

Publication Date 6 September 2013
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CHILTERN DISTRICT COUNCIL

MINUTES of the CABINET held on 27 AUGUST 2013

PRESENT Councillors N M Rose - Leader
 M R Smith - Deputy Leader
 Mrs I A Darby
 G K Harris
 P J Hudson
 P E C Martin

APOLOGIES FOR ABSENCE were received from Councillor M Stannard

ALSO IN ATTENDANCE: Councillors A K Bacon, N L Brown, J L Gladwin, P M Jones and D W Phillips

27 URGENT ITEM

The Cabinet had been asked to consider a late private report: Further approach from County Council – London Road East. This approach had been received after the publication date of the required 28-Day-Notice.

In accordance with the Access to Information Regulations, approval for the report to be considered in private by the Cabinet had been received from Councillor A Garnett, as Chairman of the relevant Overview Committee, who agreed that the item was urgent and could not reasonably be deferred without prejudicing the Council's interests. As such, the Cabinet agreed that the item should be considered in private session (see Minute 44).

28 MINUTES

The Minutes of the Cabinet meeting held 9 July 2013, copies of which had been previously circulated, were approved and signed by Councillor N Rose, Cabinet Leader, as a correct record subject to the words "Chiltern District Council Off-Street Parking Places Order 2012" in resolution 4 of Minute 8 being replaced with "Chiltern District Council (Off-Street Parking Places) (Consolidation) Order 2012".

In addition, the Minutes of the special Cabinet meeting held on 26 July 2013, copies of which had been previously circulated, were approved and signed by Councillor N Rose, Cabinet Leader, as a correct record.

29 DECLARATIONS OF INTEREST

There were no declarations of interest.

30 28-DAY NOTICE FORWARD PLAN

The Cabinet received a report attaching the draft 28-Day Notice which provided a forward look at the Agenda for the next meeting of the Cabinet. The Notice would be published on 23 September 2013.

RESOLVED –

That the Draft 28-Day Notice / Forward Plan, to be published on 23 September 2013, be noted.

31 CURRENT ISSUES

(i) Councillor P E C Martin – Joint Waste Collection Update

Councillor Martin gave a brief update on the new waste collection contract. There had been a significant volume of phone-calls and emails when the new arrangements began on 15 July but these were now reducing. There had been issues over the length of time it had taken to resolve some queries, however Councillor Martin advised that response / action times were now being put in place and this would continue to be monitored. The new collection arrangements would begin in Wycombe at the end of October.

(ii) Councillor N M Rose – HS2 Update

Councillor Rose advised that the appeal to the Supreme Court would be heard on 15-16 October 2013.

32 DELIVERY DEVELOPMENT PLAN DOCUMENT: SUPPLEMENTARY PUBLIC PARTICIPATION ON GYPSY TRAVELLER AND TRAVELLING SHOW PEOPLE SITE OPTIONS

The Cabinet had approved the Delivery Development Plan Document Public Participation on 26 March 2013 and public consultation had been undertaken between 8 April and 7 June.

At that time the jointly commissioned 'Buckinghamshire Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment' had not been completed. Although a general question had been included in the public consultation, it was now suggested that a Supplementary Public Participation

Document, to reflect the Accommodation Needs Assessment, be approved for consultation.

After noting that paragraph 3.1 (i) would refer to 5 Gypsy and Traveller pitches from 2013 to 2018 and 4 additional pitches from 2018 to 2023 (9 in total); and that paragraph 3.1 (ii) would refer to 14 Travelling Showpeople plots from 2013 to 2018 and 2 additional plots from 2018 to 2023 (16 in total), it was

RESOLVED –

- 1. That the Supplementary Public Participation Document set out in Annex 1 with updated text to reflect the Buckinghamshire Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment conclusions, be approved.**
- 2. That the public participation process set out in paragraph 7 of the Report be approved.**
- 3. That authority be delegated to the Head of Sustainable Development to carry out any necessary minor alterations / corrections to the Supplementary Public Participation Document, with any changes of substance being in consultation with the Cabinet Member for Sustainable Development.**

33 RESIDENTIAL EXTENSIONS AND HOUSEHOLDER DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT

The Cabinet had approved the Draft Residential Extensions and Householder Development Supplementary Planning Document (March 2013) for Public Consultation on 26 March 2013. The consultation had now been completed, and some changes were proposed as a result.

The Cabinet thanked officers, the Housing and Planning Overview Committee, and the Local Plan Policy Advisory Group for their work on the Supplementary Planning Document, and

RESOLVED –

- 1. That the recommended responses following consultation to the Draft Residential Extensions and Householder Development Supplementary Planning Document (as set out in Table 1 in the report) be agreed.**

AND RECOMMENDED –

- 2. That the Residential Extensions and Householder Development Supplementary Planning Document, as set out in Appendix 1 of the report, be adopted.**

34 COMMUNITY GRANTS 2013/14

The Cabinet considered the allocation of Community Grants for 2013/14. It was noted that the application process had been streamlined and improved in line with Member comments and positive feedback had been received from applicants and Members.

Fifty three applications had been received requesting total funding of £85,188 against a budget of £32,000. It was noted that the cumulative value if all the schemes were delivered totalled £801,754 which would be achieved by applicants accessing funding from other grant awarding bodies, running internal fundraising events and utilising reserves.

The applications had been evaluated through a traffic light system. Applicants that received mostly green scores received 60% of the funding they applied for. If the amount applied for was £500 or less, the applicant received the full amount. Applicants graded as amber received 25% whilst those graded red did not receive funding but were provided with advice and directed to alternative funding streams if appropriate.

The comments of the Community & Environment Overview Committee, made at their meeting on 6 August, were reported to the Cabinet. The Overview Committee had noted that if an application was graded as green and was £500 or less the applicant received the full amount. However, if the amount was just over £500 they would only receive 60% of the funding, which could be less than £500. The Cabinet acknowledged the difficulty in setting such thresholds. In light of this it was agreed that the funding awarded to Camaraderie should be £500 (from £333) and the funding to Chenies & Chalfont District Guides should also be £500 (from £468).

Cabinet was also informed that Chesham Youth Club's application had been confused with a similar film project run by Addaction and was therefore eligible to receive funding given that the scheme strongly supported many of the Council's corporate objectives.

It was reported that the funding to meet the additional expenditure associated with the above changes would be financed through the existing community service budgets.

After noting that the changes made to the Scheme would be evaluated at the end of the year, it was

RESOLVED –

That the allocation of funding from the 2013 Community Grant Aid Scheme be agreed as detailed in the Tables in the report subject to the following amendments (the additional funding to be met through the existing community service budgets):

- **Camaraderie being awarded £500;**
- **Chenies & Chalfont District Guides being awarded £500; and**
- **Chesham Youth Club being awarded £1,140.**

35 CHILTERN DISTRICT COUNCIL STRATEGIC HOUSING FRAMEWORK

The Cabinet were asked to consider the annual update of the Strategic Housing Framework. The document had been considered by the Housing & Planning Overview Committee at their meeting on 14 August 2013 and their comments were reported to the Cabinet.

It was noted that the document included a review of the impact of Affordable Rents in the Chiltern District. The Government had implemented Affordable Rents in 2011 meaning that Registered Providers could charge up to 80% of the market rent (for the region). This would be a higher level than Social Rent. Affordable Rent could only be implemented on new properties and re-lets; existing tenancies could not be changed. Although there had not yet been an indication of increased rent arrears as a result, there was anecdotal evidence of concerns and the situation would continue to be monitored.

The Strategic Housing Framework 2013/14 also outlined the amount of money currently received from affordable housing contributions. The Overview Committee had asked for clarification around the fact that of the £1.6 million that was expected to be paid to the Council in lieu of affordable housing provision, only £261,694 had been received. The Cabinet were now advised that the “Payment Pending” figure of £518,575 set down in the report referred to schemes where a Section 106 agreement had been put in place and planning permission granted, but the scheme had not yet started on site. Following which it was

RESOLVED –

1. **That the draft Chiltern District Council Strategic Housing Framework 2013-14 be noted.**

2. That delegated authority be given to the Head of Health and Housing in consultation with the Portfolio Holder for Health and Housing to agree and adopt the final version of the Strategic Housing Framework 2013-14.

36 OFF STREET CAR PARKING ORDER

The Cabinet considered a series of recommendations which dealt with various consequential amendments identified whilst progressing changes to the Off-Street Parking Places Order previously agreed by the Cabinet on 9 July 2013. It was

RESOLVED –

1. That to support the recommendations and changes previously agreed to the parking operation, the following proposed amendments to the Chiltern District Council (Off-Street Parking Places) (Consolidation) Order 2012 or subsequent Off-Street Parking Places Order as appropriate, be approved:
 - a. That an Automatic Number Plate Recognition (ANPR) system be approved apparatus for the purposes of section 35 of the Road Traffic Act 1984 and included in the said Order.
 - b. That at Catlings Car Park in Chesham the maximum length of stay be 4 hours and charges only apply until 16.00 hours.
 - c. That transfer of tickets by any payment method between Catlings Car Park and Star Yard Car Park in Chesham and vice versa, no longer applies.
 - d. That provision for electric vehicles be made in the said Order.
 - e. That provision for Group C Season Tickets be made at High Street, Prestwood Car Park.
 - f. That the Director of Services be authorised to make any other minor amendments to the said Order.
2. That if no valid objections are received, the Director of Services be authorised to make and publish the Order.
3. That if valid objections are received, the Director of Services be authorised to deal with any such objections after consultation with the Deputy Leader and to make and publish the Order with or without modifications as appropriate

37 REVIEW OF OUTCOME OF PHOTO-VOLTAIC INSTALLATIONS

The Cabinet received a report on the large scale Solar Photovoltaic projects that had been successfully installed at King George V House; Chesham Leisure Centre; and, Amersham Multi-storey car park. It was noted that the first-year performance indicated that there would be a six-year-payback period, which was better than that stated in the original business case.

The report had also been considered by the Community & Environment Overview Committee on 6 August 2013, and it had been suggested that photo-voltaic panels be installed on the over roof at the Amersham multi-storey car park. Similar comments had been made by the Performance & Resources Overview Committee, and the Corporate Asset Management Group. After noting that a further report would be produced around this suggestion, it was

RESOLVED –

That it be noted that:

- a) the large scale Solar Photovoltaic (PV) projects have been successfully installed at King George V House, Chesham Leisure Centre and Amersham Multi-storey car park.**
- b) all sites are operating as planned with no operational issues to date.**
- c) the installations are now providing stable financial income to the Council in addition to reducing the Council's carbon emissions.**
- d) year 1 financial income of £31,000 substantiates the original business cases with estimated payback of just over 6 years.**

38 ANNUAL ENERGY REPORT

The Cabinet received a report setting out the Council's annual energy trends (and spend). After noting the positive trend in energy prices achieved by Officers, it was

RESOLVED –

That the report which includes the financial summary of energy spend and consumption for 2012/13, be noted.

39 HEALTHY COMMUNITIES PARTNERSHIP MEMORANDUM OF UNDERSTANDING

The Healthy Communities Partnership had been established for some years as the main partnership body for public health in Buckinghamshire. The membership included all 4 District Councils, Buckinghamshire County Council, Buckinghamshire Health Care Trust, Oxford Health, Community Impact Buckinghamshire and NHS commissioners (Clinical Commissioning Groups).

A Memorandum of Understanding (MOU) had now been developed which would enable local organisations to better work in partnership to improve the health and wellbeing of the local population. The Cabinet were pleased to endorse the MOU and

RESOLVED –

That the Memorandum of Understanding be adopted and the Council's participation and commitment to the Health Communities Partnership be confirmed.

40 TREASURY MANAGEMENT REPORT - APRIL TO JUNE 2013

The Cabinet considered a report setting out the activities of the Treasury Management operation for the quarter ending 30 June 2013.

The Performance and Resources Overview Committee had considered the report at their meeting on 13 August 2013. It was noted that they had requested a report around the approach to short term cash balances in view of current risk ratings and the contractual position.

Reference was made to comments made by the new Governor of the Bank of England that interest rates would remain low until well after 2015. A non-Cabinet Member suggested that this needed to be reflected in forecasts moving forward since they would impact on the Council's rate of return. The Head of Finance noted that interest earned was not used to support the Revenue Budget but rather the Capital Programme, and the long-term impact was likely to be on that.

Reference was also made to the manipulation of the LIBOR (London InterBank Offered Rate) rate by Bankers and that this could mean that councils had received lower returns on their investments since these were tied to LIBOR. It was suggested that the Local Government Association could be approached to see if any action could be taken, and the Head of Finance agreed to look into this. Following which it was

RESOLVED –

That the treasury management activity in the quarter April to June 2013, be noted.

41 MINUTES OF JOINT EXECUTIVE COMMITTEES

The Cabinet were asked to note the Minutes from the latest Joint Executive Committees.

In relation to recommendation 2 of Minute 3 (Shared Services ICT Programme) of the Joint Committee Minutes of 17 July 2013, it was noted that the £145k costs apportioned to Chiltern would primarily be funded from the Transformation Fund, the balance of which stood at £142k as at 31 March 2013, with any balance being funded from the Capital Projects reserve. It was

RESOLVED –

- 1. That the Minutes of the meeting of the Joint Waste Committee for Buckinghamshire held on 20 June 2013 be noted.**
- 2. That the Minutes of the meeting of the Chiltern & Wycombe Joint Waste Collection Committee held on 4 July 2013 be noted.**
- 3. That the Minutes of the meeting of the Chiltern & Wycombe Joint Waste Collection Committee held on 25 July 2013 be noted.**
- 4. That the Minutes of the meeting of the Joint Committee held on 17 July 2013 be noted and that recommendation 2 of Minute 3 (Shared Services ICT Programme) be agreed with the £145k costs apportioned to Chiltern being primarily funded from the Transformation Fund, the balance of which stood at £142k as at 31 March 2013.**

AND RECOMMENDED –

- 5. That the balance remaining for the £145k costs apportioned to Chiltern for the Shared Services ICT Programme – after utilisation of the Transformation Fund detailed in Resolution 4 above – be funded from the Capital Projects Reserve.**

42 EXCLUSION OF THE PUBLIC

RESOLVED –

That under section 100 (A) (4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following item(s) of business on the grounds that they involved the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

Note: the relevant paragraph number and description is included under the Minute heading.

43 LEISURE ANNUAL CAPITAL REPORT

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

The Cabinet considered a report reviewing progress against the leisure capital programme and identifying areas for future capital investment in 2013/14 to 2014/15 for the Council. The report had been endorsed by the Performance and Resources Overview Committee at their meeting on 13 August 2013.

After noting that the existing leisure contract would end in 2020, and that a further report would be submitted during an early stage of the leisure needs assessment so that the strategic planning of leisure premises could commence, it was

RESOLVED –

1. That the 2012/13 Leisure Capital Works as detailed in Appendix 1A be noted.
2. That the 2013-15 Leisure Capital and Repairs and Renewal Programme detailed in Appendix 1B be agreed.

AND RECOMMENDED –

3. That £50,000 be transferred from the Approved but not committed Capital programme to the Approved and committed Leisure Capital programme in order for the required column repair work at Chiltern Pools to be undertaken in December 2013.

44 FURTHER APPROACH FROM COUNTY COUNCIL: LONDON ROAD EAST

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)

As agreed earlier in the meeting (see Minute 27) the Cabinet considered a further approach from the County Council in relation to the site at London Road East. As a preliminary to any future planning application to use the site as a Waste Transfer Station, the County had requested access in order to carry out surveys at the site.

It was suggested that the site survey could take up to 10 weeks, and one non-Cabinet Member suggested that a longer period was required.

In terms of the future use of the site, the risks and opportunities outlined in the report were acknowledged by the Cabinet.

A non-Cabinet Member noted that there would be concerns from local residents regarding potential use of the site by the County Council, and whether that use was necessary. It was also highlighted that a previous application to utilise the site had been rejected on the grounds that very special circumstances did not exist to making an exception to Green Belt and AONB policies. Although there had not been a highway grounds for refusal, this remained a significant area of concern for local residents and would need to be addressed. It was emphasised that if there was a future development on the site it would need to protect the amenities of adjacent properties on London Road East. It was noted that the site was significant in size and additional uses for it should also be explored.

The Leader acknowledged the concerns raised, particularly around highways. Moving forward, it would be important to balance the environmental needs, the needs of adjacent properties, the wider needs of the District as a whole, and the financial implications. Any application to utilise the site would have to demonstrate that very special circumstances existed. However, the Leader emphasised that the only issue to be resolved immediately, was whether to grant access for a site survey. Any future proposals from the County Council would be assessed when and if received.

The Cabinet agreed that in order to make a fully informed decision regarding the use of the site, it was appropriate to allow a proper level of information gathering through site surveys. However, it was emphasised that prompt access to the findings of the site survey needed to be given by the County Council.

The Cabinet also agreed that in addition to the site survey results, it was appropriate to request that the County Council provide an overview of their proposal for the site at London Road East, together with consideration of the impact on the amenities of adjacent properties on London Road East, and

potential supplementary uses of the site. It was agreed that the Performance and Resources Overview Committee would play an important role in considering such information when received.

After noting the importance, as far as possible, of keeping local residents informed of developments through press releases, it was

RESOLVED –

- 1. That the new approach from Buckinghamshire County Council and the grant of an access licence for an ecological survey and revised ground conditions survey be noted.**
- 2. That Buckinghamshire County Council be requested to provide prompt access to the findings of the site survey, an overview of their proposal for the site, together with consideration of the impact on the amenities of adjacent properties on London Road East, and potential supplementary uses for the site; such information to be given initial consideration by the Performance and Resources Overview Committee.**

The meeting ended at 5.58 pm