposed designated streets. Licensing & Safety Committee 27 February 2024. https://www.rugby.gov.uk/l/6639622 . Consultation approved and carried out.
4	Appendix A - Climate Change and Environmental Impact Assessment.
5	Appendix B - Equality Impact Assessment.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Rugby Borough Council

Climate Change and Environmental Impact Assessment

TEMPLATE – NOVEMBER 2022

CONTEXT

In 2019 the UK Parliament set a commitment in law to reach net zero carbon emissions by 2050. Achieving this target will require considerable effort with public bodies, private sector organisations, the third sector and individuals working together to take action. Rugby Borough Council declared a climate emergency in 2019, in doing so committed to:

- 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.

The Council's Corporate Strategy (2021-2024) [link](#) sets ambitious outcomes in relation to Climate Change. These ambitions must now be progressed through the decisions which the Council makes.

It is therefore important that Rugby Borough Council gives due regard to climate change when making decisions. In the context of the Council's business, Climate Change includes carbon emissions, biodiversity, habitat loss and environmental destruction. When putting forward recommendations for decision, officers must assess how these recommendations are likely to influence our climate change commitments by completing the following Climate Change and Environmental Impact Assessment.

A copy of this Climate Change and Environmental Impact Assessment, including relevant data and information should be forwarded to the Deputy Chief Executive.

If you require help, advice and support to complete the form, please contact Dan Green, Deputy Chief Executive.

SECTION 1: OVERVIEW

Portfolio and Service Area	Licensing and Parking
Policy/Service/Change being assessed	Designation of Streets
Is this a new or existing Policy/Service/Change?	New
If existing policy/service please state date of last assessment	N/A
Ward Specific Impacts	All wards
Summary of assessment Briefly summarise the policy/service/change and potential impacts	Street Trading is governed by the Local Government (Miscellaneous Provisions) Act 1982. The Street Trading Policy has been adopted, we are now looking to designate streets.
Completed By	Emma Payne, Licensing Officer
Authorised By	Zulfeqar Rahman, Licensing and Parking Manager
Date of Assessment	30/05/2024

SECTION 2: IMPACT ASSESSMENT

Climate Change and Environmental Impacts	No Impact	Positive	Negative	Description of impact	Any actions or mitigation to reduce negative impacts	Action owner	Timescales
Energy usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Fleet usage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable Transport/Travel (customers and staff)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Community leadership	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Biodiversity and habitats	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Impact on other providers/partners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mobile generator usage lower, less emissions from generators in Town Centre.	Electricity supply taken back over by Council and will be available for use by traders in available locations.	RBC	Within one month of approval

SECTION 3: REVIEW

Where a negative impact is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

Review date	When necessary.
Key points to be considered through review	N/A
Person responsible for review	Licensing and Parking Team
Authorised by	Emma Payne, Licensing Officer Zulfeqar Rahman, Licensing and Parking Manager

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff.
10. For advice and support, contact:
Aftab Razzaq
Chief Officer for Legal and Governance
aftab.razzaq@rugby.gov.uk
01788 533521

Equality Impact Assessment

Service Area	Licensing & Parking Team
Policy/Service being assessed	Proposed Designation of Streets for adoption.
Is this a new or existing policy/service? If existing policy/service please state date of last assessment	New
EqlA Review Team – List of members	
Date of this assessment	30/05/2024
Signature of responsible officer (to be signed after the EqlA has been completed)	EJPayne, Emma Payne, Licensing Officer, x3855

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Chief Officer for Legal and Governance.

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	The main aim of the designation of streets is to identify which streets are; Licence Streets, Consent Streets; or Prohibited Streets. The report proposes that The Council designates all streets in the borough as consent streets with the exception of the following licence streets; Market Place (Town Centre); Sheep Street (Town Centre); High Street (Town Centre). The Council are now looking to designate streets as the final stage to allow the Council to regulate street traders.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) Residents live healthy, independent lives, with the most vulnerable protected. (HC) Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024
(3) What are the expected outcomes you are hoping to achieve?	Report Recommendation: The Council designates all streets in the borough as consent streets with the exception of the following licence streets - Market Place, Town Centre; Sheep Street, Town Centre; High Street, Town Centre.
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	Wider Community

<u>Stage 2 - Information Gathering</u>	As a minimum you must consider what is known about the population likely to be affected which will support your understanding of the impact of the policy, e.g. service uptake/usage, customer satisfaction surveys, staffing data, performance data, research information (national, regional and local data sources).		
(1) What does the information tell you about those groups identified?	This report is for Council to approve the designation of streets following the end of the consultation.		
(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?	Statutory consultation has been carried out and no objections received.		
(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.	N/A		
<u>Stage 3 – Analysis of impact</u>			
(1) <u>Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination?	RACE	DISABILITY	GENDER
	MARRIAGE/CIVIL PARTNERSHIP	AGE – applicants must be 17 or older to apply for a street trading consent/licence.	GENDER REASSIGNMENT

If yes, identify the groups and how they are affected.	RELIGION/BELIEF	PREGNANCY MATERNITY	SEXUAL ORIENTATION
<p>(2) <u>Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	None.		
(3) If there is an adverse impact, can this be justified?	N/A		
(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (This should form part of your action plan under Stage 4.)	N/A		
(5) How does the strategy/service/policy contribute to the promotion of equality? If not, what can be done?	The designation of streets will not impact equality, the main policy document has already been approved and adopted. When designation of street is approved, such policy can become effective. Positive impact on residents who may be restricted as traders can apply to be mobile or trade from different locations within the borough, for example residential homes.		
(6) How does the strategy/service/policy promote good relations between groups? If not, what can be done?	The designation of streets will not impact the relationship between groups.		

(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?	To obtain consent/licence applicants must be 17 years old and above. The main policy document has already been approved and adopted therefore this matter has already been considered.
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<u>Stage 4 – Action Planning, Review and Monitoring</u>																														
<p>If No Further Action is required then go to – Review and Monitoring</p> <p>(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.</p>	<p>EqlA Action Plan</p> <table border="1" data-bbox="875 722 2112 954"> <thead> <tr> <th data-bbox="875 722 1120 799">Action</th> <th data-bbox="1120 722 1364 799">Lead Officer</th> <th data-bbox="1364 722 1615 799">Date for completion</th> <th data-bbox="1615 722 1865 799">Resource requirements</th> <th data-bbox="1865 722 2112 799">Comments</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>					Action	Lead Officer	Date for completion	Resource requirements	Comments																				
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(2) Review and Monitoring State how and when you will monitor policy and Action Plan	The designation of streets will be reviewed regularly, and amendments made when necessary.																													

Key

 Appendix C	TC1, TC2, TC3
 Primary Shopping Area	TC3
 Primary Shopping Frontage	TC3
 Secondary Shopping Frontage	TC3
 Open Space	HS4
 Local Wildlife Site	NE1
 Conservation Area	SDC3

Blue marks proposed Licence Streets

